



Appeal Decision

Site visit made on 11 November 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2024

Appeal Ref: APP/R3705/D/24/3348687

Oak Tree House, 49 Main Road, Austrey, Warwickshire CV9 3EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Price against the decision of North Warwickshire Borough Council.
 - The application Ref is PAP/2024/0152.
 - The development proposed is carport.
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Decision

1. The appeal is allowed and planning permission is granted for carport at Oak Tree House, 49 Main Road, Austrey, Warwickshire CV9 3EH in accordance with the terms of the application, Ref PAP/2024/0152 subject to the following conditions:
 1. The development hereby permitted shall be carried out in accordance with the following approved drawings: 829 01, 829 02.

Preliminary Matters

2. I saw during my site visit that a carport has already been constructed at the appeal site. There is a suggestion that what has been built on site is not what is shown on the plans. For the avoidance of doubt, I will determine the appeal on the basis of the submitted plans. Whether or not what has been built accords with these plans is a matter for the main parties to resolve outside of the appeal process.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises a modern detached dwelling which is set back from Main Road. The site is enclosed by a low-level wall and there are clear views of the site from the road. The surrounding area comprises predominantly modern dwellings of varying designs and forms. This, along with mature planting within the appeal site and the front gardens of properties in the surrounding area, results in a varied and verdant character to the area.
5. The appeal proposal relates to a detached timber-framed carport which is orientated parallel and close to the road. The structure appears both modest in size and visually subservient to the host dwelling. Its form and palette of

materials relate well to the modern form and appearance of the host dwelling. The structure is open to all four sides and displays no solid mass or bulk, ensuring that, whilst visible within the street scene, the positive contribution the site makes to the character and appearance of the area is not compromised.

6. I accept that there are no equivalent structures to the front of other properties within the locality. However, that does not render the development harmful. Should any proposals come forward in the future to build similar structures to the front of other properties in the area, they would each fall to be considered on the individual merits of their case.
7. For these reasons the proposal does not harm the character and appearance of the area. The proposal therefore accords with Policy LP30 of the North Warwickshire Local Plan (2021) which seeks to ensure that development harmonises with the immediate setting and wider surroundings. I find no conflict with the Guide for the Design of Householder Developments (2003) which has similar aims, or with Chapter 12 of the National Planning Policy Framework which requires that developments are sympathetic to local character.

Other Matters

8. Concerns from a neighbouring resident regarding the retrospective nature of the proposal are noted. Nonetheless, I am tasked with determining the proposal before me and that has no bearing on my decision.
9. It is suggested that the carport attracts the attention of drivers at the junction of Main Road and Bishops Cleeve. At my site visit I observed that the carport does not dominate views from this junction, and, whilst visible from it, given its siting opposite, it does not restrict visibility, and there is no evidence that the proposal is prejudicial to highway safety.

Conditions

10. I have had regard to the conditions suggested by the Council, on which the appellant has had the opportunity to comment. It is necessary to specify the approved plans in the interest of certainty.

Conclusion

11. For the reasons set out above, the appeal is allowed.

N Robinson

INSPECTOR