



Appeal Decision

Site visit made on 23 July 2019

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th August 2019

Appeal Ref: APP/J3720/D/19/3229411

Baytree Barn, Front Street, Ilmington CV36 4LN

- 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 & Mrs Spiwakowski against the decision of Stratford-on-Avon District Council.
 - The application Ref 18/03616/FUL, dated 7 December 2018, was refused by notice dated 11 April 2019.
 - The development proposed is a single storey rear extension and first floor extension over existing, insertion of conservation roof light, reshaping of existing dormer windows & removal of chimney on the rear elevation and demolition of existing single storey extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey rear extension and first floor extension over existing, insertion of conservation roof light, reshaping of existing dormer windows & removal of chimney on the rear elevation and demolition of existing single storey extension in accordance with the terms of the application Ref: 18/03616/FUL. Dated 7 December 2018, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans; 3404-S1 Rev B; 3404-S2 Rev B; 3404-S3 Rev A; 3404-P2 Rev C; 3404-P1 Rev A; 3404-p3 Rev A; PO-09; 3404-P4 Rev A.
 - 3) The external facing and roofing materials to be used in the construction of the extensions and alterations hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect on the living conditions of the occupiers of Hobdays Barn.

Reasons

3. The site is an existing detached residential property which has previously been extended and altered. Hobdays Barn, a converted barn, is adjacent to the appeal site. It is at a lower ground level and its rear elevation faces onto the side elevation of the appeal site which is already a visually dominant feature when viewed from Hobdays Barn.
4. The proposed first-floor rear extension will be above an existing extension which already directly adjoins the boundary with Hobdays Barn. Whilst only single storey the extension does have a high wall to the site boundary which extends up to the existing eaves level of the main dwelling.
5. The first-floor extension will largely retain this structure. When viewed from Hobdays Barn, the main visible alteration will be the addition of a pitched roof. Considering this and having viewed the site from the dwelling and garden at Hobdays Barn I do not consider the extension would substantially alter the existing relationship between these properties.
6. When viewed from the ground floor or garden area of Hobdays Barn the predominant impact would still be from the existing dwelling at the appeal site. The roof addition will slope away from the site boundary with Hobdays Barn, thereby reducing any visual impact from its overall bulk and mass and ensuring the proposed extension does not have any significant enclosing or shading effects on the neighbouring property.
7. At the first-floor level of Hobdays Barn there are rooflights which face the site and serve habitable rooms. I saw on site that due to the size of these, and their angle within the roof slope, the extension proposed would not appear as an overly dominant or intrusive feature.
8. Assessing the proposals against the existing and proposed site circumstances show that the change would not result in an overbearing impact on the living conditions of the occupiers of Hobdays Barn. I therefore consider that the proposals would accord with the overall amenity protection and design aims of Policy CS.9 of the Stratford-on-Avon Core Strategy as supported by the Council's '*Development Requirements SPD – Part F*' which, amongst other aims, seeks to ensure a good standard of residential amenity is maintained.

Other Matters

9. The appeal site is located within the Ilmington Conservation Area (CA). The CA Plan identifies that land level changes across the CA result in a varied streetscape and the large number of notable and listed buildings present result in considerable architectural and historic interest within the CA, and from which its significance derives.
10. The site is not listed though it is located adjacent to two listed properties, Hobdays and Hobdays Barn. The relationship to the adjacent listed buildings however will not be materially altered by the proposed development, and as such is not considered to result in any harmful impact to their significance or setting.
11. More generally the overall appearance of the dwelling will also be improved, through the introduction of more traditional styles on elements such as the dormer windows. Whilst noting the concerns of nearby residents on this matter,

I find that the character and appearance of the Ilmington CA would be at the very least preserved in accordance with s72(1) of the *Planning (Listed Building and Conservation Areas) Act 1990*, as amended.

Conditions

12. In addition to the standard time limit condition, I have specified the approved plans for the avoidance of doubt and to provide certainty. A condition relating to matching materials is also included to safeguard the character and appearance of the area.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

A Denby

INSPECTOR