



Appeal Decision

Site visit made on 20 February 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th February 2024

Appeal Ref: APP/T3725/D/23/3334555

27 Lamintone Drive, Leamington Spa, Warwickshire, CV12 6SJ.

- 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 Mike Bevan against the decision of Warwick District Council.
 - The application Ref W/23/1163, dated 8 August 2023, was refused by notice dated 6 October 2023.
 - The development proposed is erection of first floor extension to front bedroom over garage with new dormer window to front.
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Decision

1. The appeal is allowed and planning permission is granted for erection of first floor extension to front bedroom over garage with new dormer window to front at 27 Lamintone Drive, Leamington Spa, Warwickshire, CV32 6ST, in accordance with the terms of the application, Ref W/23/1163, dated 8 August 2023, 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with approved plans Refs 23107-001, 23107-002, 23107-003, 23107-004 and 23107-006, dated 13 March 2023.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of No 27 Lamintone Drive in the context of the local street scene.

Reasons

3. The Council previously granted approval for a comparable extension to No 27 Lamintone Drive under Ref W/23/0532. This creates a fallback situation necessitating comparison between the approved and currently proposed schemes.

4. The essential difference between the approved scheme and the present proposal is that, in the former, the front elevation of the first floor side extension is set back 450mm from the front of the main construction whereas, in the appeal scheme, the front and roof of the extension are flush with the front elevation and roof of the main house.
5. The sole objection to the present design is that the proposed side extension is not set back by at least 450mm in accordance with design guidance adopted by the Council to cause house extensions to appear duly subservient to their host buildings. The Council maintains that, as a result, the extension would compete with the principal elevation. The implication is that the development would fail to contribute positively to the character and quality of its environment through good layout and design in the terms of Policy BE1 of the adopted Warwick Local Plan and the National Planning Policy Framework.
6. The street scene of Lamintone Drive is made up of a series of pitch-roofed dwellings with their main roof slope facing forward above well-articulated front elevations exhibiting many feature gables and dormers. No 27 is no exception and a low-level part of its roof extends across an existing side garage and reveals a shallow dormer window above. In both the approved and proposed schemes that dormer would be substantially enlarged.
7. In the previously approved scheme, the set-back first floor extension would appear above the garage roof as a subservient element of the dwelling. Importantly, I consider that, due to the configuration of the existing house, the same would be true of the design now proposed. The roof ridge of the extension would still be significantly below that of the main roof and, although aligned with the principal elevation, the front wall of the extension would be well set back from the front of the garage.
8. Overall, I am satisfied that the extension now proposed would appear appropriately subservient to the main dwelling, including when viewed from the side, despite the alignment of the front roof slope with the main roof.
9. Accordingly, notwithstanding the strict non-adherence to design guidance, I take the view that, in this particular case, the development now proposed would in no way conflict with the aims of Policy BE1 and the NPPF to foster good design contributing to the character and quality of the environment. The development would also carry the benefit of an improved, more practical layout for the desired home improvement.
10. I am aware that other examples of extensions quoted in support of the appeal, as not providing a 450mm set-back, predate current supplementary design guidance. However, I have assessed the proposal strictly on its own individual merits.
11. Taking into account every other point raised in the written representations and noting no other objection, I reach the conclusion that, for the reasons explained above, this appeal should be allowed.

B J Sims

INSPECTOR