

**PLANNING COMMITTEE
13 NOVEMBER 2018**

18/P/0211/HH – APPEAL DISMISSED: REFUSAL OF RETROSPECTIVE APPLICATION TO RETAIN – 2 FOREST VIEW, HENLLYS, CWMBRAN, TORFAEN, NP44 6ED

Appeal Number: APP/V6945/D/18/3211144

Appeal Received; 12.09.2018

Appellant; Mr Tim Drake

DECISION; Appeal Dismissed



The application was refused at planning committee on 26th June 2018 for the following reason;

The scheme due to the raising of the roof the resulting extension dominates the original building and results in a form which is unsympathetic, out of character and have an adverse impact on the character of the surrounding area, contrary to adopted Policies S4 and BW1 A i), ii), iii) and v) of the Torfaen Local Development Plan. Approval of a scheme which is dependent on the raising of a roof line in the manner that has been carried out will set an unacceptable precedent for the consideration of any future developments of this type.

In the decision, the Inspector confirmed the main issues to be the effect of the development on the character and appearance of the area the living conditions of neighbouring occupants.

The Inspector reported that the houses in Forest View have varying designs, with many being extended in different ways. In addition they noted that there is a consistency of scale and form. The Inspector considered that the raised ridge of the property was not harmful when viewed from the front. However, the substantial bulk of the dormer and increased ridge height is apparent on the side elevations and considered to be '*awkward and cumbersome features*'. The proposed modifications, to the roof, put forward in the application were assessed by the inspector and were considered to be harmful to the visual appearance of the immediate area.

The Inspector judged the fall-back position of permitted development at the property. Given that the dormer is already in place they considered that there is a strong likelihood that it would remain and therefore they attached significant weight to the fall-back position. The Inspector noted that the height difference between the development and the fall-back position was 70cm. Nonetheless, the visual appearance of the appeal development would differ materially from the fall-back position. Furthermore, the Inspector considered that these differences would cause unacceptable visual harm.

The appellant drew the Inspector's attention to other dormer developments in the area. They noted that there are similarities, however, they did not consider that the presence of other dormers mitigated the harm caused by this development. Furthermore they noted that other dormers had not increased the ridge height of the roof and therefore attached little weight to the presence of the other dormer.

When considering the impact on living conditions of neighbouring occupiers the Inspector agreed with the Local Planning Authority that the development would have a similar impact as a dormer built under permitted development in terms of privacy. In addition the nature and extent of any overbearing impacts would also be similar to a dormer built under permitted development.

The Inspector concluded that the development would not harm the living conditions of neighbouring residents. However, the development causes visual harm to the area and conflicts with policy S4 and BW1 of the Torfaen Local Development Plan. A copy of the Inspectors decision letter is attached along with photographs of the site.

Sarah Hensby

Appendices	None
Background Papers	<p>Note: Members of the public are entitled, under the Local Government Act 1972, to inspect background papers to reports. The following is a list of the background papers used in the production of this report</p> <p>Planning Application File: 18/P/0211/HH</p>

For a copy of the background papers or for further information about this report, please telephone: Richard Lewis, Head of Development Management (Tel 01633 647628)

