



Appeal Decision

Site visit made on 8 January 2024

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.01.2024

Appeal Ref: APP/E3715/D/23/3331116

Vorringfoss, Hayway Lane, Broadwell, Rugby CV23 8HH

- 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 Thomas Furness against the decision of Rugby Borough Council.
 - The application Ref R23/0704, dated 23 June 2023, was refused by notice dated 8 August 2023.
 - The proposed development is single storey side and rear extensions to dwelling house and new pitched roof to existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear extensions to dwelling house and new pitched roof to existing garage at Vorringfoss, Hayway Lane, Broadwell, Rugby CV23 8HH in accordance with the terms of application ref: R23/0704 dated 23 June 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) This permission shall relate to the following approved plans: drawing nos: N20220419/1 (existing and proposed floor plan), N20220419/2 (existing elevations), N20220419/3A (site plan and sections), N20220419/4A (proposed elevations) and N20220419/5 (1:1250 site location plan).
 - 3) The materials to be used on the external surfaces of the development hereby permitted shall match those used on the existing dwelling.

Main Issues

2. The main issues are the impact on (a) the character and appearance of the host dwelling and wider area and (b) the living conditions of the occupiers of the adjoining property, Stoney Cottage, .

Reasons

3. The appeal site is located towards the centre of a small, rural village. The surrounding predominantly residential properties consist of a variety of age, size and design but generally occupy fairly generous sized plots set back from the road frontages. Vorringfoss is a modern two storey detached dwelling and similar in appearance to its neighbour, The Meadow, along Hayway Lane. Stoney Cottage, located to the south, is an older stone building, also of two storeys albeit lower in overall height. It sits in a large corner plot at the

junction of Hayway Lane with Main Street. The dwelling is positioned close to the northern boundary of its plot, set well back from both road frontages, and just to the south west of the dwelling on the appeal site.

Character and appearance

4. Stoney Cottage is located further back from the Hayway Lane frontage relative to the dwelling on the appeal site. This means that the side elevation of the dwelling on the appeal site can be seen across the open front and side garden areas of Stoney Cottage within views from both Hayway Lane and Main Street. Furthermore, the attached garage to the side of the dwelling can be seen from Hayway Lane, albeit is set back from the front elevation.
5. The proposed new pitched roof over the garage would be visible over the boundary wall in these views. However, it would be seen partly against the backdrop of the existing house, the ridge height of the roof being just below the eaves level of the host dwelling. Whilst it would extend beyond the rear elevation of the host dwelling, it would not appear unduly prominent in either street scenes of Hayway Lane or Main Street. The long sloping roof would be evident in views from Hayway Lane, contrasting somewhat with the front gable end of the host dwelling, but would be set back from the front elevation and in my view would appear neither overly 'unbalancing' nor incongruous. Overall, I consider that the proposed extensions would complement the existing dwelling and would not be unduly prominent in wider views.
6. I therefore find that the proposal would not be harmful to the character and appearance of the host dwelling and wider area. It would thereby accord with Policy SDC1 of the Rugby Borough Council Local Plan (2019) (RBCLP) which seeks sustainable design that responds to the character of the area. The proposal would also satisfy guidance in the Council's Climate Change Sustainable Design and Construction SPD (2023) (SPD) which states that the effect of an extension should consider the scale and character of the existing building and surrounding area.

Living conditions

7. As noted above, Stoney Cottage is located to the south-west of the dwelling on the appeal site, almost wholly 'behind' its rear elevation, further back from the Hayway Lane frontage. I saw on the site visit that the nearest part of the cottage is a single storey rear element which appeared to have ground floor windows facing towards the appeal site. However, they were set back from the boundary with hedge and tree planting within the gap, including some tall conifers. The forward siting of dwelling on the appeal site relative to the rear elevation of this adjoining cottage means that the proposed rear additions would only partly be directly opposite this rear elevation.
8. The relative siting of the dwellings also means that a reasonable separation would be maintained. Furthermore, there are other glazed openings in the east facing elevation of the rear single storey element of Stoney Cottage and the main orientation of the cottage is south facing across the open front garden areas. Overall, taken together with the existing boundary features, the effect on light would not be significant nor would there be an unacceptable overbearing impact.

9. The majority of the garden area of Stoney Cottage lies to the east and south of the dwelling and thus the proposal would only affect a small part of its garden area. Furthermore, the affected area did not appear to provide significant amenity space, noting that it lies to the north of the dwelling in any event.
10. Overall, I consider that the proposed extensions would not result in any significant levels of harm, by reason of loss of light or outlook, to the living conditions of the occupiers of the neighbouring property. As such, they would comply with RBCLP Policy SDC1 which seeks to ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. The SPD guidance, which seeks to protect amenity in respect of light and outlook, would also be satisfied.

Other Matters

11. I have taken into account the National Planning Policy Framework and find, for the reasons set out above, that the proposal would accord with its policies that seek well designed development that is sympathetic to local character including the surrounding built environment.

Conclusions

12. I conclude that the proposal would accord with the development plan overall and there are no material considerations that indicate a decision otherwise. The Council has suggested conditions to ensure matching materials are used and that the proposal is carried out in accordance with the approved plans. I agree that these are necessary in the interests of proper planning and visual amenity.
13. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR