



Appeal Decision

Site visit made on 26 August 2020

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2020

Appeal Ref: APP/T3725/D/20/3254835

9 Eborall Close, Woodloes Park, Warwick, CV34 5QA

- 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 Kully Malle against the decision of Warwick District Council.
 - The application Ref: W/20/0185 dated 4 February 2020, was refused by notice dated 1 April 2020.
 - The development proposed is extension over existing garage and single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for an extension over existing garage and single storey rear extension at 9 Eborall Close, Woodloes Park, Warwick, CV34 5QA in accordance with the terms of application Ref W/20/0185 dated 4 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans/drawings numbered: 9EBOR/1; 9EBOR/2; and 9/EBOR3.
 - 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 as set out in section 5 of the planning application form dated 4 February 2020.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host dwelling and the area.

Reasons

3. The appeal site comprises a gable fronted dwelling set within a wide plot at the end of a spur road. The street includes properties of a similar age and vernacular but features a number of different house types. In the same spur road as the appeal site there is four different property types of single or two storeys, gable, cross gable or gable fronted properties. This gives variety within the street scene.
4. From the frontage the visibility over the existing flat roof garage is of the mainly two-storey dwellings fronting onto Hathaway Drive. Whilst the first

floor extension would be close to the plot boundary, a gap of approximately 1m to the side wall of the neighbouring dwelling (No. 10) would be retained. Furthermore, the dwellings are set at an angle to each other. Their respective positions mean the new first floor corner is set discernibly back of the front corner of No. 10. The gap between the side walls of the dwellings widens to the rear to approximately 3.5m. These factors would reduce any sense of enclosure and maintain a discernible gap and visibility between the dwellings from the front and rear. Therefore, there would not be an unacceptable terracing effect between Nos. 9 and 10.

5. The side extension would be constructed to the front wall of the existing garage, set back approximately 0.7m from the front of the existing main gable frontage. Furthermore, the side extension would comprise significantly less than half the width of the overall new frontage. Whilst the new ridge would be longer to enable it to join the existing roof ridge, the new roof slope would provide a good degree of relief and reduce the massing from the front and rear. For these reasons the proposed first floor extension would be acceptable in terms of its massing and bulk, appear in keeping with and subservient to the host dwelling, and would not be harmful.
6. The proposed development includes window levels and proportions in keeping with the design of the host dwelling and those nearby. Given the variety and the design of dwellings nearby, the cross-gable form and the resulting appearance of the dwelling would not be incongruous in the context of the existing property or the street scene.
7. The proposed single storey rear extension would be of a modest depth, width, height, roof form and of a design in keeping with and subservient to the host dwelling. It would be adequately accommodated within the plot and is considered acceptable.
8. For the reasons set out above, the proposed development would not be harmful to the character and appearance of the host dwelling or the wider area. It would not conflict with Policy BE1 of the Warwick District Local Plan (September 2017), which requires development positively contributes to the character and quality of its environment through good design. It would also be compliant with paragraph 127 of the National Planning Policy Framework (2019) as it would be in keeping with the local character of the surrounding built environment.
9. There would be a degree of conflict with the advice in the Council's Residential Design Guide Supplementary Planning Document (2018) insofar as the side extension would not be set down from the ridge, back from the frontage, or set in from the side by 1m. However, for the reasons I have set out above, in this particular instance, this conflict with the design advice does not result in harm to the character and appearance of host dwelling or the area.

Other Matters

10. No. 10 has one side facing window. However, this is obscure glazed, appearing to serve a stair way. The Council has concluded the development would be acceptable in respect of light, outlook and privacy from the neighbouring dwelling and would not result in any material harm to the living conditions of neighbouring occupiers. Based upon the information before me and my visit, I see no reason to disagree.

11. The Council's ecological adviser suggested the development should have been accompanied by a bat survey due to it resulting in alterations to a roof. However, this was without the benefit of photographs or a site visit. The roof space, barge boards and soffits on the host dwelling are well sealed and there is no substantive evidence that the presence of bats is likely.

Conditions

12. As well as the standard condition for the commencement of the development, for certainty a condition requiring the development to be carried out in accordance with the approved plans is necessary. To ensure a satisfactory appearance, a condition is necessary to require the external materials used match the existing dwelling, as set out in the application.

Conclusion

13. For the reasons set out above, the appeal is allowed, and planning permission is granted.

Dan Szymanski

INSPECTOR