
Appeal Decision

Site visit made on 28 February 2017

by Sarah Colebourne MA, MRTPI

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

Decision date: 14th March 2017

Appeal Ref: APP/T3725/D/16/3167707

12 Wheathill Close, Leamington Spa, CV32 6PL

- 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 and Mrs Chris Wright against the decision of Warwick District Council.
 - The application Ref W/16/1683, dated 14 September 2016, was refused by notice dated 25 November 2016.
 - The development proposed is described as 'Following the removal of the existing side attached garage and utility area, the proposal is for the construction of a two storey (both sides) and rear extension to provide at ground level an enlarged kitchen/dining room, WC/shower room, utility room and study. At first floor it is intended to provide a further 2 no bedrooms, both with en-suite shower rooms and an enlarged family bathroom.'
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Decision

1. The appeal is allowed and planning permission is granted for two storey extensions to both sides and the rear and alterations at 12 Wheathill Close, Leamington Spa, CV32 6PL in accordance with the terms of the application, Ref W/16/1683, dated 14 September 2016, subject to the conditions in the schedule at the end of this decision.

Preliminary matter

2. I have shortened the description of the proposed development in the formal decision for brevity. I have also included 'alterations' as used in the description of the proposal in the Council's decision notice as this describes the proposal more fully than the description in the application.

Main Issue

3. The main issue in this case is the effect of the proposed extensions and alterations on the character and appearance of the dwelling and the area.

Reasons

4. Policy DP1 of the Warwick District Local Plan 1996-2011 seeks to encourage good design and says that proposals should respect surrounding buildings in terms of scale, height, form and massing. Policy BE1 in the emerging draft Local Plan 2011-2029 has a similar objective and whilst I cannot give full weight to this given its status, it accords in this respect, as does policy DP1,

with the National Planning Policy Framework which seeks to ensure that new development reflects its surroundings.

5. Wheathill Close is a cul-de-sac of two storey detached dwellings, probably built in the 1960's, of varying designs. Most have been extended and/or altered whilst some have been significantly remodelled. No 12 is sited at the head of the cul-de-sac. It is not prominent in the street scene, being set back from the adjacent dwelling at no 10 which has been substantially extended following a recent appeal decision. No 12 is a modestly sized house with a pitched roof and a square plan form with an attached flat roof garage. Its boxy appearance has little visual interest and it makes little contribution to the existing street scene.
6. The proposals include two storey extensions to both sides and the rear elevation together with a porch and garage projection to the front elevation. The Council's concerns relate to the two storey extension to the right hand side of the front elevation which would not be set back from the original front wall and would enlarge the existing front gable.
7. However, the extension would follow the existing building line and would have a pitched roof to match the original. The enlarged gabled roof would continue the existing gable and would remain subservient to the main roof. As the roofs over the small porch and garage projection would also match the roofs above, there would be some unity between the various elements and I disagree that this small projection would increase the impact of the larger extension.
8. By following the existing building and rooflines and reflecting the proportions of other dwellings in the street, the proposed extensions would improve the overall appearance of the dwelling from its existing boxy design to a more balanced design of better proportions. The size and scale of the extensions and alterations are modest and would not unduly dominate either the existing dwelling or the street scene.
9. The Council's Residential Design Guide SPG 2008 sets out design criteria that should be adhered to in order to accord with LP policy DP1. Although a key principle is that extensions should be designed to be subservient to the original dwelling, in this case the original dwelling makes little contribution to the street scene and the proposal would represent a positive improvement. The Framework cautions against unnecessary prescription or detail and this is a material consideration which leads me to conclude that in this case, that principle is not appropriate.

Other matters

10. Although the Council did not refuse the application in terms of living conditions, I have had regard to any issues of overlooking and privacy from a first floor side bathroom window in relation to the adjacent property at no 14. The Council has suggested a condition for an obscure glazed window to be non-opening unless at a high level. Give the relationship between the two dwellings, this is necessary for the privacy of the neighbouring occupiers and would ensure that there was no undue harm to their living conditions.

Conditions

11. The Council has also suggested a condition for a scheme for renewable energy which is necessary in the interests of moving to a low carbon future. I have

not included the suggested condition limiting the noise from any air source heat pump as this can be achieved through other legislation. I have included a condition for the approval of external materials as full details were not specified in the application. Some of the suggested wording of those conditions has been amended to comply with the requirements of the Planning Practice Guidance. The standard time limit and accordance with the plans conditions are also necessary for the avoidance of doubt.

Conclusion

12. I conclude then that the proposed extension would not result in harm to the character and appearance of the building or the area and would accord with the development plan as a whole. The appeal should be allowed.

Sarah Colebourne

Inspector

Schedule of 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: 16/34-03 and 16/34-04.
- 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to the occupation of the development hereby permitted, the first floor bathroom window in the south-east elevation shall be permanently glazed with obscured glass and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window shall be retained and maintained in that condition at all times.
- 5) No development shall take place until a scheme showing how 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with the manufacturer's specifications.

End of conditions.