
Appeal Decision

Site visit made on 1 December 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2020

Appeal Ref: APP/T3725/D/20/3258206

10 Almond Avenue, Leamington Spa, CV32 6QD

- 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 Lightfoot against the decision of Warwick District Council.
 - The application Ref W/20/0775, dated 25 May 2020, was refused by notice dated 24 July 2020.
 - The development proposed is a porch and single storey extension to front, two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a porch and single storey extension to front, two storey side extension and single storey rear extension at 10 Almond Avenue, Leamington Spa, CV32 6QD in accordance with the terms of the application, Ref W/20/0775, dated 25 May 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 256 P 01, 256 P 05, 256 P 13, 256 P 14, 256 P 16, 256 P 17.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted (with the exception of the oak framed single storey rear extension) shall match those of the existing building.

Procedural Matters

2. I observed at my site visit that the proposed development has been commenced but not completed. I therefore determine the appeal on that basis.
3. The Council's reason for refusal refers only to the proposed two storey side extension and concern is not raised with respect to the other elements of the proposed development. On the basis of the information I have before me and my own observations from my visit to the appeal site, I find no reason to take a different view that the main issue should relate to this aspect of the proposal.

Main Issue

4. The main issue is the impact of the proposed two storey side extension upon the character and appearance of the host dwelling and the area.

Reasons

5. The area surrounding the appeal dwelling consists of individually designed properties in large plots. Due to its roof design and substantial projecting front

- gable, the appeal dwelling is unique in its appearance in relation to the surrounding street scene.
6. The Council's Residential Design Guide Supplementary Planning Document 2018 (SPD) states that side extensions should be set back from the front of a dwelling by 450mm and be set down from the ridge by 225mm.
 7. However, to require that such a stipulation be met with respect to the proposed two storey side extension would mean that it would not be able to replicate the design aesthetics of the front elevation of the original dwelling and it would not allow for the symmetrical and visually pleasing design that is proposed to what is an individually designed building. Furthermore, as the projecting gable is the dominant visual feature on the dwelling, the design proposed would achieve an adequately subservient appearance.
 8. I therefore conclude that there would not be harm to the character and appearance of the host dwelling and the area as a result of the proposed development, and therefore that the proposal would accord with Policy BE1 of the Warwick District Local Plan 2017 and Policy RLS4 of the Royal Leamington Spa Neighbourhood Plan 2020, where they seek to safeguard character and appearance. There would also not be a conflict with the National Planning Policy Framework where it seeks to achieve well-designed places.
 9. For the reasons I have set out, whilst the proposal would not meet all of the requirements of the SPD, in the circumstances no harm would arise as a result.

Other Matters

10. The consultation response from Ecological Services raises the possibility that bats may be using the building for roosting. However, the proposal would result in the loss of only a small proportion of the existing roof, which includes areas of tile-hanging, and it would result in a much greater roof area post-development. Therefore, there would be unlikely to be an adverse impact upon bats as a result of the proposed development.

Conditions

11. As development has already commenced, it is not necessary to impose a condition relating to commencement. A condition relating to the approved plans is however required to provide certainty and a condition relating to external facing materials is necessary to ensure that the proposed development has a satisfactory visual appearance.

Conclusion

12. For the reasons given above, I conclude that the appeal should, subject to conditions, be allowed.

Graham Wraight

INSPECTOR