



Appeal Decision

Site visit made on 15 July 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2024

Appeal Ref: APP/U4610/W/24/3338731

731 Sewall Highway, Coventry CV6 7JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Inglis (Joshua Robert Homes Ltd) against the decision of Coventry City Council.
 - The application Ref is PL/2023/0001966/FUL.
 - The development proposed is erection of a single new 3-bedroom dwelling, vehicular and pedestrian access and associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The address provided on the application form and Council's decision notice both refer to the site as being 731 Sewall Highway (No 731). However, the location plan indicates that the appeal site is land to the rear of No 731. I have considered 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 located on a corner plot at the junction of Sewall Highway and Tackford Road. Sewall Highway is a wide residential street fronted by two-storey terraced dwellings that form a strong building line set behind similar sized front garden areas. The regularity in the scale and form of development along Sewall Highway is further emphasised by two-storey front bay projections with small gabled roofs. Tackford Road, is a narrower street fronted by two-storey terraced dwellings and also has a strong building line that follows the curve of the road. Whilst two-storey front bay projections are also evident along this route, the dwellings along Tackford Road typically comprise a mix of pitched roof and gable fronted terraces with single storey front bay projections.
5. On both streets, dwellings contain long narrow rear gardens and there is an overall consistency in the materials, which include brickwork, render or pebbledash facades and tile roofs. Whilst there have been some physical alterations to dwellings in the vicinity, including extensions and use of different colour render, there is an overall consistency in development rhythm, materials

and balance between the sets of terraces that makes a positive contribution to area's cohesive character and appearance.

6. The appeal site is located to the side of 31 Tackford Road (No 31) and to the rear of 731 Sewall Highway and contains overgrown garden land. The site is unassuming in the street scene and is similar in appearance to the rear garden on the opposite side of the road, to the rear of 729 Sewall Highway. Whilst 26-30 Tackford Road sit immediately opposite the appeal site, they are a set of terraces which replicate the scale and form of development along Sewall Highway and fit comfortably within the street.
7. The proposed dwelling would have a wider frontage than the dwellings within terraces in the vicinity and would sit close to the rear boundary of the appeal site with a garden to its side as opposed to its rear. There are no other two-storey detached dwellings with side gardens or single storey side projections in this part of Tackford Road. This proposed arrangement would have a cramped appearance and interrupt the rhythm of gardens sizes on this part of Sewall Highway. Even accounting for its setback which correlates with the building line along Tackford Road, and inclusion of a bay window and front gable feature, the form and layout of the development would unacceptably contrast with the pattern of development in the area. This would not relate sympathetically to the cohesive character or appearance of the locality. Together with its prominent location fronting Tackford Road, the proposal would be out of keeping with the area.
8. I conclude that the proposed development would have a harmful effect on the character and appearance of the area. In this regard, the development would conflict with Policy DE1 of the Coventry City Council Local Plan (adopted December 2017) which requires development proposals to respect and enhance their surroundings and positively contribute towards the local identity and character of an area. For the same reasons, the development is also contrary to the National Planning Policy Framework (the Framework) which requires planning decisions to ensure that development establishes or maintains a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live.
9. The proposal would also conflict with the guidance within the Coventry City Council Design Guidance for New Developments Supplementary Planning Document (SPD) which expects new residential development to respond to the size, shape and rhythm of surrounding plot layouts.

Other Matters

10. The appellant suggests that the refusal of the planning application was unexpected due to advice received from the Council's planning officer during the application process. Local planning authorities are not bound to accept the advice or recommendation of their officers whether they are favourable or not. Whilst noting the appellant's frustration in this regard, I have determined the appeal based on the plans and evidence before me in accordance with the development plan.
11. The appellant has drawn attention to additional policies within their statement, some of which have also been listed by the Council. However, these policies do not relate to the main issue, and I have no reason to find any conflict with the development and these LP policies. There is no dispute in relation to the

principle of development or matters relating to residential amenity, highways or ecology. However, this does not alter the harm identified in respect of the main issue and the conflict with the development plan as a whole.

Planning Balance

12. The Council has acknowledged that it is not able to demonstrate a five-year housing land supply. As such, whether Paragraph 11 d) of the Framework is engaged should be considered.
13. The proposal would make a minor yet positive contribution to housing supply. Benefits of the proposal include utilising a site within an existing settlement, the generation of employment during construction and additional support for services and facilities in the local area. However, given that the proposal is for one additional dwelling, these associated benefits would be limited.
14. In the particular circumstances of this case, I have concluded that the harm to the character and appearance of the area would be significant and would conflict with The Framework. The harmful impacts of the proposal would therefore significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result the presumption in favour of sustainable development is not a material planning consideration in this case.

Conclusion

15. The proposal would conflict with the development plan as a whole and there are no material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

H Marriott

INSPECTOR