
Appeal Decision

Site visit made on 16 July 2019

by Conor Rafferty LLB (Hons), AIEMA, Solicitor (Non-practising)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/Z2830/D/19/3228744

May Bank, School Lane, Adstone, NN12 8DU

- 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 and Mrs R Hawkes against the decision of South Northamptonshire Council.
 - The application Ref S/2019/0108/FUL, dated 14 January 2019, was refused by notice dated 15 March 2019.
 - The development proposed is two dormer windows to the front & rear of the existing dwelling, conversion of the existing garage to living accommodation with first floor extension over, and single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The reason for refusal given by the Council refers only to the two dormer windows at the front of the existing dwelling. The appeal therefore relates to this element of the proposal only.
4. The Council has referred to Policies SS2(1a) and (1c), SDP2(1a) and HE6(1.A) of the Submitted Draft South Northamptonshire Part 2 Local Plan (the emerging Local Plan) in the reason for refusal. These policies refer to character and appearance, Conservation Areas and general development principles. However, the evidence provided states that the emerging Local Plan has been submitted for examination and has not yet been adopted. As it is not known whether the emerging policies have been subject to unresolved objections limited weight is afforded to them.

Main Issue

5. Whether the two dormer windows to the front of the dwelling would preserve or enhance the character or appearance of the Adstone Conservation Area.

Reasons for the Recommendation

6. The appeal site is located on the corner of Banbury Road and School Lane in the Adstone Conservation Area (CA). As set out in the Adstone Conservation Area Appraisal and Management Plan 2015 (the Management Plan), the CA is defined by its rural character and the former agricultural nature of the now predominantly residential buildings. The Management Plan further highlights the importance of trees within the CA in creating an enclosed and wooded feel, and in offering a contrast to the built form.
7. The site itself comprises a detached two storey stone dwelling, with an attached flat roof double garage and a large willow tree within the front garden. It is similar in style to the other properties on School Lane which retain a broad uniformity by being set back from the street in a generous plot, and in terms of architecture, materials and historic character. Figure 27 of the Management Plan notes certain buildings as 'positive buildings' which make a positive contribution to the CA, and also highlights 'important views' within the CA. The appeal property is not a 'positive building' and does not feature in an 'important view'. However, by virtue of its traditional character, consistency with nearby properties, and the presence of the willow tree, it is considered that the site nonetheless contributes positively to the CA.
8. The proposal introduces a feature that would be inconsistent with the traditional appearance of the host building and would therefore visually harm its external appearance. Front dormer windows are not otherwise present within the immediate streetscape. These would be screened from view at the corner junction due to the presence of the willow tree and other hedging, but would be visible further along both School Lane and Banbury Road. Due to the proposed positioning on the roof of the main dwelling, the windows would be particularly visible from School Lane, where an open view of the property and an absence of screening would allow them to be experienced in the context of neighbouring, traditional dwellings.
9. The Management Plan references a varied roofscape across the CA as an indicator of the mixed uses present, however it also states that most of the vernacular properties run parallel to the highway with "simple uncluttered ridgelines". While the proposal would sit below the ridgeline of the property, it would nonetheless detract from this simplicity and consistency by introducing an imposing feature that does not fit with the historic and traditional nature of the nearby properties. It is recognised that rear dormer windows have been installed at the dwelling, but these are not visible in the context of the other properties on School Lane and are largely screened along Banbury Road. The presence of such rear dormer windows does not detract from the incongruous nature of the proposal in its immediate setting as part of the CA.
10. The proposal would therefore cause visual harm to a designated heritage asset, being the CA. However, it should be noted that this harm is lessened due to the fact that the building is not listed as a 'positive building' and that views of the property are not defined as 'important views'. As such, this would equate to less than substantial harm having regard to the National Planning Policy Framework. Nonetheless this harm must still be given considerable importance and weight. From the information provided, limited public benefits to the scheme have been advanced. The appellant has stated that the proposal is well designed, and comments have been received from third parties stating that it

would improve the look of the property. Furthermore, Adstone Parish Council has commented that the proposal would allow the dwelling to be used to its full potential as a family home. However, these benefits are not sufficient to outweigh the harm identified, particularly when considering the weight to be given to the conservation of the asset.

11. I find that the development would fail to preserve or enhance the character or appearance of the CA. Accordingly, it would fail to comply with Saved Policies EV9(I), G3(A), H17(I and IV) and EV1 (II and III) of the South Northamptonshire Local Plan (1997), and Policy BN5 of the West Northamptonshire Joint Core Strategy (2014) and the South Northamptonshire Council Supplementary Planning Guidance for Residential Extensions (1998).

Other considerations

12. The appellant has referred to an extant planning permission at the dwelling as a fallback position. This relates to a scheme which is identical to the appeal proposal, but for the fact that it does not include the two dormer windows on the main dwelling and has one additional dormer window on the garage extension. The appellant argues that this establishes the principle of dormer windows at the appeal dwelling on both the front and rear elevations, and that the approved scheme is more prominent than the appeal proposal. The extant planning permission has been implemented through the installation of the dormer rear windows and there is therefore a greater than theoretical possibility that this fallback position would come into effect.
13. However, for the reasons given above it is considered that the appeal proposal is more harmful than this fallback position. Therefore, while the presence of a fallback position is a material consideration, it is given limited weight due to the fact that the impacts of the proposals are notably different, with greater harm being caused by the appeal scheme.
14. The appellant has also referred to other dormer windows within the vicinity. Limited further information has been provided on the nature of these developments or their comparability to the current proposal. In any event, this proposal should be assessed on its own site-specific circumstances.

Conclusion and Recommendation

15. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR