



Appeal Decision

Site visit made on 27 May 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/W3710/W/25/3360580

13 Chestnut Crescent, Nuneaton, Warwickshire CV10 9BE

- 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 Stephen Dunn against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref is 040204.
 - The development proposed is described as the erection of 4 no. one-bedroom flats for assisted living.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site relates to a vacant parcel of land of irregular shape, generally covered with low level vegetation. The side boundary is defined by fencing which is shared with No.13 Chestnut Crescent (No.13). The sites rear boundary is also defined by fencing which is shared with Nos.16 and 18 Cherry Tree Avenue. The roadside boundary comprises a low picket fence and follows the curved alignment of Chestnut Crescent. The undeveloped nature of the site represents an anomaly within an otherwise residential street scene.
4. Chestnut Crescent and Cherry Tree Avenue are characterised by predominantly two-storey terraced properties. The terraced blocks provide a prevailing linear grain of development in the area. There is a stagger in the building line along Chestnut Crescent, with Nos. 9-13 (which are immediately adjacent to the appeal site) having a set-back position from the front façade of Nos.1-11. The dwellings along Chestnut Crescent are set back from the street behind front gardens and/or parking areas. The two-storey element of No.18 Cherry Tree Avenue is set away from Chestnut Crescent to the side, although a single storey side and rear extension brings development closer to the street. The position of buildings away from the street, particularly at two-storey level, is a characteristic of the area and provides for a degree of spaciousness in the street.
5. The general design and appearance of dwellings in the area comprise largely brick elevations with simple elevational treatment. There is some degree of variety to the

ground floor frontages, although there is a general sense of simplicity and uniformity to the appearance of dwellings.

6. The proposed block of dwellings would be set back behind the front elevation of No.13. The building line along this side of the street includes a step back between the existing blocks. The proposed siting of the development acknowledges this arrangement, with the set back being similar in distance. Therefore, in this regard, I do not find the relationship between the proposed building and the front façade of No.13 to be particularly out of context.
7. The position of the development within the plot would ensure that one of the blank side gables would be largely obscured by No.13. The development would have a side gable positioned to the rear of No.18 Cherry Tree Avenue (No.18). This would be more visible as it would be seen projecting above the rear boundary and single storey structures within the curtilage of No.18. Nonetheless, the gable would be viewed in the context of these existing structures and, therefore, I do not consider that it would appear overly prominent in the street.
8. The Council raise concern that the detached nature of the proposal would be against the existing pattern of development. However, the block of flats would appear much larger than a detached dwelling and would have a continuous frontage which would address the bend in Chestnut Crescent. This would appear as a continuous block of development. Therefore, I am not persuaded that the detached nature of the development is particularly harmful. It is evident that the plot is sizeable and it is likely that it could accommodate some form of development. I also acknowledge that the Council have previously accepted the principle of residential development on the site¹.
9. Notwithstanding the above, the proposed development would fill much of the width of the plot. The extent and coverage of the building would result in part of the development being positioned very close to the back of the pavement with Chestnut Crescent. The close proximity of the building to the pavement, together with its two-storey scale, would result in a development which would appear overbearing within the street. This relationship would be at odds with the more generous spacing between buildings and the street found in the immediate context of the site. As such, the building would appear as a prominent addition to the street which would erode the prevailing pattern of development in the area.
10. The glazing to the entrance lobby would be provided from ground level to eaves, and would occupy a significant width of the overall frontage of the building. The extent of glazing would appear excessive and would introduce a prominent design element which would appear at odds with the largely brickwork elevations of dwellings in the surrounding streets. Furthermore, the addition of balconies on the roadside elevations would add further design features which are not found in the surrounding area. Together, these features would result in building which would have a stark visual contrast with the more simplistic design of dwellings in the area.
11. It is acknowledged that there are examples of glazed features to buildings within the wider area. However, none of those advanced are within the immediate visual context of the site. Furthermore, I also acknowledge that corner plots can lend

¹ Planning Permission Ref: 035248

themselves to providing focal buildings. However, this site is on a bend in residential street rather than being prominently sited at a road junction, or terminating any meaningful vista along the street. Therefore, I am not persuaded that the nature of the site and its context is one where such a significant deviation from the prevailing character and appearance, as proposed, would be appropriate.

12. For the above reasons, I conclude that the development would have a harmful effect on the character and appearance of the area. Therefore, the development conflicts with Policy BE3 of the Nuneaton and Bedworth Borough Plan 2011-2031. This, amongst other things, seeks to deliver development which is designed to a high standard and which contributes to local distinctiveness and character.
13. The development also fails to adhere to the guidance contained within the Sustainable Design and Construction Supplementary Planning Document (2020). This advises that proposals should take into consideration the surrounding area and pattern of development and be designed to respond to local distinctiveness.

Other Matters

14. I acknowledge that the development would provide assisted living accommodation and therefore would serve a specific demographic where there may be a need for dedicated accommodation. This is clearly a benefit of the development. I also note that the proposals have been designed with this in mind. However, I am not persuaded that this is the only design which would deliver accommodation of this nature on this site. I also note that the site is sustainably located with good access to services and amenities which would serve its intended occupants. This is also a benefit of the development. However, these benefits in isolation or cumulatively are not so great that they would outweigh the permanent adverse harm to the character and appearance of the area that I have identified.

Conclusion

15. For the reasons given above the appeal should be dismissed.

D Cleary

INSPECTOR