



Appeal Decision

Site Visit made on 16 September 2021

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2021

Appeal Ref: APP/U4610/W/21/3276746

39 Beech Tree Avenue, Coventry, West Midlands CV4 9FE

- 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 Demetrios Hadjitofi against the decision of Coventry City Council.
 - The application Ref FUL/2021/0264, dated 3 February 2021, was refused by notice dated 31 March 2021.
 - The development proposed is a queuing shelter (external) to allow for separation distances under Covid- 19 (reduced in size).
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Decision

1. The appeal is dismissed.

Preliminary matter

2. At the time of my site visit there was a queuing shelter on site. The application proposes a shelter smaller than that on site. In coming to my decision, I have had regard to what I saw on site, together with the evidence before me.

Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

Reasons

4. The commercial uses at the junction of Beech Tree Avenue and Elm Tree Avenue, to include the appeal site, have open frontages which, because of their prominent positions in the street, are clearly visible in local views and create a sense of openness. This contrasts with the residential properties in the area that, on the whole, have frontages that are closer to the highway and are more enclosed.
5. The north facing elevation of the development would be almost as wide as the appeal property. The development, therefore, would not be subservient in scale to the host property. Together with its projection in the street scene, the proposal would appear unduly dominant and harmful to the open character described. Given the prominent location of the site, the harm would be particularly acute.
6. The grey painted timbers proposed would give the shelter a makeshift appearance which would contrast awkwardly with the more permanent appearance of the appeal property and other buildings nearby. The development would, therefore, appear incongruous.

7. Given that customers could queue outside the premises and at a distance apart without the shelter in situ, the shelter is not needed to facilitate social distancing. I have no doubt, however, that the development would protect customers from inclement weather which would be good for business. However, there is nothing within the evidence before me to suggest that a shelter is needed to maintain a viable business, nor that a shelter of the size proposed is required for this reason.
8. All in all, the development would be contrary to Policy DE1 of the Local Plan (2017) which seeks development that respects and enhances its surroundings and positively contributes towards the local identity and character of an area.

Conclusion

9. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. For the above reasons, the appeal is dismissed.

R Walmsley

INSPECTOR