



Appeal Decision

Site visit made on 11 February 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 March 2025

Appeal Ref: APP/U4610/W/24/3356497

246 and 248 Browns Lane, Coventry CV5 9ED

- 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 Hampton Group against the decision of Coventry City Council.
 - The application Ref is PL/2024/0000527/FUL.
 - The development proposed is Alteration to No.246 Browns Lane, rebuilding of No. 248 Browns Lane and erection of 2 detached dwellings to the rear.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site relates to 246 and 248 Browns Lane (Nos 246 and 248) which are located in a predominantly residential area adjoining open fields to the rear. No 246 is a traditional two-storey semi-detached dwelling with a side garage. No 248 is a detached dwelling with a half-hipped ridged roof and accommodation on two floors with a more unique design.
4. This section of Browns Lane contains largely two-storey detached and semi-detached dwellinghouses of varying ages and design. The properties on the west side of Browns Lane have long gardens which align and form a straight edge with the adjoining fields. The general uniformity and spaciousness of the gardens together with the ordered and cohesive appearance of the dwellings in Browns Lane contributes to the overall character of the area.
5. There are small cul-de-sacs in the vicinity of the appeal site where small groups of houses have been developed behind the frontage properties on Browns Lane. I accept that these form part of the pattern of development in the area. However, Evergreen Close and Carvell Close contain more dwellings than those proposed at the appeal site, forming their own cul-de-sacs with a cohesive layout. The houses at 167 and 169 Browns Lane are adjacent to other dwellings that have been developed behind the east side of Browns Lane so are consistent with the pattern of development in that vicinity. Therefore, these examples are materially different to the appeal proposal which would be visually and spatially anomalous within its immediate context.

6. The planning consent¹ at 234 Browns Lane for the erection of 3 dwellings, which has not been implemented, has a larger and wider site area, so is not directly comparable to the appeal site, which in contrast is narrower and more confined. Furthermore, I do not have the full details of the circumstances that led to planning permission being granted at 234 Browns Lane so cannot be sure it represents a direct parallel to the appeal proposal. In any event, I have determined the appeal on its own merits.
7. Due to the proposed position of the houses and the constrained shape and size of the site, the proposal would result in a cramped and contrived form of development that would disrupt the prevailing rhythm of development and space in this part of Browns Lane. The proposal would erode the open and spacious character of the rear gardens, creating a discordant built form that would appear incongruous within the existing context.
8. The visual disruption to the existing pattern of development as a result of the proposed development would be exacerbated by the open backdrop of the appeal site and the flat undeveloped fields that lie behind it. The visual intrusion of the proposed two storey dwellings would also be apparent within the open character of the well-ordered rear gardens from private vantage points.
9. While the design of the proposed replacement dwelling for No 248 and the alterations to No 246 would complement the existing street scene, the scheme overall would undermine the positive attributes of the locality by virtue of the proposed backland dwellings which would diminish the open quality of the site and disrupt the cohesive pattern of development in the vicinity.
10. For the reasons given, I conclude that the proposed development would harm the character and appearance of the surrounding area. I judge the magnitude of this harm to be significant in this context. The proposal would conflict with Policy DE1 of the Local Plan (December 2017) (LP) insofar as it requires development to respect and enhance its surroundings and positively contribute towards the local identity and character of the area. It would also conflict with Policy H3 of the LP which sets out policy requirements for the provision of new housing, including that proposals conform with all other relevant development plan policies.

Other Matters

11. The appellant has pointed to other examples of housing in the wider area. However, these are of little relevance to the appeal as they either form part of a large comprehensive cul-de-sac or due to their presence or frontage on Browns Lane.
12. The Council has confirmed that Coventry has a housing land supply of 5.60 years² and the latest Housing Delivery Test measurement³ shows that it has achieved a total housing delivery of 121% against the required number of homes over the rolling three-year period.

¹ Ref FUL/2019/1953.

² Coventry City Council, Five-Year Housing Land Supply Position Statement for the period 1st January 2025 to 31st December 2029 (published 28 February 2025).

³ Housing Delivery Test: 2023 measurement, Ministry of Housing, Communities and Local Government (published 12 December 2024).

Planning Balance and Conclusion

13. The site includes garden land in a built-up area so, by definition, is not all previously developed 'brownfield' land⁴. Nonetheless, the proposal would deliver two additional houses, contributing to the area's housing choice and supply. The Framework also recognises the important contribution of small to medium sized sites which could be delivered relatively quickly. The scheme would provide social and economic benefits during construction and in subsequent occupation. The site is highly accessible to a wide range of local services and facilities including public open space. There are safe and convenient walking and cycling routes and bus services in the vicinity. However, given the small scale of the development these benefits would be modest and carry moderate weight in favour of the proposal.
14. Compliance with the development plan in relation to highway safety, drainage, landscaping, ecology, heritage, outdoor amenity areas, the intrinsic architectural quality of the proposed dwellings, the amenity of neighbouring occupiers and the amenity of future occupiers of the proposed dwellings are expectations for all development that weigh neither for nor against the proposal and is considered neutral in the planning balance.
15. The proposal would significantly harm the character and appearance of the surrounding area. As such, the appeal scheme would conflict with the development plan, when considered as a whole.
16. The moderate benefits of the proposal do not outweigh the significant harm that would be caused by the proposal. The material considerations, including the stated benefits, do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

U P Han

INSPECTOR

⁴ Framework Annex 2: Glossary