
Appeal Decision

Site visit made on 7 February 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 17 February 2017

Appeal Ref: APP/J3720/W/16/3162182
56, Dunnington Lane, Dunnington B49 5NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Matt Smith against Stratford on Avon District Council.
 - The application Ref 16/02107/FUL, is dated 23 June 2016.
 - The development proposed is the removal of single story single skin kitchen extension. Erection of two story green oak extension to provide kitchen/dining and utility room on ground floor with new staircase to 2 bedrooms and a bathroom.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural matter

2. The appellant lodged the appeal on 31 October 2016 because the Council had failed to give notice of their decision. However the Council did issue a decision, also dated the 31 October 2016. Seemingly both parties were unaware of the simultaneous actions of the other. Nonetheless, I have determined the appeal on the basis on which it was submitted.

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 accommodates a small semi-detached dwelling. Aside from the adjoining house, all the surrounding land is undeveloped with a large agricultural field opposite the site and overgrown scrub land to the rear and north. A public footpath passes in front of the site along an unmade road which provides vehicular access.
 5. The existing dwelling is narrower than the adjoining house, and this is particularly illustrated by the fact that there is one dormer on the front roof slope of the appeal property but two on the adjoining cottage. Nonetheless, despite this unbalance, the houses share a commonality in design and materials and they appear as a congruent pair of modest cottages, appropriate to their rural setting.
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6. The proposal would add a large extension to the side of the existing dwelling, approximately doubling width of the house, which would render it considerably wider than the adjoining dwelling. The side extension would also project significantly rearward of the existing house. Whilst the development would fit comfortably within the spacious garden, it would not appear subservient to the host dwelling due to its scale. This would be particularly apparent due to its prominence when viewed from positions east and north east of the house along the public footpath. As such the development would contrast visually with the modest proportions of the existing cottage and be unsympathetic to its character and appearance.
7. I consider the proposed materials to be used would not be inharmonious with the host dwelling. Nonetheless, it is the scale of the extension which would appear excessive and would detract from the character and appearance of the host property.
8. As a result of the harm that would be caused to the character and appearance of the existing house, the development would adversely affect the character and appearance of the area. Consequently the proposal would conflict with Policy CS.20 of the Stratford-on-Avon Core Strategy which requires extensions to be subservient in relation to the existing building to maintain the character of the locality.

Other matters

9. I understand the Council adopted their Core Strategy after the submission of the application. However I must determine the case on the basis of the current development plan, including Policy CS.20.
10. Furthermore I accept the existing dwelling provides limited accommodation and I understand the wish to extend it to provide a more modern living environment. However, this does not outweigh the harm that the development would cause to the character and appearance of the area.

Conclusion

11. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed and planning permission refused.

Andrew Owen

INSPECTOR