



Appeal Decision

Site visit made on 18 November 2019

by David Carter BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2020

Appeal Ref: APP/J3720/D/19/3239193

51 Abbey Lane, Southam CV47 1HR

- 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 Guy Graham against the decision of Stratford on Avon District Council.
 - The application Ref 19/01724/FUL, dated 18 June 2019, was refused by notice dated 5 September 2019.
 - The development proposed is a first-floor bedroom extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor bedroom extension at 51 Abbey Lane, Southam CV47 1HR in accordance with the terms of the application, Ref 19/01724/FUL, dated 18 June 2019, 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 and details:
Proposed Alterations including Location Plan and Block Plan (Drawing Ref 1864 1)
Proposed Alterations (Drawing Ref 1864 2)
Survey (Drawing Ref 1864 3).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on Drawing Ref 1864 1.

Main Issues

2. The main issues are the effects of the proposal in relation to:
 - (i) The character and appearance of the area.
 - (ii) The setting of Listed Buildings at 47 and 49 Abbey Lane.

Reasons

Character and appearance

3. The proposed extension at first-floor level would be wholly contained within the footprint of the existing garage. The front wall of the new bedroom would project a short distance from the main building line of the terrace but not as far in front as the existing garage. The roof of the extension would be pitched

and set well-down from the ridgeline. As a result, the proposal would be modest in scale and would appear subservient to the original dwelling.

4. Extensions of this nature already exist nearby on Tudor Lane. The Council suggest the earlier extensions are of poor design quality and pre-date the Council's Development Requirements Supplementary Planning Document, 2018 (SPD). However, having made that point the Council have not drawn my attention to specific provisions of that SPD that indicate the design of the appeal proposal would not be appropriate. I consider that the design of the extension including the proposed forward projection at first-floor level would be proportionate in scale to the existing extended dwelling and would not dominate either its appearance or that of the terrace. There are three terraces of four dwellings on Abbey Lane which are similar in design but there are differences in detail and in their appearance (such as roofs, windows and wall treatments). When viewed in this context the proposal would not be harmfully out of place.
5. The Council also mention non-matching fenestration of the first-floor window in their reasons for refusal since the dimensions and style are not the same as the other first floor windows on this elevation. I consider the differences to the fenestration to be both marginal and acceptable. The first-floor extension will add variety and interest to the street-scene. The proposals are to use matching building materials which would help ensure the extension blends in with the street scene.
6. The adjoining property at No 49 is a Listed Building the implications of which I consider further below. However, the side elevation of the existing garage and proposed extension faces the property at No 49 where there is an existing garage with a flat roof. There is also a narrow passage between the 2 properties. This means that adequate separation would remain between the proposed extension and no.49.
7. In refusing the planning application the Council also suggested that the scale of the extension would have an adverse impact on the character of the Ironstone Hills Fringe Special Landscape Area (SLA).-However, the appeal site forms part of a residential area within the built-up urban area of Southam and, according to the Policies Map, is located more than 3km from the nearest part of the SLA. It therefore follows that the appeal proposal would cause no harm to the SLA.
8. Accordingly, I conclude that the proposed extension would be of a scale and design appropriate in its context which would not be harmful to the host dwelling, the terrace or the wider neighbourhood. Thereby, it would be consistent with Policies CS.9 and CS.20 of the CS and the Development Requirements SPD which aim to encourage high quality development, including extensions, of an appropriate scale and subservience to the existing building. I also conclude that there is no conflict with Policy CS.12 of the CS because the proposed development does not fall within the Ironstone Hills Fringe SLA.

Heritage

9. The adjoining timber-framed properties at 47 and 49 Abbey Lane are Grade II Listed Buildings with 14/15 century origins with 16 and 17 century additions and as such are recognised designated heritage assets. The 2 listed

properties formerly listed as one house known as Rookery House, are visually dominant on the street-scene since they lie directly against the edge of the footway to the public highway whereas No 51 lies a significant distance (c7m) back from the footway, allowing for the front garden/ driveway.

10. The set-back of the proposed extension from the building line of the Listed Buildings ensures that they would continue to dominate the street scene. As a consequence, the replacement of the garage door with windows to a living room and the extension at first-floor level would not detract from the setting of the Listed Buildings.
11. Accordingly, having regard to the statutory test, I find that the proposed development would not have a harmful impact thus preserving the setting of the adjacent Listed Buildings at 47 and 49 Abbey Lane. As a result, the proposal would be consistent with the provisions of Policies CS.8 and CS.9 of the CS which seek to protect and enhance heritage assets and encourage development to respect local distinctiveness.

Conditions

12. In addition to the standard 3-year time limitation for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans and details in the interests of certainty. The submitted plans set out details of the proposed external finishes. These would be suitable and appropriate.

Conclusion

13. For the reasons stated above, I conclude that the appeal should be allowed.

David Carter

INSPECTOR