



Appeal Decision

Site visit made on 11 October 2023

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2023

Appeal Ref: APP/W3710/W/23/3321326

129 Cedar Road, Nuneaton, Warwickshire CV10 9DF

- 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 Kieron Moll against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref 039281, dated 13 November 2022, was refused by notice dated 18 January 2023.
 - The development proposed is 3-bedroom house attached to existing terrace.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area;
 - the living conditions of future occupants, with specific regard to internal space; and
 - whether the proposal would provide suitable refuse storage and collection arrangements.

Reasons

Character and Appearance

3. The appeal site is a corner plot located on the corner of Cedar Road and The Dingle. The site is mostly flat and forms part of the side garden to No 129 Cedar Road (No 129). It is bordered by a hedge to the front of the site and a wooden fence to the side.
4. No 129 is the end dwelling of a linear block of two-storey terraced dwellings constructed from red brick and of similar roof material and architectural style. This consistency in design, scale and materials lends a pleasant uniformity to the street scene which contributes positively to the character and appearance of the area.
5. The existing dwellings are set back from the road within an established building line, with front gardens and private gardens to the rear. The end corner plots generally have more space around them than the other dwellings, which conveys a sense of spaciousness and contributes to the open character of the area.

6. Although the front elevation of the proposed dwelling would be aligned to the existing front elevation of No 129, the proposal's two-storey side elevation would be located significantly closer to The Dingle than the existing side elevation of No 129. As such, it would uncharacteristically protrude towards the road. In addition, the proposal's predominantly blank side elevation would have a bland appearance. Therefore, the dwelling would appear as a highly visible and incongruous feature within the street scene.
7. Furthermore, the presence and massing of the proposed dwelling would significantly erode the sense of openness of this corner plot. Its corner siting and the scale of the proposed dwelling would result in the proposal appearing cramped and at odds with the prevailing pattern of development in the locality.
8. The proposed dwelling would have no effect on the public open spaces in the surrounding area. Even so, the positive contribution the appeal site makes to the character and appearance of the street scene in its current form would be lost.
9. The proposed dwelling would be of similar design to the existing dwellings and would include matching materials, which could be secured through the imposition of planning conditions. Nevertheless, these acceptable aspects would not outweigh the harm identified.
10. For the reasons given, the proposal would have a harmful effect on the character and appearance of the area. As such, it would fail to accord with Policies BE3 and DS3 of the Nuneaton and Bedworth Borough Plan 2011-2031 (2019). Collectively, these policies amongst other things, seek to ensure development is of high quality and makes a positive impact on its surrounding environment by contributing to local distinctiveness and character, and respecting patterns of development. The proposal would also conflict with the Council's Sustainable Design and Construction Supplementary Planning Document (2020) (SPD), which sets out that designs should have regard to the urban characteristics of the locality. It would also fail to accord with the design objectives of the National Planning Policy Framework (Framework).

Living Conditions

11. The internal floor area of the proposed dwelling would be well below the minimum set out for a 3-bedroom, four person two-storey dwelling by the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS). These standards are recommended by the Council's SPD (2020). The SPD recommends that floor areas for development schemes should meet or exceed the space standards.
12. Whilst the ground floor of the proposed dwelling would be open plan, the internal areas of the proposal's first floor space would be very narrow. This would give rise to an unacceptably restrictive feel to rooms, particularly the bedrooms. In quality terms therefore, and as a result of the limited floor area, the interior of the proposed dwelling would be poor.
13. The applicant suggests that the proposal could be modified to a 2-bedroom property. However, the current proposal is for a 3-bedroom dwelling, and I have based my decision on the plans submitted and the evidence before me.
14. With the above in mind, the proposed dwelling would fail to provide acceptable living conditions for future occupiers. The proposal would conflict with the

advice of the SPD (2020), the aims of which I have set out in that it seeks to ensure appropriate living conditions for occupiers of dwellings as a result of new development. It would also fail to accord with the Framework (para 130), where it seeks to promote health and well-being, and a high standard of amenity for existing and future users.

Refuse storage and collection

15. Whilst the submitted site plan B shows a side access to the rear garden area for No 129, this proposed access would be located behind the parking space for the proposed new dwelling. Although there would be sufficient space for refuse bins to be stored in the existing garden area, access to the bins would not be gained directly from the highway as a result of the proposed parking space.
16. Instead, bins would need to be manoeuvred across the parking space and it is not clear where the bins would safely be placed for refuse collection purposes. Due to the narrow width of the parking space, it is likely that access to the bins would be impeded by the parked cars. This appears to be an awkward and inefficient arrangement and could result in the refuse bins being stored to the front of No 129, which would be visually unappealing.
17. Given the absence of detail, if I were to allow the appeal, I cannot be certain that a suitable bin storage arrangement could in practice be implemented, even if I were to attach a condition requiring details to be approved by the Council.
18. Consequently, I conclude that the proposal represents poor design for refuse storage and collection. It would therefore conflict with the Council's SPD (2020), which amongst other things, seeks to ensure developments include suitably designed refuse collection areas that are accessible and do not harm the visual amenity of the area. It would also fail to accord with the Framework (para 130), where it seeks to promote health and well-being, and a high standard of amenity for existing and future users.

Other Matters

19. The proposal would make a contribution to the local housing stock as a 3-bedroom dwelling. Such a contribution would be small in the grand scheme and thus the weight I would ascribe to it would be limited.
20. I note the concern regarding the Council's handling of the application. Nevertheless, that is not a matter for my consideration in this appeal.

Conclusion

21. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

H Smith

INSPECTOR