



Appeal Decision

Site visit made on 18 May 2021

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/W3710/W/21/3269363

287 Heath End Road, Nuneaton, CV10 7HQ

- 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 Alec Statham against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref 037156, dated 22 May 2020, was refused by notice dated 4 November 2020.
 - The development proposed is erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site is an overgrown, vacant plot of land with a street frontage. It is located next to 2 wide blocks of apartments to the east, with which the proposed dwelling would share an access. To the west of the appeal site are a pair of narrow semi-detached houses, Nos 287 and 289 Heath End Road.
4. Development in the surrounding area is varied, comprising a mixture of building types, ages and uses. The area includes a number of properties, including those opposite the appeal site, which are set back from the edge of pavement to varying degrees. Adjacent to the neighbouring pair of apartment blocks is a convenience store with a recently erected block of flats attached to its side. This development sits well back from the road. Beyond Nos 287 and 289 is a small engineering workshop which is also set back into its plot. Notwithstanding the varied pattern of development in the surrounding area, it is necessary to consider the immediate context of the appeal site.
5. The proposed dwelling would be set back considerably from the road frontage, well behind the front elevations of the adjacent buildings. As such, it would not relate to its neighbours and the existing gap in the frontage would remain. The proposed dwelling would appear incongruous in its immediate setting, amounting to a disjointed and incoherent element in the street scene. I therefore conclude that the proposal would conflict with the guidance set out in Paragraph 10.9 of the Council's Sustainable Design and Construction SPD 2020 (SPD) which in summary requires infill developments to follow the existing pattern of development line defined by the immediately adjoining properties.

6. Where the existing pattern of development is not followed, the SPD states that it should be demonstrated how the proposed design would enhance the overall street scene. As discussed above, a number of buildings are set back from the road. Nevertheless, most of these are not set back as far as the appeal site and they do not form its immediate context. Furthermore, this argument alone does not demonstrate how the proposal would enhance the street scene.
7. Having reviewed the key characteristics of the surrounding area, I conclude that the proposed dwelling would be unacceptable within the street scene and would thereby conflict with the SPD and Policy BE3 of Nuneaton & Bedworth Borough Plan 2019 which, amongst other things and in summary, requires development to be designed to a high standard which contributes to local distinctiveness and character by reflecting the positive attributes of the neighbouring area. There would also be conflict with the design aims of the National Planning Policy Framework which states that permission should be refused for poor design which fails to take into account local or national design standards or guides.
8. There have been previous planning applications relating to the appeal site and this appeal proposal seeks to address concerns about the relationship of a new dwelling with neighbouring buildings. There are few details of the former schemes, but in any event, I am required to determine the appeal proposal on its own individual merits.

Conclusion

9. For the reasons set out above, the appeal is dismissed.

Elaine Benson

INSPECTOR