



Appeal Decision

Site visit made on 09 May 2022

by Chris Forreth BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2022

Appeal Ref: APP/K3415/D/21/3288216

38 Shortbutts Lane, Lichfield, Staffordshire WS14 9BT

- 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 S Conway against the decision of Lichfield District Council.
 - The application Ref 21/00174/FUH, dated 27 January 2021, was refused by notice dated 27 September 2021.
 - The development proposed is a two floor extension to side of property and loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a two floor extension to side of property and loft conversion at 38 Shortbutts Lane, Lichfield, Staffordshire, WS14 9BT in accordance with the terms of the application, Ref 21/00174/FUH, dated 27 January 2021, 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: OS; 003; 004 and 005.
 - 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.

Main Issue

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

Reasons

3. The appeal site is located on the north side of Shortbutts Lane, close to the road junction with Pasco Drive. The area is residential in character with a wide variety of property styles. To the rear of the site is Shortbutts Park. The appeal property itself is a two-storey dwelling with the main part of the roof being of a hipped design, with a two storey forward projecting gable.
4. The two-storey side extension would be set back from the front main wall of the projecting gable end, with the ridge line of the extension in line with the existing roof. There would also be a large box dormer in the roof on the rear elevation.

5. As noted by the appellant, the side extension would be much narrower than the part of the existing dwelling to the west of the projecting gable. In my view, the relatively narrow width of the side extension gives the appearance of a modest and subservient addition to the dwelling despite the smaller setback from the front of the projecting gable. Furthermore, the roof design reflects that of the main house and the extension would read as being an integral part of the property.
6. In respect of the side extensions impact on the streetscene, at my site visit I noted that the adjoining property, 40 Shortbutts Lane, also had a side extension with the ridge line of the roof in line with the ridge of the main house. This property also has a gable roof feature, albeit that this is different to the appeal property. I also saw that the side extension would be broadly in line with the front main wall of 34 Shortbutts Lane.
7. All of this leads me to the conclusion that the side extension would complement the character of the host property and would not therefore stand out as an inappropriate addition to the host dwelling, nor would it adversely impact on the streetscene. This is particularly the case given the wide variety of differing styles and designs of property in the area.
8. Turning to the rear dormer window, this would undoubtedly be a bulky addition to the rear of the property. In that sense, it would not be in character with the host dwelling and in particular its roof form.
9. That said, at my site visit I noted that there are other box dormer windows in the vicinity of the site which are visible from public vantage points, including the one at 68 Shortbutts Lane which has been drawn to my attention by the appellant.
10. I am also conscious of the suggested fallback position which is a smaller box dormer window to the existing roof. This is clearly a material consideration. Whilst I accept that this would not be as bulky as the appeal proposal, it would have a similar visual impact given the distance of it to the public vantage points on Pasco Drive and Shortbutts Park.
11. The appellant has indicated that this fallback position would be implemented should the appeal proposal fail as there is a need to provide accommodation within the roofspace to facilitate space for the care of family members. Therefore, it seems to me that there is a reasonable prospect that this fallback position would be implemented should the appeal fail.
12. I also accept that the appeal dormer would sit centrally within the resultant roof slope and, importantly, leave good sized gaps to the slopes of the hipped roof at both sides. Additionally, I acknowledge that there is a degree of tree screening to the rear of the site. Whilst there is no guarantee this screening would remain in perpetuity, it does nevertheless assist in softening the visual aspects of the proposal.
13. Taking all of the above into account, I consider that the dormer would result in some harm to the character of the host dwelling. However, the presence of other box dormer windows in the locality, the inclusion of a gap either side of the dormer to the hipped roof, the tree screening, and the extent of the similar development possible through the fallback position, leads me to the view that the overall development is not objectionable.

14. For the above reasons the proposal would not harm the overall character and appearance of the area and would accord with Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy 2008-2029 (2015) which amongst other matters seek to ensure that development respects the character of the surrounding area, including being of a scale which is appropriate to its locality. It would also be consistent with the Sustainable Design Supplementary Planning Document and the overarching design aims of the National Planning Policy Framework.

Conditions

15. The Council has provided a list of suggested conditions in their appeal questionnaire that it considers would be appropriate. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. In the interests of the character and appearance of the area, a condition relating to matching materials is also necessary.

Conclusion

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

Chris Forrett

INSPECTOR