



Appeal Decision

Site visit made on 23 May 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2023

Appeal Ref: APP/U4610/W/22/3313281

2 The Barns, The Coach House, Fivefield Road, Coventry CV7 8JE

- 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 Balroop Bhogal against the decision of Coventry City Council.
 - The application Ref FUL/2022/2464, dated 8 September 2022, was refused by notice dated 12 October 2022.
 - The development proposed is a timber building for use as domestic storage in association with The Coach House, 2 The Barns, Fivefield Road, Coventry CV7 8JE and erection of a 2-metre high close-boarded fence to the east boundary.
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Decision

1. The appeal is allowed and planning permission is granted for a timber building for use as domestic storage and erection of a 2-metre high close-boarded fence to the east boundary at 2 The Barns, The Coach House, Fivefield Road, Coventry CV7 8JE in accordance with the terms of the application, Ref FUL/2022/2464, dated 8 September 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan, Block Plan DWG 2205/2.01 revision B and Floor Plan and Elevations DWG 2205/2.02 revision A.
 - 2) The building hereby permitted shall not be used other than for purposes ancillary to the residential use of the dwelling known as 2 The Barns, The Coach House, Fivefield Road, Coventry CV7 8JE.

Preliminary Matters

2. From the evidence submitted, and from my site visit, the proposed development has commenced. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is a parcel of land to the rear of 2 The Barns and 4 Durham Close (No.4). At the time of my visit, it had been mown and the timber building, subject of this appeal, sits in the corner of the land close to the garden of No.4. The land is currently enclosed on 3 sides by agricultural fields and paddocks. However, both main parties have confirmed that the surrounding fields, and the appeal site, now forms part of the Keresley

Sustainable Urban Extension (SUE), as allocated under Policy H2 of the Coventry City Council Local Plan, December 2017 (LP).

5. The appeal seeks permission for the erection of a storage building and close boarded fence and accordingly my consideration is limited to the siting, scale and appearance of the building and fence. The fence, at 2m, would be of a height and appearance more like those found between domestic gardens. However, both main parties have agreed that the fence could be erected under permitted development rights¹ and I have no substantive evidence before me to suggest otherwise. While agreement with adjoining occupiers would constitute good neighbourliness, it is not a planning requirement and, therefore, is not part of my consideration of the appeal before me.
6. The Council asserts that the appeal site is informal green space and therefore Policy GE1 of the LP is relevant. The Council has provided four historic aerial photographs of the land which all show it the same as the surrounding fields. There is no distinction on the photographs that the land is informal green space other than it being one of several fields or paddocks in the area.
7. The Coventry City Council Green Space Strategy 2019-2024 includes reference to natural and semi-natural green spaces as informal areas, and these include grasslands. However, the Council has confirmed that the appeal site is not identified in the Green Space Strategy and as such it has not been designated as informal green space.
8. I do, however, accept that it is currently green and pleasant and is of benefit to the local community in being an open, green, area. The view of the land is of benefit to the surrounding houses and to users of the public right of way near the site.
9. The building, which has been erected, is not of a design or appearance similar to the other horticulture and agricultural buildings on the land around the appeal site. It has more of a domestic appearance with large glass windows and glazed doors. However, although local representations contend that the building is out of keeping with the area, the Council has not raised any objections to the scale or appearance of the building. Furthermore, I agree that it is not untypical to find buildings with timber cladding in fields.
10. Although it can be seen from No.4 the scale and appearance of the building is reasonable and well related to the size of the parcel of land on which it sits. Neither the visual appearance, nor the scale, of the building is significantly harmful to the intrinsic character and beauty of the countryside.
11. Moreover, the current proposal is for a building in one corner of the land and the remainder of the land will be retained as an open field. The land is also allocated as part of the Keresley SUE which, if developed could result in the loss of the land as a green area. I also have little evidence that, in allowing the current appeal, the comprehensive housing scheme allocated as the SUE would be prejudiced.
12. For the above reasons I, therefore, find that neither the storage building nor the close boarded fence would have a harmful effect on the character and appearance of the area. There is, therefore, no conflict with Policies DE1 or GE1

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

of the LP, which taken together, seek to ensure all development respects its surroundings and the character of the area and respects the importance of conservation, improvement, and management of green infrastructure.

13. The proposal would also not conflict with the general aims for good design in paragraphs 126 and 130 of the National Planning Policy Framework (the Framework) and does not harm the intrinsic character and beauty of the countryside or valued landscapes as sought by paragraph 174 of the Framework.

Other Matters

14. The description of development in the banner heading above does not include the change of use of the land and this description has been taken from the application form. The Council assert that a change of use will occur through the erection of the storage building. However, the erection of a storage building, even if used for storage by a resident of an adjacent property such as the appellant, does not automatically result in the change of use of the land around the building. Unlike the previous planning application submitted to the Council and subsequently withdrawn, change of use is not part of the current application and is therefore not before me to consider. If any future change of use of the land occurred, so as to change it to domestic land, this would be a matter between the Council and the landowner.
15. I have no substantiated evidence that the building has resulted in an increase in flooding in the local area. The photographs provided by an interested party to evidence an increase in vermin are not conclusive and other interested parties have challenged this assertion. The presence of vermin is a potential in any countryside location; however, I have little evidence that the appeal building has directly resulted in an increase in vermin in the area.
16. In addition to the matters considered above, interested parties have expressed concerns including, but not limited to, impact on outlook and loss of privacy. However, I note that these matters were considered by the Council at the application stage and did not form part of the reasons for refusal, which I have dealt with in the assessment above.
17. Whilst I understand the concerns of the interested parties, there is limited evidence before me that would lead me to come to a different conclusion to the Council on these matters. The building and the fence are not so close to the neighbouring property as to cause an impact on the outlook, which would continue to be open and pleasant. Furthermore, the fence would reduce any risk of overlooking, which is limited as the building does not have any windows in the side facing the neighbouring property. I have considered this appeal proposal on its own merits and concluded that it would not cause harm for the reasons set out above.

Conditions

18. The Council has indicated the conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance. A condition specifying the approved plans is necessary as this provides certainty. However, a condition requiring the commencement of the development within 3 years is not necessary as the development has commenced in that the building has been erected.

19. The Council also requested a condition to require the building to be used for purposes incidental to the residential use of the appellant's property and not for primary living accommodation or for the purposes of any trade or business. A condition restricting the use of the building to purposes incidental to the residential use of the appellant's property is reasonable and related to the application. Such a condition would also prevent the use for trade or business, unless associated with the dwelling. However, there is no need to prevent primary living accommodation as this would require separate planning permission as a change of use.

Conclusion

20. For the reasons given above, and taking into account all matters raised, the appeal is allowed, and planning permission is granted, subject to the conditions set out in paragraph 1 above.

K Townsend

INSPECTOR