

Appeal Decision

Site visit made on 14 September 2016

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2016

Appeal Ref: APP/A2470/D/16/3154930

Springwell House, 26 Audit Hall Road, Empingham, Rutland LE15 8PH

- 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 C Nichols against the decision of Rutland Council.
 - The application Ref 2016/0293/FUL, dated 20 March 2016, was refused by notice dated 5 April 2016.
 - The development proposed is a two storey extension to dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises a detached dwelling set back from and facing Audit Hall Road. It is within a street scene of large, mainly detached dwellings in substantial plots with vehicular access and parking to the frontage. The appeal dwelling has a wide asymmetrical forward facing gable to the front elevation. The scale and position of the appeal dwelling relative to the street frontage and a sweeping bend in the road makes the front and side elevations highly prominent in the public realm.
 4. The proposed development would add a two storey extension to the side which, whilst being subservient in overall height to the appeal dwelling, would add substantial additional width to an already wide building. This, coupled with the use of a much narrower gable design would result in a bulky and visually awkward extension which would fail to respect the design and form of the original building. The visual effect of the proposed development would be exacerbated by the prominence of the appeal dwelling in the street scene.
 5. Whilst I accept that the proposed weatherboard cladding would not be in keeping with the character and appearance of either the appeal dwelling or the street scene, I note that the appellant would be willing to accept a condition to agree a more appropriate external treatment.
 6. However, this would not be sufficient to overcome the harm that would be caused to the character and appearance of the area though the design and
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scale of the proposed development which would therefore be contrary to Policy CS19 of the Core Strategy¹ and Policy SP15 of the Local Plan².

7. These Policies seek to ensure that, amongst other things and along with section 7 of the Framework³, new development should be of a high quality and contextually appropriate design and appearance and contribute positively to local character and distinctiveness through appropriate scale and form.

Other Matters

8. I accept that the appeal dwelling is a modern design and the site is not in a Conservation Area. It is nevertheless important that in any addition to an existing building, regard should be had to its particular design and form to ensure that any new development is appropriate in all respects.
9. The proposed development would not cause undue harm to the living conditions of the occupiers of neighbouring dwellings. This was not a contentious matter in the determination of the appeal and in any event, given the nature of the harm that would arise out of the proposed development, the lack of harm in respect of the living conditions of the occupiers of neighbouring dwellings would not be sufficient to justify it.
10. I note examples of large scale replacement dwellings in the area that have been provided, which have the benefit of planning permission. The appellant also advances that planning permission was granted for a two storey extension to the same elevation of the appeal dwelling, reference 2013/0850/FUL, and that this is now extant.
11. The other examples provided are replacement dwellings where their design and scale was considered in the context of them not being attached to an existing building. They are not therefore directly comparable to the proposed development. With regard to the extant planning permission for the previous two storey side extension, this was noticeably shorter a projection than the proposed development. Whilst it too utilised a narrow gable, its lesser scale would have a reduced level of visual harm. The existence of this extant planning permission is not therefore sufficient to justify the proposed development which would cause harm for the reasons identified.

Conclusion

12. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR

¹ Rutland Local Development Framework: Core Strategy Development Plan Document 2011

² Rutland Local Plan: Site Allocations & Policies Development Plan Document 2014

³ The National Planning Policy Framework 2012