



Appeal Decision

Site visit made on 14 November 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 28th November 2017

Appeal Ref: APP/T3725/D/17/3179595 79 Ebourne Close, Kenilworth CV8 2QL

- 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 Mrs W Harrison against the decision of Warwick District Council.
 - The application Ref W/17/0432, dated 7 March 2017, was refused by notice dated 16 May 2017.
 - The development proposed is single storey extension to front creating lobby and disabled access wet room.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension to front creating lobby and disabled access wet room at 79 Ebourne Close, Kenilworth CV8 2QL in accordance with the terms of the application, Ref W/17/0432, dated 7 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos: 223-01; 223-02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. At the time the Council determined the application, the development plan consisted of the Warwick District Local Plan 1996-2011 ("the Former Plan"). During the course of this appeal the Council adopted a new development plan document, the Warwick Local Plan 2011-2029¹ ("the LP") which replaces the Former Plan. I must determine this appeal in accordance with the development

¹ Adopted September 2017.

plan in place at the present time. Accordingly, I have considered the proposal against the LP only and not the Former Plan.

Main Issue

4. The main issue is the effect of the proposed development on the street scene.

Reasons

5. The appeal site is located in a residential estate characterised by two storey red brick dwellings of similar appearance and style. Although there is a general sense of cohesiveness in the frontages of the properties, with similar arrangements of windows, doors and facing bricks, a number benefit from various alterations and extensions some of which are visible in the street scene.
6. The proposed extension would extend along a considerable proportion of the frontage of the dwelling and wrap around its side elevation. However, it would not appear overly large or out of proportion with the dwelling itself. Furthermore, although it would be sited to the front of the property, it would face out towards a private parking area and would not be visible or prominent within the street scene. While I accept that it would result in the loss of the existing uniformity between the host dwelling and its immediate neighbours, the use of similar materials would go some way to mitigate any harm and ensure that the extension would not appear alien in its surroundings.
7. On balance, I do not agree with the Council's assessment that its size, siting and width would negatively impact on the street scene. As such, I do not consider it would be in conflict with LP Policy BE1 which, amongst other things, seeks to ensure that new development positively contributes to the character and quality of its environment through good layout and design.

Planning Conditions

8. The Council has suggested a number of planning conditions which they consider would be appropriate in the event that the appeal were to be allowed. In addition to the standard commencement condition, I agree that a condition requiring the development to be carried out in accordance with the approved plans is appropriate in order to provide certainty. Likewise, I consider a condition requiring matching materials to be used in the construction of the extension to be appropriate in the interests of character and appearance.

Conclusion

9. For the reasons set out above, and having had regard to all other matters raised, I conclude the appeal should be allowed.

Rory Cridland

INSPECTOR