

Appeal Decision

Site visit made on 7 March 2022 by B Phillips BSc MSc MRTPI

Decision by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 March 2022

Appeal Ref: APP/U4610/D/22/3291260

Priors Croft, Cryfield Grange Road, Coventry CV4 7AQ

- 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 C Singh against the decision of Coventry City Council.
 - The application Ref HH/2021/3249, dated 28 October 2021, was refused by notice dated 13 January 2022.
 - The development proposed is the erection of a detached outbuilding within the rear garden.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area, with particular regard to its effect on the Kenilworth Road Conservation Area (CA)

Reasons for the Recommendation

4. The appeal site is situated on the south side of Cryfield Grange Road, within the Kenilworth Road CA and towards its southern boundary. Like many properties along Cryfield Grange Road, Priors Croft is a substantial two-storey detached dwelling, set within a large plot, with a generous open garden extending to the rear.
5. The characteristics of the appeal site and the Cryfield Grange Road environs correspond with the description within the Council's Kenilworth Road control plan, adopted 2001 (CP), insofar as it describes the Kenilworth Road CA as having a heavily landscaped and well wooded character, providing one of the most attractive entrances to any city in the country. The CP also identifies development behind the landscaped screen comprising of a wide variety of types of housing on predominantly large plots. The area's verdant and spacious nature is therefore contributed to in part by large open gardens, which includes the appeal site. Thus, the appeal site makes a positive contribution to the character and appearance of the Kenilworth CA as a whole, which underpins its special interest and significance.

6. The proposal is to erect a detached, single-storey outbuilding at the end of the substantial garden to the rear of Priors Croft. The outbuilding would provide ancillary accommodation to the main house, including an indoor pool and gym. Notwithstanding it would be single-storey, the proposed outbuilding would occupy roughly the same footprint as the main property and reach virtually across the entire plot width.
7. In the context of the variety of property design and material finishes locally, the proposed use of brickwork and render to match the main house would be appropriate. Nevertheless, given its overall size, the proposed outbuilding would represent a significant physical structure, which would erode the verdant, open nature of the extant rear garden at Priors Croft.
8. The CP sets out several criteria and guidelines regarding development and its impact upon Kenilworth Road CA, including to retain the verdant character of the surroundings. The proposed outbuilding would not be visible from Cryfield Grange Road nor impact the three TPO trees sited to the front of the property. However, it would be visible from the open countryside beyond the site's rear boundary and from neighbouring properties. Although the impact would be localised, from these vantages, such a large ancillary structure would detract from the verdant open plot characteristics that are a defining feature of the site, the Cryfield Grange Road environs, and the Kenilworth CA as a whole.
9. Thus, the proposed development would fail to preserve or enhance the character or appearance of the conservation area, contrary to the expectation under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act. Given the localised impact of the development, the degree of harm that the proposed outbuilding would cause to the significance of the designated heritage asset would, in my judgement, be less than substantial. Paragraph 202 of the National Planning Policy Framework (the Framework) makes it clear that in such circumstances, this harm should be weighed against the public benefits of the proposal.
10. The additional ancillary accommodation that would be provided would be of benefit to the owners of Priors Croft, which does not amount to a public benefit. There would be some economic benefits associated with the construction phase, however, this would be short-term and modest, carrying very little weight as a public benefit. I note there is potential fall-back position should permitted development rights be exercised. The Council have not disagreed with the appellant's contention that the proposed outbuilding has been designed in compliance with the requirements of part E of the General Permitted Development Order 2015 (as amended). However, I have not seen any substantive evidence that a certificate of lawfulness has been either applied for or granted. This lessens the weight that I attribute to a potential for a fallback position as a material consideration to a moderate level. Furthermore, in the heritage balance, the existence of a fallback would not offer wider public benefit beyond those already identified.
11. I therefore find that the sum of wider public benefits associated with the appeal scheme would not outweigh the less than substantial harm to the significance of the CA as a designated heritage asset, to which I attach great weight as required by paragraph 199 of the Framework. For the above reasons, I also find that the proposed development would not accord with Policies DE1 and HE2 of the Coventry City Council Local Plan (2017), insofar as these seek to

ensure that development respects its surroundings and preserves or enhances the historic environment. These policies are consistent with the design and heritage protection policies of the Framework, which, amongst other things, require development be sympathetic to local character and that heritage assets are conserved.

Conclusion and Recommendation

12. For the reasons given above, I conclude that the proposal conflicts with the development plan read as a whole and material considerations do not lead me to a decision otherwise. I therefore recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

H Porter

INSPECTOR