The Planning Inspectorate

Appeal Decision

Site visit made on 3 August 2018

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2018

Appeal Ref: APP/M0933/D/18/3201983
14 Loughrigg Avenue, Kendal LA9 7LB

- 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 Wilson against the decision of South Lakeland District Council.
- The application Ref SL/2018/0125 was refused by notice dated 13 April 2018.
- The development proposed is the erection of a porch replacement and extension.

Decision

1. The appeal is dismissed.

Procedural matter

2. I have assessed the proposed development in the light of the revised National Planning Policy Framework that was issued on 24 July 2018.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

4. The appeal property is a mid-terrace bungalow that is set back from the road within a shared courtyard of similar properties in a mainly residential area. A common feature of the bungalows in this courtyard is a small porch that covers the main entrance, which is subordinate in size to the host building. Although some of these dwellings have been modified to varying degrees, the general style of the bungalows and the incidental nature of their front porches remain largely inviolate. As a result, there is a general consistency and broad uniformity to the existing built form within the courtyard to which No 14 belongs, which is locally distinctive. Although there is a wide variety of buildings in the area immediately around the site it is within this particular courtyard that the proposed development would be visually 'read'.

5. The new front extension would extend across about one half of the existing front elevation and so it would be much larger than the porch to be replaced. This arrangement would set the finished building apart from most of the other dwellings in the same courtyard where the porches are for the most part small and cover the front entrance. The forward projection of the proposal would also cause the completed dwelling to gain prominence in the local street scene.

6. Taken together, No 14 as proposed to be extended would stand uncomfortably in its particular context. It would unduly disrupt the pattern of existing development within the courtyard and be obtrusive in the street scene, to the detriment of the area's visual character. In reaching this conclusion, I have noted that the existing front door would be reused and consider that the proposed external materials would be appropriate.

7. At the site visit, I saw that several properties in the area around the site have been extended and externally altered including those to which the appellants have referred and provided photographs. The extension at No 2, which is broadly opposite the site, extends to one side of the dwelling and so most of the existing front elevation is left uncovered. Its relationship to the host building therefore markedly differs to that of the proposal. None of the other cases cited by the appellants form part of the same courtyard as No 14 and so are not directly comparable with the appeal scheme. In any event, it is a central principle of the planning system that each proposal should be assessed on its own merits, as I have done.

8. On the main issue, I conclude that the proposed development would cause material harm to the character and appearance of the local area. Accordingly, it conflicts with Policy S2 of the South Lakeland Local Plan and Policies CS8.2 and CS8.10 of the South Lakeland Local Development Framework Core Strategy. These policies aim to ensure that new development takes into account local character, relates effectively to surrounding buildings and maintains or enhances the quality of the townscape.

9. The side elevation of the new extension would be visible from the front windows of the attached properties on either side of No 14. However, from each of these adjacent properties, the proposal would be seen at an oblique angle with the main outlook into the open courtyard largely unaffected. In those circumstances, I consider that the visual impact of the appeal scheme would not be so great as to overbear on the neighbouring occupiers and so their living conditions would not be materially reduced.

10. Once complete, the additional accommodation would enhance the living conditions of the appellants. However, this consideration does not outweigh the significant harm that I have identified.

Conclusion

11. For the reasons set out above, and taking into account the absence of objections from others including Kendal Town Council, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR