

Appeal Decision

Site visit made on 5 July 2017

by George Arrowsmith BA, MCD, MRTPI

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

Decision date: 20 July 2017

Appeal Ref: APP/T3725/D/17/3175591

10 Meadow Close, Leamington Spa, CV32 7AS

- 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 Tekin Hasan Moustafa against the decision of Warwick District Council.
 - The application Ref W/16/2331, dated 5 December 2016, was refused by notice dated 14 March 2017.
 - The development proposed is a first-floor extension.
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Application for Costs

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Procedural Matter

2. Despite the way the extension was described in the application form it would include a slightly forward projecting element and a single storey element. I have determined the appeal on that basis.

Decision

3. The appeal is dismissed.

Main Issue

4. The main issue is whether the extension would be harmful to the character of the parent dwelling and/or the street scene

Reasons

5. The appeal property is a detached house with a high hipped roof and a slightly projecting front gable on the northern side of its front elevation. The building's width at first floor level is limited but its overall footprint is more extensive because there is a flat roofed single storey side extension. The house stands on a street corner in a mature suburban estate. The officer's report describes the nearby houses as being 'very modest in size'. This is an accurate but somewhat misleading analysis because most houses are arranged in semi-detached pairs which form single buildings that are bigger than the appeal property. The neighbouring detached house at No 8 Meadow Close is an exception. It already has a 2-storey side extension with a forward projecting gable. I am told that permission for this extension was granted in 1987.

6. Although the nearby houses are similar in age and general character there have been several extensions and alterations, some of which are more harmonious than others. I am nevertheless satisfied that the street's overall character remains sufficiently attractive to justify careful design control over future developments.
7. The proposal is to construct a part two storey and part single storey side extension in place of the existing single storey extension. The roof and first floor plans show the extension's front wall projecting slightly forward of the gable at the northern end of the building. According to these plans the whole of the extension first floor would project forward by the same amount. At ground floor level, a lean-to element would run around the front and side of the extension.
8. The extension would have a gabled roof at the southern end of the front elevation. Superficial inspection of the drawing showing the front elevation suggests that the part of the building below this part of the roof would itself project forward of the rest of the extension to leave the house with similar, although not identical, gabled projections on either side of the front elevation. In fact, the whole of the extension's first floor, not just the part under the gabled roof, would project forward of the house's existing front gable. The central part of the building would have an area of flat roof, around a metre in depth, separating the two gables. This is not evident from the elevation drawing and would not be readily apparent from the street, but it is shown on the roof plan.
9. In my judgement, the projection forward of the existing gable would unbalance the house's appearance. The front elevation drawing suggests a symmetrical street frontage, with two projecting gables separated by a central recess. In reality there would be no central recess; the extension would dominate and unbalance the front elevation and the existence of a gabled roof without a projecting element below would appear uncomfortable and contrived. I conclude that the proposal would be harmful to both the appearance of the parent dwelling and the street scene. The extension would fail to meet the requirement of the Council's Residential Design Guide that extensions should be subordinate to the existing dwelling but, in my view, it would be unacceptable even on its own terms.
10. The appellant refers to the existing extension at No 8 Meadow Close. This is significantly different from that proposed in that it is less bulky and does not dominate the parent dwelling to the same extent. Moreover, there is a degree of balance between No 8's two projecting gables, even though that balance is imperfect. There would be no such balance in the case of the proposed extension because it would have no projecting gable. I am also aware that the extension at No 8 is an isolated example that has only a marginal effect on the street's general character and that it was approved before the adoption of the Residential Design Guide in 2008.
11. The applicant argues that the extension would lead to the removal of the existing single storey side extension with what he describes as its wide, flat and ugly roof and the toxic gases he says it produces. The erection of the extension now proposed is not however the only way of achieving the removal or replacement of that extension. In addition, shrubs at the front and side of the

property ensure that the extension is not a prominent feature in the street scene. To my mind the view of chimney stacks at 12 Meadow View over the top of the existing extension has negligible effect on the street scene and the opportunity of masking it carries little weight in my decision.

12. The appellant tells me that permission has been granted for the same extension in 1996 and 1999. I am provided with planning permissions dated 1990 and 1996 but the plans provided by the appellant are not clearly identified with those permissions because none are stamped as having planning approval although one set, dated 1991, is stamped as having building regulations approval. In any event the plans appear to be different from those in the present appeal in that the extension's first floor wall is not set forward of the existing gable. Importantly, there is no clear-cut evidence that the earlier permissions are still extant, and I must determine the proposal before me on its own merits.
13. The appellant has produced several annotated photographs of other properties. In summary, the notes reflect his view, first, that his proposal would not harm the street scene and, second, that the Council have been inconsistent in their decision making. In relation to the first of these points, I have taken account of the street's existing character in reaching my decision: the photographs do not change that assessment. In relation to the second point, I do not have the full planning history of any other developments but these would not override my duty to determine the appeal proposal on its own merits.
14. The appellant asks that, if the plans submitted with the application are not acceptable, permission be granted for alternative plans labelled T-2 and T-3. My role is limited to considering the plans submitted to and considered by the Council. Any alternative plans should in the first instance be submitted to the Council.

George Arrowsmith

INSPECTOR