

Appeal Decision

Site visit made on 28 December 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 20th January 2017

Appeal Ref: APP/J3720/D/16/3159247

Lindsey House, Tysoe Road, Radway, Warwick CV35 0BS

- 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 Ms Michele Johnson against the decision of Stratford on Avon District Council.
 - The application Ref 16/01500/FUL, dated 29 April 2016, was refused by notice dated 1 July 2016.
 - The development proposed is described as 'retrospective application to retain three dormer windows to rear (north east) elevation'.
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Decision

1. The appeal is allowed and planning permission is granted for the insertion of 3 no dormer windows to rear elevation of dwelling (retrospective) at Lindsey House, Tysoe Road, Radway, Warwick CV35 0BS in accordance with the terms of the application, Ref 16/01500/FUL, dated 29 April 2016, and the plans submitted with it.

Procedural Matters

2. I have used the Council's description of development in my formal decision above, as I consider this to be a more accurate description.

Main Issue

3. The main issue in this case is the effect of the three dormer windows on the character and appearance of the host building and the surrounding area.

Reasons

4. Lindsey House lies to the west of the small village of Radway. The property is a former barn which was granted consent to be converted to a dwelling in 1992 and forms part of a small group of dwellings and agricultural buildings. The former barn is set just to the north west of Tysoe Road; between the property and the road is the property's conjoined neighbour, which would have originally been part of the same barn. The barn is constructed in red brick with a tiled roof.
 5. According to the evidence, in July 2014, three dormer windows were installed in the roof of Lindsey House. These replaced former rooflights. The dormer windows are relatively low slung and are set into the eaves line, as opposed to being set further into the roof edge. The timber windows have shallow pitched tiled roofs with leaded cheeks. Whilst the windows overlook a rear garden of
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- the house, they are visible from the nearby road from certain angles, and also from parts of an adjacent public footpath.
6. A Council note on 'Extending your Home'¹ (the guide) states that barn conversions will be treated particularly carefully to ensure that the barn retains its rural, agricultural character, and that domestic style features such as dormer windows and standard conservatories will rarely, if ever, be acceptable. The District Design Guide² states that dormer windows should not be used as they unacceptably disrupt the profile of the roof.
 7. The two guides clearly aim to ensure that, as far as is possible, the agricultural and rural character of original buildings is maintained when they are converted to residential use. However, to my mind, the barn which Lindsey House forms part of has already changed significantly in character. Aside from the dormer windows, the property has a large conservatory to its rear which is visible from certain public aspects, and a television aerial is prominent on the top of the building. The adjacent property, located directly next to, and clearly visible from the road has two prominent modern double sets of French doors in its side elevation with distinctive lintels, with one such set and a window in a side return close to the road edge, of which both appear to be new openings.
 8. The building has therefore already lost a significant amount of its former rural and agricultural character. The design of the dormer windows and the low slung profile of them assimilate relatively well into the overall roof profile of the property and are sensitive to the building form and its setting, such that although they may not be traditional features of such a building, when combined with other alterations to the overall building and their positioning above, and close to the lean to conservatory, minimal harm is caused to the character of either the host dwelling or the surrounding area.
 9. Policy CS9 of the Core Strategy³ aims to ensure high quality design in the District. The policy states that development which damages or destroys features which contribute to local distinctiveness will not be permitted and that understanding local context is key to achieving good design. Proposals will be sensitive to their setting and existing building forms. For the above reason, I consider that the windows comply with this policy. The Council also refer in their decision to policy PR1 of the Local Plan. However, it is confirmed in the Core Strategy that this policy has been replaced by policy CS9, amongst others.
 10. My findings should not be taken as an indication that I disagree with the thrust of the Council's guidance regarding the conversion of agricultural buildings. However, each proposal must be considered on its own merits, and on this occasion I conclude that the dormer windows are not harmful to the character and appearance of the host building or the surrounding rural area. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Jon Hockley

INSPECTOR

¹ Stratford-on-Avon District Council, Extending your home, A planning guide for householders Planning Advice Note 2008

² Stratford-on-Avon District Design Guide April 2001

³ Stratford-on-Avon District Core Strategy 2011-2031, July 2016