



Appeal Decision

Site Visit made on 20 October 2020 by S Watson BA(Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2020

Appeal Ref: APP/T3725/D/20/3257445
12 Victoria Street, Warwick, CV34 4JT

- 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 Nick Adams against the decision of Warwick District Council.
 - The application Ref W/20/0429, dated 1 March 2020, was refused by notice dated 22 July 2020.
 - The development proposed is a single storey rear extension and rebuilding of existing bay window to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and rebuilding of existing bay window to front elevation at 12 Victoria Street, Warwick, CV34 4JT in accordance with the terms of the application, Ref W/20/0429, dated 1 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PAL.02A, PAL.09A, PAL.013A, PAL.014A.
 - 3) No development above ground level shall commence until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.

Appeal Procedure

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

Main Issue

3. The Council's reason for refusal refers only to the proposed extension at the rear of the property. Both parties agree that the proposed works to the bay window at the front, and to the two first floor windows at the rear, of the property are acceptable. Therefore, the main issue in this case is the effect of

the proposed extension on the character and appearance of the local area and Warwick Conservation Area (WCA).

Reasons

4. The WCA covers a large and varied area, but the appeal site is within a small area detached from the main body. I have not been provided with a conservation area appraisal but from my observations on site it was clear that the importance of this part of the conservation area stems from the age of the buildings, their form and appearance. Victoria Street in particular was primarily characterised by terraced properties that appear to be of a similar age and largely unaltered on the front elevations. The rear of the properties are characterised by an L-shaped form, and sizeable outriggers. I noted a number of extensions and other alterations to the rear of the properties, which overall resulted in them appearing individual from the rear.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national planning policy on heritage assets is set out in the National Planning Policy Framework (Framework). At paragraph 192, it sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
6. To the side of the appeal site is an alleyway which provides access to the rear of a number of surrounding properties as well as linking Victoria Street and Edward Street. While it passes the site to the side and rear, views are largely screened of the host property by the tall boundary walls to the side, and the garage at the rear of the site.
7. The new extension would be modest in size and would project a short distance beyond the existing outrigger. Given this, and the low height of the extension the legibility of the two-storey outrigger would be maintained. Furthermore, being substantially glazed the new extension would result in a clear visual distinction between the original building and the more recent additions proposal before me. The glazing would also keep a suggestion of the original courtyard, further maintaining the original form of the host building. Accordingly, I find that the new extension would not harm the legibility of the historic form and interest of the host dwelling, or the contribution that it makes to the character and appearance of the WCA.
8. In light of the above, I conclude that the proposal would reflect the character and appearance of the local area and would preserve the character and appearance of the WCA, in accordance with Policies BE1 and HE1 of the Warwick District Local Plan which collectively seek for high quality design which reflects its surroundings and protects the historic importance of heritage assets. The proposal, by sustaining the significance of the heritage asset would also comply with Section 16 of the Framework.

Conditions

9. The Council has suggested conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions

against the advice on conditions set out in the Framework and the Planning Practice Guidance.

10. I find that to ensure clarity, a condition is necessary requiring that the development is carried out in accordance with the approved plans. Due to its siting within a conservation area, and to protect the character and appearance of the area a condition is necessary controlling the external materials of the development.

Recommendation

11. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed with the suggested conditions.

RC Kirby

INSPECTOR