



Appeal Decision

Site visit made on 16 February 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2021

Appeal Ref: APP/T3725/D/20/3264692

39 Northumberland Road, Leamington Spa CV32 6HF

- 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 M Burgess against the decision of Warwick District Council.
 - The application Ref W/20/1321, dated 24 August 2020, was refused by notice dated 28 October 2020.
 - The development proposed is stair tower to rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Royal Leamington Spa Conservation Area (CA).

Reasons

3. Northumberland Road is characterised by mainly two-storey, often substantial dwellings. There is much variation in the design of dwellings albeit there is general consistency in the high standard of architectural detailing and the traditional pitched roof forms incorporated. Where there are interventions at roof level, these are predominantly set down from ridges and well-integrated with their respective roof slope. Dwellings are generally set back within sizable plots and the road is flanked by grass verges with mature tree planting. These factors combine to give this part of the CA an attractive suburban residential character.
4. The appeal dwelling is a large detached dwelling situated on a corner plot. It incorporates a three-storey central turret and similarly proportioned two-storey angled wings. There is a curved wrap-around façade with centrally located entrance to the front elevation. Steel framed windows are also incorporated. These distinctive design elements make for a well-balanced and visually appealing dwelling. Consequently, the dwelling is a positive building within the street scene which adds to the significance of the CA.
5. The highest point of the stair tower would sit above the ridge of the roof on the respective wing. The illustrative 'visuals' drawing provided indicates that the roof of the stair tower would slope to join the roof of the dwelling. However, the detailed drawings show this would not be the case. Instead, the development would have a protruding, block-like appearance which would emphasise the vertical alignment of the structure in relation to the roof plane. As a result of these factors, the stair tower would appear discordant and poorly

integrated with the curved façade of the turret and the pitched angle of the main roof of the dwelling.

6. I have seen the superimposed images of the development in the appellant's statement of case. However, at the time of my site visit much of the tree planting on the site was not in leaf. Therefore, it was clear that the disjointed appearance of the tower would be appreciable in views of the side and rear elevation of the dwelling from Beverley Road and from the side windows and garden serving the neighbouring dwelling at No 73 Beverley Road. As a result, the incongruity of the development would be evident to passers-by and neighbouring occupiers and this would detract from the character and appearance of the CA.
7. The existing dormer that would be replaced is more modest in scale and its roof sits below the ridge and joins the slope of the roof on the dwelling. It is also tile hung, albeit the tiles were not in place at the time of my visit. The chimney breast to the other side of the turret is slimmer in profile and chimney features which protrude above roof lines are a common feature of the area. Consequently, these features are relatively inconspicuous when viewed from the street. Even though the rendered finish and proposed window detail would correspond with the materials and style of other windows on the dwelling, this would not be sufficient to assimilate the development with the dwelling and the setting of the CA. Furthermore, I am not persuaded that there are no alternative design solutions that could be better integrated with the host dwelling. Consequently, these matters do not convince me that the design of the appeal proposal would be justified.
8. My attention has been drawn to examples of glazed stair towers on 'modernist' houses. However, the photographs provided relate to flat roofed buildings and are not comparable to the roof form of the appeal dwelling. I have also seen the examples provided of other developments that have taken place in the CA. I am not aware of the full details of any planning permissions related to these respective developments nor the material considerations that may have been relevant in those cases. In any case, I have assessed the appeal proposal on its own merits and the examples provided do not persuade me that the development would preserve or enhance the CA.
9. In the context of paragraph 196 of the National Planning Policy Framework (the Framework) the harm to the CA would be less than substantial. In accordance with the Framework and Policy HE1 (Designated Heritage Assets and their setting) of the Warwick District Local Plan 2011-2029 (LP) (2017) this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
10. The room served by the existing staircase is accessible as I found for myself during my site visit, although I acknowledge that the current staircase dimensions are constrained. There would be a private benefit for occupiers of the dwelling through the provision of improved access to the upper floor of the turret. It is likely that works to renovate other aspects of the house or to improve the thermal efficiency of the house are not dependent on the provision of the stair tower. Taking these factors into account, there would not be public benefits in this instance sufficient to outweigh the less than substantial harm to the CA and the great weight I must attach to its conservation.

11. I conclude, the development would neither preserve nor enhance the character or appearance of the CA. In that regard, the development would conflict with the requirements which seek to preserve heritage assets and their setting in Policy HE1 of the LP and the Framework.

Other Matter

12. Reference has been made to the need for a condition to be attached to any planning permission to ensure that protected species are not harmed. I have not been provided with the relevant bat surveys or details of the mitigation measures referred to. However, even if the development could protect the ecological interests of the site, this would not overcome the harm that I have identified under the main issue. Therefore, it has not been necessary to request further information on this matter in this particular instance.

Conclusion

13. For the reasons give above, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR