
Appeal Decision

Site visit made on 29 November 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 December 2016

Appeal Ref: APP/T3725/D/16/3158539

71A Northumberland Road, Leamington Spa CV32 6HQ

- 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 John D Holmes against the decision of Warwick District Council.
 - The application Ref W/16/0616, dated 1 April 2016, was refused by notice dated 27 May 2016.
 - The development proposed is new workshop store and carport extension, construction in facing brick with slate roof, all to match main house.
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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 Leamington Spa Conservation Area (CA).

Reasons

3. The appeal site forms part of the garden area at the rear of a two storey dwelling with vehicular access at the side of the property via a track to nearby allotments. It is located in a mature well-established residential area in the CA, typically characterised by large detached properties set in relatively spacious plots. To the south-west and north-east are the garden areas and the outbuildings associated with the adjacent properties. Where outbuildings and other structures exist behind the residential properties, these are very low, small in scale, clearly subsidiary, and have little impact upon the sense of space and openness in the area. This gives the area a strong unifying character and appearance, which is further enhanced by the presence of mature landscaping and established trees within the gardens and the open Green Belt land to the rear of the site.
 4. The proposal would involve the construction of a new outbuilding comprising a car port and workshop at the end of the garden alongside the common boundary with the adjacent property. The proposed building would measure about 10.5m (length) by 7m (width) with a pitched roof with an eaves height of about 2.4m and a ridge height of about 4m.
 5. The proposed development would be situated in the characteristic open gap between the properties and the open Green Belt land. Such positioning would compromise the sense of space and openness in the area. These shortcomings
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would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points from the access at the side of the property and from the open land at the rear of the site. As such, I consider the development, by virtue of its scale, siting and design would result in an incongruous and out-of-keeping addition that would adversely harm the open character and appearance of this part of the CA.

6. Given the modest scale of the development affecting the CA, the harm would be less than substantial but in accordance with paragraph 134 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits to the proposal. I note the appellant's desire is to provide a new garage and workshop outbuilding. I find though insufficient public benefit to offset the identified harm to which I attach significant weight.
7. I have considered the appellant's comments that the design of the outbuilding is intended to match the dwelling recently approved¹ and under construction at the front of the site and reflect other mews buildings in the area. Whilst the use of matching materials, fenestrations and the roof design would assist in integrating the proposal with the dwelling and the area, these aspects do not overcome the adverse effects outlined above.
8. I have noted the other developments in the area drawn to my attention by the appellant. The dwellings off Fryer Avenue, Banburgh Grove and Beverly Road and the various mews buildings behind the properties along Northumberland Road and the double garage and workshop approved at No. 39 Northumberland Road have different development and locational characteristics to the appeal scheme. On the basis of the limited evidence provided I am not convinced that their circumstances are compellingly similar to the appeal proposal. I therefore accord them limited weight as precedents in this case.
9. Consequently, I conclude that the development would harm the character and appearance of the CA. It would conflict with the design and conservation aims of Policies DP1 and DAP8 of the Warwick District Local Plan 2007. These policies seek, amongst other things, to ensure that development positively contributes to the character and quality of its environment and protect or enhance the special architectural and historic interest of the Conservation Areas within the District.

Other matters

10. I have noted the Town Council's comments and the letter of objection from the local resident to the proposal. However, in light of my findings of harm to the character and appearance of the area, there is no necessity for me to consider these matters further.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR

¹ W/15/1139