
Appeal Decision

Site visit made on 30 January 2017

by Nigel Harrison BA (Hons) MRTPI

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

Decision date: 2nd February 2017

Appeal Ref: APP/Q4625/D/16/3158206

4 Paddock Drive, Dorridge, Solihull, B93 8BZ

- 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 G J Hawksbee against the decision of Solihull Metropolitan Borough Council.
 - The application Ref: PL/2016/01254/MINFHO dated 8 May 2016, was refused by notice dated 27 June 2016.
 - The development proposed is two-storey front extensions.
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Decision

1. I **dismiss** the appeal insofar as it relates to the proposed left-hand two-storey garage/snooker room/ bedroom/ bathroom extension (attached to the part of the dwelling closest to No 3).
2. I **allow** the appeal insofar as it relates to the proposed right-hand two-storey cinema room and master bedroom extension (attached the part of the dwelling closest to No 5) at 4 Paddock Drive, Dorridge, Solihull, B93 8BZ, in accordance with the terms of the application: Ref: PL/2016/01254/MINFHO dated 8 May 2016, as far as relevant to that part of the development hereby permitted, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 1 at 1:100 scale dated April 2016; and Drawing No 2A at 1:100 scale dated April 2016, but only insofar as they relate to the proposed right-hand two-storey cinema room and master bedroom extension (attached to the part of the dwelling closest to No 5).
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing building

Main Issue

3. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the streetscene in Paddock Drive.

Reasons

4. The application relates to a detached house in a substantial plot in a cul-de-sac of generously spaced detached houses. Although Paddock Drive has a spacious,
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open appearance with open and well-planted frontages, to my mind it has no particularly strong prevailing character or especially local distinctiveness.

5. Policy P15 of the *Solihull Local Plan 'Shaping a Sustainable Future'* (LP), adopted 2013, requires development to achieve good quality, inclusive and sustainable design. Amongst other matters it says proposals should conserve and enhance local character, distinctiveness and streetscape quality. LP Policy P14 says development will only be permitted if it respects the amenity of existing and proposed occupiers and would be a good neighbour. More detailed guidance is to be found in the adopted *House Extensions Guidelines Supplementary Planning Guidance* (SPD).
6. The proposal comprises two elements: Firstly, a two-storey extension which would 'square off' the recessed section on the right hand side of the front extension closest to No 5. Secondly, a two-storey wing projecting towards the road on the left hand side of the frontage adjacent to the boundary with No 3. This extension would project to a depth of 13.8m and have a width of 6.3m.

Right-hand extension

7. The Council says the design of this extension would not fit comfortably with the existing gable, and its flat-roofed join and mismatched ridge and eaves heights would appear contrived and overbearing. Whilst I do have concerns about these details of the scheme, this extension would be flush with the front elevation and would fit into the existing recess in the plan form. Overall, I am satisfied on balance that it would not materially detract from the character and appearance of the existing dwelling and streetscene.

Left-hand extension

8. Whilst I have no objections in principle to an appropriately designed and scaled front extension in this position, I consider the large projecting wing proposed would dominate the existing dwelling and appear incongruous in the streetscene. Although its height would be subservient to the main dwelling, it would project so far that there would be a separation distance of only about 3m between the gable end and the back of the footpath. Therefore, due its length and highly visible position close to the road, it would appear as an uncharacteristic and particularly prominent feature in the street scene. The change in levels due to the sloping front garden, which is not shown on the plans, would further emphasise its prominence.
9. I accept that the substantial mature planting on the common boundary with No 3 would mitigate its impact to some degree, particularly in views north-eastwards along Paddock Drive. However, this planting is not within the appeal site, and it is imprudent to rely on existing vegetation, which could be removed at any time, to screen an otherwise unsatisfactory form of development.
10. In reaching my view I have had regard to the existence of other front extensions on Paddock Drive. Firstly, the property at No 2 has been rebuilt and the new dwelling on the site now has a forward projecting garage wing with accommodation in the roof space. However, this is set much further back from the highway than in the appeal proposal, and the property itself has a different relationship to the streetscene in Paddock Drive. The replacement dwelling at No 10 has also been approved with a forward projecting garage, but this is single-storey only and again set back much further from the highway. The

circumstances pertaining in these examples are therefore significantly different from those in the proposal before me, where the gap between the extension and the highway edge would be very significantly less.

11. The appellant has also referred to an approved scheme for two dwellings in the front gardens of No 21 and No 21a Paddock Wood Road. However this concerns a different type of development, and I have no information regarding the circumstances or site specific considerations which led to the granting of permission in that case. In any event, other than pointing out that front garden development may be acceptable to the Council in some situations; this proposal has no bearing on the street scene in Paddock Drive and has not influenced my reasoning.
12. The SPG explains that front extensions are unlikely to be approved where they introduce a prominent addition or detract from the overall appearance of the dwelling. It adds that building lines are not sacrosanct, and in some instances where space allows, there may be scope for subservient and well-designed extensions at the front of individually designed houses. However, for the reasons given above, I consider the proposed left-hand extension would be overly prominent and incongruous in the streetscene and would relate poorly to the design of the existing dwelling.
13. The *National Planning Policy Framework* requires local planning authorities to encourage high quality design. However, it also says policies and decisions should not attempt to impose architectural styles or particular tastes, but should concentrate on guiding the development in relation to neighbouring buildings and the area generally. In this case, whilst I am satisfied that the right-hand extension would harmonise with the style of the dwelling and respect the character and appearance streetscene, the large projecting left-hand extension would manifestly fail to respect neighbouring buildings and the area. As such, that element of the proposal would conflict with LP Policy PL15 and advice in the SPD.

Other Matters

14. A representation has been received from a neighbouring resident stating that the proposal would infringe the SPD '45 degree rule' and significantly impact on daylight reaching the front windows of his property. However, the Council has stated categorically that the proposed extensions (on both sides) would comply with the 45 degree rule and would not cause any unreasonable loss of light, outlook or privacy to neighbours. I find no reason to disagree with that assessment and my conclusion has been reached solely with regard to the harmful effect of the proposal on character and appearance.
15. I have considered the suggested conditions in the light of the Government's *Planning Practice Guidance* (PPG). A condition is needed to secure compliance with the submitted plans for the avoidance of doubt and in the interests of proper planning, insofar as they relate to the approved right-hand extension. A condition requiring matching materials is also needed in the interests of the appearance of the area. The Council has suggested conditions to remove normal permitted development rights in respect of windows in the side elevation of the extension facing No 3, and for the landing window in the side elevation facing No 3 to be obscure-glazed and fixed shut. However, as I have

dismissed the appeal relating to the left-hand extension these conditions would serve no purpose.

Conclusion

16. I consider the two elements of the proposal are clearly severable, being both physically and functionally independent. I therefore propose to issue a split decision in this case. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal insofar as it relates to the proposed right-hand two-storey cinema room and master bedroom extension should be allowed, and that the appeal insofar as it relates to the proposed left-hand two-storey garage/snooker room/ bedroom and bathroom extension should be dismissed.

Nigel Harrison

INSPECTOR