

Appeal Decision

Site visit made on 24 October 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2023

Appeal Ref: APP/W3710/D/23/3326831

13 Buttermere Avenue, Nuneaton, Warwickshire CV11 6EP

- 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 James Andrews against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref 039554, dated 5 April 2023, was refused by notice dated 27 July 2023.
 - The development proposed is two storey front extension and first floor extension over garage.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front extension and first floor extension over garage at 13 Buttermere Avenue, Nuneaton, Warwickshire CV11 6EP. The permission is granted in accordance with the terms of the application Ref 039554, dated 5 April 2023, 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 extensions hereby permitted shall be carried out in accordance with the following approved plans: site location plan and 1282-02 Revision H (floor plans and elevations).
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Preliminary Matter

2. I have been provided with a plan of the proposed extensions that appears to be a subsequent version to the one referred to above¹. The Council confirms, however, that it took account of the Revision H version of this plan and, in the interests of fairness to all parties who may not have had a chance to comment on subsequent revisions, I have taken account of the same plan as the Council in determining this appeal.

¹ Ref 1282-02 Revision J.

Main Issue

3. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the street scene.

Reasons

4. The appeal property is a detached two storey dwelling located in a residential road of similar property types of varied design and appearance. The surrounding area is residential in character.
5. Policy BE3 of the Nuneaton & Bedworth Borough Plan 2011-2031 (2019) requires a high standard of design in new development and that all proposals must contribute to local distinctiveness and character. The policy also says that further details concerning compliance are included in the *Sustainable Design and Construction* Supplementary Planning Document (SPD). Section 13 of the SPD includes guidance on residential extensions.
6. An extant permission, granted on appeal, exists for similar extensions to the appeal property². In that case the main issue was the effect of the proposal on the living conditions of neighbouring residents, although the Inspector also considered the effect on character and appearance as an 'other matter'. As such, the appeal decision is material to this case and the extant permission is a 'fallback' to the current proposal as the appellant may choose to implement it in the event of this appeal's failure. Consequently, the principal consideration in this case is the effect of the differences between the approved and proposed schemes.
7. It appears from the plans for both schemes that the proposed extensions in each case are of similar depth, width and height. The Council indicates that the front gable feature would be wider in the current proposal, but if this is the case then any difference is not significant. The principal difference is that the front gable extension in the current proposal is moved to the right compared to its central position in the approved scheme. The other main change is that the dormer window above the garage is wider in the current proposal. This window would nonetheless remain proportionate in scale to the extended host dwelling, while the repositioning of the front gable would, in my view, result in a more unified and coherent front elevation than the design of the approved scheme. Moreover, given the substantive size of the existing dwelling, the extensions would be proportionate additions that would not dominate the host dwelling or otherwise appear incongruous.
8. In the earlier appeal, the Inspector found that despite its larger size the design and appearance of the extended dwelling would not be inconsistent with the surrounding area, where many properties have had sizeable extensions. Based on my own inspection, I agree with this conclusion and would also note that there is no uniformity within the street scene, given the individual design and appearance of properties. Consequently, the extended dwelling would not appear uncharacteristic within its setting.

² APP/W3710/D/21/3270243, dated 8 June 2021.

9. Therefore, for these reasons, I conclude that the proposed extensions would not have a materially harmful effect on the character and appearance of the host dwelling and the street scene. Consequently, there is no conflict with Policy BE3 of the Nuneaton & Bedworth Borough Plan 2011-2031 or with the SPD, as described.

Other Matters

10. I have had regard to the representations made by interested parties, which raise a number of other matters. There is no basis to conclude that vehicles associated with construction of the extensions will cause congestion or be harmful to highway safety; or that the extensions will result in commercial use of the property. There is no evidence to suggest that the extensions will result in excessive noise compared to the current residential use of the appeal property.
11. The Council has not indicated that the proposal will harmfully affect parking capacity at the appeal property and, therefore, I have no reason to conclude otherwise. The submitted plans provide sufficient clarity for the proposal to be implemented in accordance with them. Finally, based on the site inspection I agree with the Council and the Inspector in the previous appeal for a similar proposal that due to the extent of separation the proposal would not result in material harm to the living conditions of any nearby residents. Therefore, while I have considered all the matters raised, these do not alter the above findings or overall conclusion.

Conclusion and Conditions

12. For the reasons given above it is concluded that the appeal should be allowed.
13. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.

J Bell-Williamson

INSPECTOR