



Appeal Decision

Site visit made on 5 January 2022

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2022

Appeal Ref: APP/T3725/D/21/3283627

3 Elizabeth Road, Leamington Spa, Warwickshire CV31 3LJ

- 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 Harpreet Hayer against the decision of Warwick District Council.
 - The application Ref W/21/0543, dated 22 February 2021, was refused by notice dated 21 September 2021.
 - The development proposed is described as a proposed garage, brick walls and pitch roof to match the house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The site is located in a predominantly residential suburban area characterised by similarly designed dwellings. Whilst there is some variation in the building line, the prevailing character is that of dwellings set back from the road with gardens/parking to the front that remain free from built form. The set back combined with the lack of built development gives the area a feeling of spaciousness. The appeal site is a corner plot located at the junction between Elizabeth Road and Kingsway.
4. The proposal would be at odds with the character of the area in that it would introduce built form to the front of the host dwelling eroding the spacious character of the area. It would be located adjacent to the pavement and visible from the surrounding roads and footpaths and would be a prominent addition to the front of the host dwelling harming the character and appearance of the area.
5. The appellant has put forward examples of similar developments within the local area. However, the particular circumstances of individual cases are likely to be different and direct parallels are not easily drawn. I have had regard to the appellant's comments on this matter but this does not outweigh the harm I have identified.
6. For the reasons above, I conclude that the proposed development harms the character and appearance of the area contrary to the Warwick District Local Plan 2011-2019 (2017) Policy BE1 and the guidance contained within the

Warwick District Council Residential Design Guide (2018) which seek, amongst other things, to ensure that development harmonises with the existing settlement in terms of physical form and reinforces or enhances the established urban character of streets. The appeal scheme would also be contrary to paragraph 130 of the National Planning Policy Framework that seeks good design sympathetic to local character.

Other Matters

7. The appellant has also noted the benefits of the scheme in terms of the provision of secure storage space and the reduction in vehicular movements. I also note the points raised that the appellant that a caravan could be sited in this location. I recognise the points raised, nevertheless, those are essentially personal benefits and impacts, and my decision focusses on the public acceptability of the scheme. As such, these do not outweigh the harm identified above.

Conclusion

8. For the above reasons given above, having considered the development plan as a whole, the approach of the Framework and all other relevant consideration, the appeal should be dismissed.

Tamsin Law

INSPECTOR