



Appeal Decision

Site visit made on 6 January 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th January 2023

Appeal Ref: APP/E3715/D/22/3312526

**The Old Village Hall, Pailton Road, Harborough Magna, Warwickshire
CV23 0HQ**

- 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 Daniel Fowler against the decision of Rugby Borough Council.
 - The application Ref R22/0826, dated 5 August 2022, was refused by notice dated 13 October 2022.
 - The development proposed is the erection of a rear full height dormer and new wall.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council states that the site falls within the Green Belt. The Officer's report concludes that the proposal would not be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework), relevant development plan policies and the guidance within the Supplementary Planning Document *Sustainable Design & Construction*. From the submitted evidence, I have no reason to reach a different view on this matter.

Main issue

3. Therefore, the main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The Old Village Hall is a converted single storey building within the countryside on the fringe of the main built-up area. In my opinion, the conversion of the appeal building to residential use has essentially and successfully retained the simple linear form, modest size and traditional appearance of a rural building. The use of materials such as timber cladding to the main building, uncluttered roof slopes, proportionate openings and the inter-visibility between the site and the open fields beyond, all combine to reinforce this strong impression.
5. A dormer extension is proposed on the rear roof slope to serve living accommodation in the roof space of the dwelling. It would be a sizeable addition covering almost the full height of the main roof slope and extending across roughly one third of its width. With its flat roof and rectangular shape, the new dormer would appear as a large 'box-like' addition, which would relate

poorly to the modest scale, proportions and low profile of the host building. As such, it would appear as an incongruous feature that would have a detrimental effect on the simple form and traditional character of the host building.

6. As the new dormer would be at the rear of the dwelling, away from the road, the front façade of the existing dwelling would be unaffected. Part of the roof level extension would, however, be evident from the access road that serves a small number of properties to the south of the site. It would also be seen at some distance from a short section of Montilo Lane. From these locations, the roof level extension would draw the eye as a discordant and bulky addition.
7. While there are residential properties close to the site, The Old Village Hall stands alone within a predominantly rural setting with open fields on two sides, grassland on a third and a road on the fourth. From what I saw, the boundaries of properties close to the site are characterised mainly by post, rail and timber fences, walls and hedgerows, the majority of which are low-level. Consequently, the street scene to which the site belongs has a rustic, spacious feel, which is locally distinctive.
8. Compared to the low timber fence to be replaced, the new brick wall would be relatively tall and have an uncompromisingly solid form of construction. In southbound views along Pailton Road, the roadside hedgerow, signs and a timber shed would partially screen this element of the appeal scheme. Even so, from numerous vantage points along this highway, in both directions, the proposed wall would still draw the eye given its prominent position between the dwelling and the highway frontage of the site.
9. In these views, the height and solid form of the new wall would cause it to appear as a stark and formal boundary feature. It would have an overly imposing presence and look out of place within an open rural setting and among more low-key boundary treatments that generally characterise the frontages of other properties in the local area. As a result, the proposed wall would be incongruous and obtrusive in this part of the countryside. Its harmful impact could not be satisfactorily mitigated by additional planting or altering the type of brick used.
10. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the local area. As such, it conflicts with Policy SDC1 of the Rugby Local Plan 2011-2031. This policy requires that all development achieves high quality design, and it supports proposals that are of a scale and design that responds to the character of the local area. It would also be at odds with the Framework, which states that development should be sympathetic to local character and add to the overall quality of the local area.
11. The appellant states that the design of the proposed dormer was initially supported by the Council. However, it was subsequently refused planning permission and the Officer's report explains the reasons for that decision.
12. Additionally, the Council also considers that the proposed wall would, if permitted, set an undesirable precedent because it would make it more difficult to resist other similar boundary features within the site. However, I disagree. Each development should be assessed on its own merits in the light of the circumstances that prevail at that time.

Conclusion

13. The proposed development would conflict with the development plan as a whole and there are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
14. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR