

Appeal Decision

Site visit made on 12 July 2017

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

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

Decision date: 21 July 2017

Appeal Reference: APP/L1765/D/17/3175532

9 Stanmore Lane, Winchester SO22 4AH

- 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 Talwar against the decision of Winchester City Council.
 - The application (reference 16/03342/HOU, dated 5 December 2016) was refused by notice dated 27 March 2017.
 - The development proposed is a single storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at 9 Stanmore Lane, Winchester SO22 4AH, in accordance with the terms of the application (reference 16/03342/HOU, dated 5 December 2016), subject to the conditions set out in the attached Schedule of Conditions.

Main issues

2. There are two main planning issues in this appeal. The first is the effect of the proposed development on the character of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by an overbearing impact).

Reasons

3. The appeal site is located at the junction of Stanmore Lane and Kings Avenue, in a residential suburb of Winchester. Stanmore Lane is the busier road, rising away from the junction with Kings Avenue. The area has a pleasant character, with semi-detached and terraced houses designed in traditional forms and set in mature gardens. There is a primary school close to the appeal site.
4. Number 9 Stanmore Lane is one of a pair of semi-detached houses constructed in an essentially symmetrical form, with pitched tiled roofs. Number 9, however, is faced with painted brickwork, unlike most other dwellings in the vicinity which are predominantly of fair-faced brickwork. Being located at the junction, it is set on an angular plot of land and a large and impressive beech tree stands in the front corner of the garden, behind a fence and hedge. The tree is protected by a Tree Preservation Order (reference 2172T1).

5. It is now proposed that a side extension to the existing house should be erected, as a revision to an earlier scheme. In this proposal, the new extension would be of single storey construction, designed to harmonise with the existing building and constructed of brickwork under a tiled, pitched roof.
6. Among other things, the 'National Planning Policy Framework' emphasises the aim of "requiring good design" in the broadest sense (notably at Section 7) and it points out the importance of creating an attractive streetscape and maintaining the overall quality of the area. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities.
7. An emphasis on the importance of good design is also to be found in local planning policy documents, notably at "saved" Policy DP3 of the adopted 'Winchester District Local Plan' and Policy DM15 of the 'Winchester District Local Plan Part 2 – Development Management and Site Allocations Adopted Plan 2017', which are both concerned with design criteria.
8. The proposed single storey extension would be clearly subservient to the existing two storey house and would not undermine its architectural qualities. The semi-detached houses are conventional in design and there is no justification for affording an especially high degree of protection to them or for imposing a particular aesthetic control, for example to require symmetry to be preserved. In short, the design of the proposed extension would not detract from the architectural qualities of the host building, nor would it harm the surroundings, and it is acceptable in planning terms.
9. Nevertheless, it would be necessary for the proposed extension to be carefully constructed, to ensure that quality is maintained and to protect the tree at the front of the site that is subject to a Tree Preservation Order.
10. The proposed extension would be built on land that is higher than the neighbouring plot at number 2 Kings Avenue but it would be set back from the shared boundary and it would, in any case, be modest in scale. It would not have an unduly harmful effect on the neighbours' living conditions, in the house and garden at number 2 Kings Avenue, even though it would have some impact on their outlook.
11. Thus, the project would not conflict with national or local planning policies (including those Policies that are specifically referred to above) and it would be acceptable in planning terms.
12. Other objections have also been taken into account and it has been noted that various representations raise concerns about the possible future use of the property. However, an alternative use of the property is not an issue for this appeal but for future consideration (that is, of course, if the proposed new use were subject to planning control).
13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed extension would be a useful addition to the accommodation at number 9 Stanmore Lane. I have concluded that the revised project would not be in conflict with the Development Plan, in principle, and that the appeal proposals can properly be permitted, subject to

conditions. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

14. I have concluded that conditions are necessary, to define the planning permission, to ensure that quality is maintained in respect of the new extension itself and to ensure that the protected tree on the site is not harmed. I have imposed conditions to deal with most of the matters which have been identified in the submissions, subject to modifications necessary, in my opinion, in the interests of clarity and simplicity.
15. Nonetheless, I am not persuaded that additional conditions are necessary in relation to a specific site meeting or to construction management matters, bearing in mind the character of the surrounding area and the application of other legislation, generally.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 2106/01B (Plans and Elevations);
 - drawing number 2106/02B (Block and Location Plans).
3. No development shall take place until samples (or specifications) of the materials and drawings (at appropriate scales) of the construction details to be used in the construction of the external surfaces of the new development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, using the approved materials.
4. Prior to the commencement of any demolition, groundwork or construction works on the site, protective measures in relation to the existing protected beech tree on the site shall have been carried out, in accordance with the report entitled 'Arboricultural Survey, Implications Assessment & Arboricultural Method Statement', dated 5 November 2016, prepared by RMT Tree Consultancy (including fencing, ground protection and foundation design). The development shall be carried out in accordance with the terms of that report.
5. No development shall take place until a detailed design for the foundations of the extension hereby permitted has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved foundation details.