
Appeal Decision

Site visit made on 21 January 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2020

Appeal Ref: APP/R3705/W/19/3241399

Honey Pot Cottage, 60 Coleshill Road, Curdworth B76 9HA

- 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 Shane Davies, MADE Architecture, against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2019/0278, dated 13 May 2019, was refused by notice dated 16 October 2019.
 - The development proposed is erection of one new dormer bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Revised plans were submitted during the application, mainly reducing the size of the proposal and removing some glazing elements. I have made my decision based on the amended plans.
3. I understand that the Emerging Local Plan (ELP) has not yet been found sound. In addition, I have not been provided with any details regarding whether, and to what extent, there are unresolved objections to any policies. Consequently, I am not able to attach significant weight to the policies in the ELP.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area, with regard to its siting, layout, size, mass and design detail, and
 - the effect of the proposed development on the living conditions of existing occupiers of neighbouring properties Nos 22 and 24 Breeden Drive, and future occupiers of the proposed dwelling, with particular regard to overlooking/privacy.

Reasons

Character and appearance

5. Breeden Drive, the street from which the proposed dwelling would be accessed from, is one of a cluster of cul-de-sacs sited both sides of Coleshill Road which collectively form an expanse of residential development. Most of the properties

are detached dwellings, though there are examples of semi-detached and short rows of terraced dwellings in the area.

6. Breeden Drive comprises mainly short rows of terraced properties with a few semi-detached and detached dwellings. All the properties are two-storeys high designed with a simple form, ie box shaped with dual-pitched roofs and gable ends. Many have a shallow canopy/porch extension along their front elevation. Most are set back from the road behind a front garden/parking area with gardens to the rear.
7. A single-vehicle-width tarmac driveway extends off Breeden drive providing vehicle access to Nos 14-24. The rear garden of the host property, No 60 Coleshill Road, currently has a pedestrian access from this driveway. The proposal includes using this route to access the dwelling. The proposed residential plot would be created by severing the rear half of the rear garden of the host property, No 60. In terms of its siting, I consider the creation of a residential plot in the proposed location to be in keeping with the cul-de-sac pattern of development of Breeden Drive and other surrounding residential development, whilst simultaneously not eroding the pattern of development of properties on Coleshill Road located between Breeden Drive and Church Lane.
8. The proposed dwelling would be detached. It would be around twice the width of each of the properties in the terrace it would be opposite. The form of the dwelling would be more complex than the simple form of neighbouring properties. Thus, the footprint would comprise of 3 oblong shapes attached to each other. There would be a central section, set back from the driveway towards the centre of the plot and a section attached to one end of this, at right-angles to it, extending towards, and close to, the access driveway. Another section would be attached to, and extend off, the rear elevation. As a result, the dwelling would have 3 main roofs, with 3 roof lines of slightly varying heights, running in different directions, ie the central one running north-south and the other 2 running east-west.
9. Including the gable ends of the various sections of the proposal, there would be 6 gables of varying sizes with varying roof pitches. In general, the roof and gable pitches would be much steeper than those of neighbouring properties. At 1.5 storeys high, the proposed dwelling would have lower ridge heights than neighbouring properties and substantially lower eaves heights.
10. I acknowledge that the design of the dwelling, in isolation, is of high quality, sustainable and inclusive. I also acknowledge that the designs of the immediate neighbouring properties are without architectural merit. However, except for the neighbouring properties being altered and extended in the future, the location provides little in the way of opportunities for future development. As such, the proposed dwelling is unlikely to serve as an example that will raise the standards of design in the area. Consequently, not only would it appear out of place from the outset, but it would continue to do so in the future.
11. Bearing in mind the factors outlined above, I consider the individually designed proposed dwelling would be a discordant addition to the street scene that would be out of keeping with its surrounds. As such, I conclude that the proposal as designed and laid out within the plot would be harmful to the street scene and therefore the character and appearance of the area. Consequently, the proposal would not accord with saved policies ENV12 and ENV13.1 of North Warwickshire Local Plan (2006) (NWLP), or Policy NW12 of the North

Warwickshire Local Plan Core Strategy (2014) (NWLPCS). These policies require, among other things, developments to harmonise and integrate with their immediate setting and wider surroundings taking account of scale, mass, height and appearance; proposals should also demonstrate a high quality of sustainable design that positively improves the character and appearance of the area.

Living conditions

12. The proposed dwelling would have one habitable room window on the ground-floor and one on the first-floor of its front elevation. Both would serve bedrooms. These would directly face other habitable room windows on the front elevation of No 22 Breeden Drive and would be to the side of habitable room windows on the front elevation of No 24. As regards the window on the ground-floor of the proposal, the parking area would be sited directly in front of this window. Consequently, it is likely that when the property is occupied a car would be parked on the site restricting views out of and into the bedroom on the ground-floor.
13. Due to the existence of front porches on Nos 22 and 24 I consider there would be very limited loss of privacy to these properties to any rooms at ground-floor level and that any overlooking from these properties to the proposed dwelling would be severely restricted. In respect of habitable room windows at first-floor level, although I was not able to confirm this on site, my observations lead me to conclude that it is likely that Nos 22 and 24 have bedroom windows at first-floor level on their front elevations.
14. The plans show 17 m between the proposed windows of concern and the footprint of No 22. The Council's statement refers to the distance being 17-17.5 m. Hence, the parties agree that the separation distance would be somewhere between 17 to 17.5 m. Bearing in mind the small number of windows involved and the nature of rooms served, along with the constraints of the site, which result in it being unlikely for the appellant to increase the separation distance further, I consider that the proposed development would not harm the privacy levels of existing occupiers of Nos 22 and 24 or those of future occupiers of the proposed dwelling as a result of overlooking.
15. Bearing in mind the above, with regards to overlooking/privacy, I conclude that the proposed development would not harm the living conditions of existing occupiers of Nos 22 and 24 and that satisfactory living conditions would be provided for future occupiers of the proposed dwelling. As such, the proposal would accord with Policy NW10(9) of the NWLPCS and paragraph 127(f) of the National Planning Policy Framework. These policies and guidance require, among other things, developments to avoid unacceptable impacts on neighbouring properties due to overlooking and to create places with a high standard of amenity for existing and future occupiers.

Other Matters

16. The appellant has outlined various factors in support of the proposal. Thus, the site is previously developed land and the proposal would make efficient use of land. The figures in the Council's Housing Land Supply include 120 dwellings from windfall sites. The proposed site would constitute a windfall site and therefore it would contribute to this requirement. The proposal would provide economic benefits during construction and post development. The site is not in

a Conservation Area and there are no Listed Buildings within its vicinity and the site is locationally accessible.

17. Although these factors weigh in favour of the proposal they do not, either individually or collectively, outweigh the harm to the character and appearance of the area I have identified.
18. The appellant has drawn my attention to various other developments in the area. However, I do not have the full details of these and therefore cannot be sure that either of them is directly comparable to the proposal.

Conclusion

19. Notwithstanding my conclusion in respect of living conditions, for the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR