
Appeal Decision

Site visit made on 10 January 2023

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2023

Appeal Ref: APP/T3725/D/22/3297569

3 Earls Meadow, Warwick CV34 6UA

- 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 Harrison Projects Ltd against the decision of Warwick District Council.
 - The application Ref W/21/1695, dated 7 September 2021, was refused by notice dated 22 December 2021.
 - The development proposed is erection of first floor extension above garage to create annex.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the Council's description of the development in reaching my decision as it more clearly describes the details of the development than that given on the original planning application form. The Council's and appellant's submissions confirm that the proposed development was determined on this basis and as such I have considered the appeal on this basis accordingly.
3. The appellant has confirmed that the appeal is made in the name of Harrison Projects Ltd rather than Mr Edward Gardner as stated on the submitted planning appeal form. This change has been confirmed in writing by the appellant and I have determined the appeal on this basis accordingly.

Main Issue

4. The main issue is the effect of the proposed rear dormer extension on the character and appearance of the area.

Reasons

5. The appeal property is a two storey detached dwelling with a single storey double garage projecting from the front of the property. It is located in a small well-established residential development characterised by detached properties of varied styles and design set back from the private road behind front gardens/driveways. A number of the dwellings have roof dormer extensions and alterations that generally appear as clearly subordinate to the dwellings.
6. The appeal proposal would involve the construction of a first floor pitched roof extension over the double garage to create an annex with 2no. small front

- dormers and a large flat roofed rear dormer. The rear dormer extension would be stepped down below the ridge line of the new roof over the proposed first floor extension and incorporate a first floor access via an external staircase.
7. In elevational terms, I do not see the incorporation of an external staircase to facilitate first floor access to the rear of the proposed extension as being materially harmful to the appearance of the property or the streetscene in this particular location. The scale and form of the proposed flat roofed dormer extension would nevertheless still be a significant addition.
 8. Although stepped down, the proposed rear dormer extension would result in additional bulk being added to the roof plane of the proposed first floor extension that would be very much at odds with the more modest form and appearance of the host building and the existing smaller scale pitched roof dormers on the host property.
 9. These shortcomings are exacerbated by the proposal's position, which would be visible from a number of public vantage points along Earls Meadow. The proposed rear dormer extension, by virtue of its scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property. As such, I consider that the proposed rear dormer extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the area.
 10. I have considered the appellant's arguments that the design and layout of the proposed rear dormer extension have been carefully considered and redesigned in order to minimise any impacts on the host property and the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposed extension with the host property and the area, these aspects again do not overcome the adverse effects outlined above.
 11. Consequently, I conclude that the proposed rear dormer extension would result in harm to the character and appearance of the area. It would be contrary to the aims of Policy BE1 of the Warwick District Local Plan 2017 and the Council's Residential Design Guide Supplementary Planning Document 2018. This policy and guidance, amongst other things, require development proposals to be of the highest quality that relate well to the existing local surroundings and positively contribute to the character and quality of the environment through good design and layout. In addition, the proposal would not accord with the National Planning Policy Framework that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130) and improve the quality of design of an area (paragraph 134).

Other Matters

12. I have considered the appellant's comments regarding the family's personal circumstances and the benefits to the family arising from the proposed additional accommodation for their elderly relatives. I have considerable sympathy for the appellant's circumstances. However, the courts have generally taken the view that planning is concerned with land use in the public interest. Although personal circumstances can sometimes justify a personal or temporary permission, that would not be appropriate here where a permanent structure is intended. As such these are matters to which I can attach only moderate weight in making this decision.

13. I have noted the other developments in the area drawn to my attention by the appellant. However, the various house styles and designs have different development characteristics to the appeal scheme. The warehouse development is of a different scale and form and should not be taken as an acceptable context for or justification of the appeal scheme.
14. I have considered the various benefits put forward by the appellant that the proposal would bring, including the scheme's high quality design and providing additional accommodation to meet the family's needs. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR