
Appeal Decision

Site visit made on 13 September 2021 by A J Sutton BA (Hons) DipTP MRTPI

by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/J3720/D/21/3274616

37 Luddington Road, Stratford-Upon-Avon, CV37 9SG

- 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 Mears and Parrott against the decision of Stratford on Avon District Council.
 - The application Ref 20/03006/FUL, dated 27 October 2020, was refused by notice dated 30 March 2021.
 - The development is described as proposed erection of new porch, alterations to existing garage utility with front and rear extension and first floor side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed erection of new porch, alterations to existing garage utility with front and rear extension and first floor side extension, at 37 Luddington Road, Stratford-Upon-Avon, CV37 9SG, in accordance with the terms of application Ref 20/03006/FUL, dated 27 October 2020, and 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: Planning Scheme Drawing No. DM/37/19,/2Q.
 - 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 dwelling and maintained as such thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. The comments received have been taken into account within the appeal decision.

4. There was a discrepancy between names stated on the application and appeal forms. Following clarification, I am content that the applicants and appellants in this case are one and the same. For the avoidance of doubt the names stated in this decision match those on the application form.
5. The proposal was amended during the application stage. The amended drawings were the basis for the Council's decision, and they have been so for this appeal. However, the Block Plan¹ submitted with the appeal shows a building line different to the proposed scheme, therefore this plan has not formed the basis for this recommendation and has been excluded from the list of plans accordingly.

Main Issue

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

Reasons for Recommendation

7. The appeal property is a late 20th Century detached dwelling at the curve of the road. Luddington Road comprises groups of family sized dwellings, constructed at varying times in the mid to late 20th Century, with a mix of architectural styles. The style of the appeal property is typical of its period with a simple front elevation. No 39 and properties to the north of No 37 are of the same style, many of which have been extended to the side and front. The grain of development to the south is tighter than that immediate to No 37. The road is positively characterised by a layout of development which comprises built forms extending close to side boundaries but set well back with spacious frontages, good size gardens to the rear, and the open semi-rural character on the opposite side of the road.
8. The proposed single storey forms to the front of the dwelling would extend somewhat beyond the existing building line of the appeal property. However, the existing matching line with No 39 is only distinct when viewing the properties from the immediate frontages. Indeed, when observed from a northern direction No 37 and No 39 appear to be staggered due to the curvature of the road. Furthermore, the vegetation at No 35 and at properties to the north renders the continuous building line only a distinct local feature at first floor and roof level in this section of the road. Accordingly, the proposed single storey additions to the front of the dwelling would not harmfully disrupt the existing building line. Nor would they detrimentally erode the spacious frontage of the property given their proposed modest depth.
9. Although not an original feature of the dwelling, the proposed gables on the single storey extensions are not an uncharacteristic feature in the area. It is evident in alterations to properties similar to No 37 and is an original design feature in older dwellings to the south of the appeal property. In this respect, the two front gable forms would not be incongruous additions to the local context or wider street scene. Moreover, the height and shallowness of the two gables would help retain the horizontal emphasis of the original mass of the house. The forms would introduce different features, but the overall design would be of simple lines and in this manner would be sensitive to the original

¹ Ref Location and Block Plan Drawing No. DM/37/19,/3,

style of the dwelling. As such this aspect of the proposal would not be harmful to the appearance of the property.

10. The proposed two storey side extension would retain a narrow gap between the appeal property and No 39, which would be less than that advised in the User Guide for Householder Development. I note that the purpose of this advice is to avoid overlooking, loss of light or overshadowing which is not at issue in this appeal. That aside, Part D of the Development Requirement Supplementary Planning Document (SPD) advises that adequate spacing between individual properties should be considered, to avoid a terracing effect.
11. The retained gap and the proposed subservience in height of this aspect of the proposal would ensure the development would not result in a terracing effect with No 39. The front boundaries and separate driveways to the respective dwellings would also make them clearly distinguishable as separate properties. Although the proposal would result in the closure of one of the few sizeable spaces at first floor between properties on the street, this would be offset by the extensive sense of space enjoyed in this semi-rural setting which would not be harmed by the development. Moreover, the proposal would not materially alter the existing grain or mass of development. Nor would it harm any positive rhythm with regards to space and built form in the area.
12. In light of the foregoing, I find that the proposed development would be visually attractive and sympathetic to the local character. It would not therefore have a harmful effect on the character or appearance of the area, in accordance with policies CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy which collectively require, amongst other matters, that all forms of development enhance the sense of place, reflect the character and distinctiveness of the locality, and in respect to alterations and modifications to existing buildings and dwellings, including proposed extensions, are of an appropriate scale and subservient in relation to the existing building. Furthermore, there would be no conflict with the aims of the Stratford-on-Avon District Design Guide and SPD which seeks to ensure proposals achieve a high quality design, or the design policies of the Framework, Planning Practice Guidance and the National Design Guide.

Conditions

13. Conditions requiring that the proposed development is carried out in accordance with the approved plans and constructed in external materials to match the existing dwelling are necessary for certainty and to protect the character and appearance of the area.

Conclusion and Recommendation

14. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore allowed with the suggested conditions.

RC Kirby

INSPECTOR