



Appeal Decision

Site visit made on 23 June 2020

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2020

Appeal Ref: APP/V3120/D/19/3241309

2 Coxs Road, Shrivenham, Swindon SN6 8EL

- 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 Coffey against the decision of Vale of White Horse District Council.
 - The application Ref P19/V1280/HH, dated 17 May 2019, was refused by notice dated 30 August 2019.
 - The development proposed is a first floor side extension and single storey rear extension and new pitched roof to store.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension and single storey rear extension and new pitched roof to store at 2 Coxs Road, Shrivenham, Swindon SN6 8EL in accordance with the terms of the application, Ref P19/V1280/HH, dated 17 May 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: Site Location Plan – drawing no. A362/P01 Rev 0; As Proposed Plans and Block Plan – drawing no. A362/P02 Rev A and As Proposed Elevations – drawing no. A362/P03.
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials that match those used on the main dwelling at 2 Coxs Road, Shrivenham.
 - 4) Notwithstanding the provisions of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or the equivalent provisions of any order revoking and re-enacting that Order), the garage accommodation forming part of the development shall be retained for parking motor vehicles at all times and shall not be adapted to be used for any other purpose, without the prior grant of planning permission.

Procedural Matters

2. Since the Council made its decision the Shrivenham Neighbourhood Plan 2018-2031, Submission Version, June 2019 (NP) has undergone examination and the examiner concluded that the NP meets all the necessary legal requirements.

The Council agreed that the NP should proceed to referendum, but the original date set has had to be postponed due to the Covid-19 pandemic. Recent changes to Planning Practice Guidance (Paragraph: 107 Reference ID: 41-107-20200513) state that in these circumstances, the NP can be given significant weight in decision-making, so far as the plan is material to the application. Both parties have been given the opportunity to comment on the NP as part of the appeal process. Therefore, I am satisfied that neither will be prejudiced by my consideration of it where relevant to my determination.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Coxs Road and Berens Road predominantly comprise detached dwellings built in the latter half of the 20th century, that are mostly set within regularly spaced rectangular plots. Although there is some variety in the house type and detailing, there is coherence derived from the open frontages, use of materials and arrangement of dwellings which generally front onto the road. Taken together, this results in a pleasant, spacious sub-urban character to the area.
5. The appeal property is a detached dwelling at the corner of Berens Road and Coxs Road. It is similar to other houses in the vicinity in that the widest part of the building forms the principal elevation which has an open aspect, and the use of reconstituted stone. No.2 also has a single storey double garage to the side which projects slightly forward of the main part of the house. When combined with the proportions of the main windows and garage door, this gives a horizontal emphasis to the front elevation. Overall, the appearance of the property conforms with, and positively contributes towards, the spacious ordered character of the area.
6. The proposal includes single storey extensions as well as a side extension over the garage that would provide additional accommodation. There is no dispute between the parties that the single storey additions would be in keeping with the character of the area and I have little basis to disagree. Therefore, the area of dispute principally relates to the first floor side extension.
7. The proposed first floor extension would be level with the existing roof ridge and eaves and would utilise matching materials. Accordingly, as it would respect the existing building lines and simple roof form it would read as a natural continuation and horizontal emphasis of the existing dwelling.
8. Furthermore, some factors are employed to provide a level of articulation in the front elevation. Firstly, the first floor façade would be set back from the front elevation of the garage and would utilise smaller more closely spaced windows. Secondly, the position of the chimney stack would denote where the roof ridge had been extended. Thirdly, the scale of the extension is reasonably modest in comparison to the main dwelling. In combination, these measures would suitably integrate with the characteristics of the dwelling but safeguard against overwhelming its appearance. They would help distinguish the extension from the original main part of the dwelling thereby preserving the proportions of the building overall.

9. This is reinforced by the examples seen at 10 Berens Road and 3 Youghal Close, and the former can be seen from the appeal site. These properties appear to originally have been a similar house type to the appeal dwelling. Both have first floor extensions to the side which, although not identical to the proposal, are similar in form and massing. These examples demonstrate that such first floor extensions respect the main dwelling, integrate well into the street scene and are visually attractive.
10. I have had regard to the principles for household extensions in the Vale of White Horse Design Guide, Supplementary Planning Document, 2015 (SPD). Principle DG109 specifically relates to side extensions. This advises that such extensions should generally be set back from the front of the house and notes that this can be particularly important on symmetrical properties or identical semi-detached properties. It is not shown that either of those specific circumstances apply in this case. Furthermore, the existing single storey garage structure is already forward of the main body of the house. Therefore, setting the façade back at first floor level is a reasonable response in these circumstances. Additionally, the proposal would comply with the advice that two storey extensions should generally be constructed with the same angle of pitch as the existing roof.
11. The SPD further states that extensions that close an important gap within the street scene or lead to a terracing effect will not be accepted. The evidence does not show, given that a reasonable gap would remain between 2 and 4 Coxs Road, that the proposal would have a terracing effect. Moreover, as the extension would be on the eastern side of the building aligning with development further into Coxs Road, the general open and spacious character of the street scene at the corner of Coxs Road and Berens Road would remain. Overall, the proposal would accord with the advice in the SPD in relation to side extensions.
12. The Council highlight that the appeal site is at a prominent corner location and so the development would be visible in the public domain. Be that as it may, given that I find the proposal would respond positively to the site and its surroundings, it follows that this would not result in harm to its character and appearance. My attention is drawn to paragraph 130 of the National Planning Policy Framework which generally stipulates that permission should be refused for development of poor design. However, this also states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
13. Accordingly, I find that the proposal would not be harmful to the character and appearance of the area and on that basis, there would be no conflict with Core Policy 37 of the Vale of White Horse District Council, Local Plan 2031, Part 1, Strategic Sites and Policies, December 2016 (LP). This policy requires new development to achieve high quality design and sets out criteria including that it should be visually attractive and respond positively to the site and its surroundings. Furthermore, the proposal would comply with policy D1b of the NP which in view of its stage of preparation attracts significant weight. This, amongst other things, requires new development to achieve high quality design which respects the scale and appearance of the existing built environment.

Conditions

14. The three year period in which the planning permission may be implemented is a statutory requirement but I also consider that it is necessary to specify the plans that are approved and that the development shall be undertaken in accordance with these, as this provides certainty.
15. A condition requiring that the external materials match those on the original house is also necessary given their importance to the overall quality of the design and local distinctiveness.
16. The Council also suggest a condition¹ to ensure that the double garage should be retained for parking motor vehicles in order to retain adequate on-site parking provision in the interests of highway safety and to accord with Core Policy 35 (CP35) of the LP. However, the Highway Authority states that the existing driveway, which provides two parking spaces is the minimum requirement for the property². Moreover, policy CP35 of the LP generally seeks to promote sustainable modes of transport rather than parking for motor vehicles. Nevertheless, I have given significant weight to emerging policy P1b of the NP which recommends 4 parking spaces for a 4 bedroom dwelling in order to ensure that all new development should be self-contained in terms of parking. In the explanatory text, Berens Road is cited as an example of where parking has caused traffic and safety problems. Therefore, given the proximity of the appeal site to Berens Road, I have imposed the suggested condition.

Conclusion

17. For the reasons given above, I conclude that the appeal should be allowed.

Helen O'Connor

Inspector

¹ Appeal questionnaire, question 11d

² Local Highway Authority Consultation dated 3.7.19