

Appeal Decision

Site visit made on 20 March 2017

by Clive Tokley MRTPI

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

Decision date: 11 April 2017

Appeal Ref: APP/P0240/D/17/3168269
55 Meadway, Dunstable, LU6 3JT.

- 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 Adam Camfield against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/05292/FULL dated 15 November 2016 was refused by notice dated 13 January 2017.
 - The development proposed is erection of a part single, part two storey side extension and two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part single, part two storey side extension and two storey rear extension at 55 Meadway, Dunstable, LU6 3JT. The permission is in accordance with the terms of the application, Ref CB/16/05292/FULL dated 15 November 2016 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: 398/D001, 398/D002, 398/D003, 398/D004/ Rev. A and 398/ D005/ Rev. A.
 - 3) The external surfaces of the extension hereby permitted shall be finished in materials to match as closely as possible in colour, type and texture, those of the existing building.
 - 4) The first floor window in the north-western side elevation of the development hereby permitted shall be permanently fitted with obscured glass equivalent to level 3 or above of the "Pilkington" scale of obscuration and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. No further windows or other openings shall be formed in the north-western first floor side elevation.
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Main Issue

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

Reasons

3. Meadway is a spacious residential avenue with wide grass verges that support street trees. The street is fronted mainly by semi-detached houses and bungalows. In the main the pairs of semi detached houses are separated by pairs of attached garages or twin sideways leading to garages at the rear.
4. The detached house at No 55 is an exception to the predominantly semi-detached dwellings and the absence of a No 57 indicates that it occupies a double plot. The main two-storey house has been built centrally on the site with single-storey elements to each side. Being a detached house No 55 does not share the duality of appearance of the surrounding semis but the front elevation has a symmetrical appearance around a brick porch. The houses in this part of Meadway back on to a cemetery and have mature rear gardens containing trees, shrubs and hedges.
5. I agree with the officer report which indicates that the rear part of the extension would be proportionate to the dwelling and would be of an appropriate design. The Council draws attention to the *South Bedfordshire Local Plan Review 2004* (LP) which indicates, in the pre-amble to Policy H8, that there should be a minimum of 1 metre between any two storey extension and the property boundary so as to retain an appropriate degree of separation. The flank wall of the ground floor element of the proposal would be 0.15m from the boundary and the first floor 0.9m from the boundary and therefore the proposal would conflict with the text of the local plan. However that text does not form part of the policy which indicates that in order to respect the overall character of the site and its surroundings the design of extensions should have regard to the setting of a proposal including where appropriate the retention of adequate separation between buildings.
6. The neighbouring house to the north-west (no 53) is off-set from the boundary with No 55 with the space between accommodating a single garage and a sideways of about the same width. As a result of this the space between the flank wall of the proposal and that of No 53 would be consistent with that between the pairs of semis throughout the street. I therefore consider that the separation between buildings would respect the character of the street and in this respect there would be no conflict with LP Policy H8.
7. The Council indicates that the proposal to continue the roof and wall planes and ridge line of the house into the extension would fail to accord with the principles of good design set out in its Supplement 7 Design Guide. However I saw that else where in the street semi-detached dwellings had been seamlessly extended in a similar manner (for example Nos 32 and 34 and most successfully at No 40). The proposal would upset the symmetry of the front elevation of the dwelling but to my mind that would be no more disruptive than an extension where the roof plane and front wall were broken and the absence of symmetry would not be sufficient reason to refuse permission.

8. Taking account of the individual design of the appeal property I consider that subject to a careful matching of materials the extension as proposed would read as an integral part of the dwelling and would not detract from its character or appearance or that of the street and would not conflict with LP Policies BE8 and H8.

Conditions

9. I have imposed the normal conditions controlling the commencement of development and identifying the approved drawings. As I indicate above it is important that the external materials match those of the existing dwelling and I have imposed a condition to that effect along the lines suggested by the Council. The drawings indicate that the secondary window serving bedroom 4 will have frosted glass. In order to prevent overlooking of No 53 I have imposed a condition again along the lines of that suggested by the Council but I have refined the condition in line with the Technical Guidance for Permitted Development which indicates that glass in side facing windows should be obscured to level 3 or above of the scale of obscuration (known as the "Pilkington" scale).

Conclusion

10. Taking account of all matters I have concluded that the proposal would not detract from the character and appearance of the area and that the appeal should succeed.

Clive Tokley

INSPECTOR