
Appeal Decision

Site visit made on 15 February 2022 by A J Sutton BA (Hons) DipTP MRTPI

Decision by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2022

Appeal Ref: APP/F1610/D/21/3287479

22 Barnsley Way, Bourton on the Water, GL54 2GA

- 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 R Griffin against the decision of Cotswold District Council.
 - The application Ref 21/03477/FUL, dated 27 September 2021, was refused by notice dated 18 November 2021.
 - The development proposed is loft conversion with rear dormer.
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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.

Main Issue

3. The appeal property is within the Cotswolds Area of Outstanding Natural Beauty (AONB). However, it is part of a residential area contained within the settlement of Bourton-on-the-Water. Development at the property would therefore not encroach into the countryside and for this reason would not harm the landscape and scenic beauty of the AONB.
4. The appellant states that the property is within the broad envelope of the Bourton-on-the-Water Conservation Area (CA). However, the CA Map confirms that this is not the case and shows that the dwelling is sufficiently separated from the boundary of the designated heritage asset such that any development at this property would not harm the asset's significance or setting. Therefore, the main issue is the effect of the proposal on the character and appearance of the dwelling house and the surrounding area.

Reasons for the Recommendation

5. The appeal property is a mid-terrace dwelling in the small modern residential estate. Whilst a contemporary addition to this historic settlement, the stone clad properties comprising this estate have a distinct architectural style reflective of the traditional Cotswold vernacular. In keeping with this style, the roofscape of the area is characterised by pitched or gabled forms. Roof slopes are generally unbroken, where this is not the case, they are broken by small-pitched dormers or gablets. These roof forms are also reflected in the detailing above front doors and on the few garages in the area. I saw examples of roof

alterations in the vicinity of the appeal property, but these were limited to roof light additions.

6. The proposed dormer would be set below the main ridge and subservient in this respect. However, the large box dormer would extend the full width of the small rear roof space. The bulky form would cover most of the roof slope, and in doing so would harmfully overwhelm the rear roof of the property. Moreover, although clad in materials to match the existing dwelling, the design of the large flat roofed dormer would not be respectful of the traditional architectural style characteristic in the area, in either scale or form. The resultant development would detrimentally dominate the appeal property, and in turn would harmfully alter the appearance of the dwelling.
7. Views of the harmful addition would be localised given its position at the rear of the property. But it would be visible from the parking areas behind the property and at the southwest of the estate, and from surrounding properties. From these vantage points it would appear as an incongruous and unsympathetic feature in this sensitively designed estate, and this would harmfully erode the distinct character of the locality.
8. I therefore find that this proposal would have a harmful effect on the character and appearance of the dwelling house and the surrounding area. It would in this respect conflict with policy EN2 of the Cotswold District Local Plan (Local Plan), which states that proposals should be of a design quality that respects the character and distinctive appearance of the locality, and advises, with regards to roof alterations, dormers should be in keeping with the building to which they are added, in their placement, scale and design. It would also be inconsistent with policies of the National Planning Policy Framework which seek well-designed places.

Other Matters

9. Permitted development rights are subject to conditions and limitations. Moreover, the appellant's statement suggests this is not an option open in this case. There is limited cogent evidence before me on this matter and I find nothing to question this assertion. I therefore attach limited weight to this matter in my recommendation. In any event, the appellant has applied for planning permission, and I have determined the appeal on this basis. Furthermore, it is open to the appellant to make an application under section 191 or 192 of the 1990 Act if he wishes to ascertain whether the development would be lawful.
10. I find the principle of a dormer is not at issue in this case. Indeed, there is support for such development in Local Plan policy and the related Design Code, subject to it being in keeping with the building and the area. I have found that this would not be the case with this proposal for the reasons outlined above, and I am not persuaded that this harmful scheme would be the only means to increase the living space at this property. Therefore, this matter has not been determinative in this appeal.

Conclusion and Recommendation

11. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the

reasons given above, I therefore recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Caroline Mulloy

INSPECTOR