



Appeal Decision

Site visit made on 1 March 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2024

Appeal Ref: APP/J3720/D/23/3333742

9 Avon Crescent, Stratford-Upon-Avon CV37 7EU

- 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 Fraser Chambers against the decision of the Stratford-on-Avon District Council.
 - The application Ref 23/01019/FUL, dated 11 April 2023, was refused by notice dated 11 October 2023.
 - The development proposed is a ground floor rear dining room, breakfast room, utility, shower room and home office extensions. First floor pitched roofed en-suite bedroom extension.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Fraser Chambers against Stratford-on-Avon District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. A previous scheme for extensions and alterations to the property was dismissed on appeal in January 2023 (APP/J3720/D/22/3311212), finding that the proposed first-floor extension would materially harm the character and appearance of the local area. The proposed single-storey rear elements reflect this previous scheme which the Inspector did not have any concerns with, and similarly, the Council raised no objections to those aspects of this proposal. From my observations on site, I have no reason to disagree and therefore my considerations are primarily restricted to the first-floor extension.
4. The appellant has referred to a revised proposal (scheme B) which they indicate was submitted to the Council in August 2023 and invites me to determine the appeal on either scheme. I have not been provided with full plans for scheme B and the email correspondence, between the architect and the planning officer, refers to it as a sketch for feedback. I have therefore considered the proposal as originally submitted and determined by the Council (referred to by the appellant as scheme A).

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area.

Reasons

6. Avon Crescent is a residential area of 1930s properties. No 9 forms part of a crescent of detached properties of primarily the same design. The spacing between them is limited but there is a rhythm and cohesion to their appearance with hipped roofs and projecting bay windows.
7. The garage to the appeal property is offset from the shared boundary with the neighbour, No.11, however, the gap is minimal and to the other side, the projecting chimneys to the side flank of No.11 have a similar relationship. Extending above the garage, which increases in width to the rear, the proposed first-floor element is designed to be set down from the main ridge line, achieved through a flat roof to the gabled roof.
8. The proposal would bring a large extent of two-storey built form in very close proximity to the neighbouring property, creating a cramped form of development. This would result in a harmful loss of visual separation, disrupting the established pattern of development which would be further exacerbated by the incongruous roof form.
9. The previous appeal decision did not find that the development would result in a terrace, although in that case, the first-floor element was to have a hipped roof. Whilst there would be some distinguishment between the individual properties due to their architectural features, as a result of the design and massing of the proposed extension, in my view, it would visually appear as if it was attached to No.11. Avoiding such an effect is an objective of the advice in the Council's Development Requirements Supplementary Planning Document (SPD) concerning adequate spacing between properties and terracing effect (Part D Massing). Moreover, the previous Inspector also found that the relationship with the neighbouring property was uncomfortably close, and whilst set down, this current proposal would bring more of the roof closer to No.11.
10. I accept that there is no direct preclusion to side extensions and there are other properties within the vicinity which have been extended in this way. The specific details of which are not before me, and each case is to be considered on its own merits. Set back behind a grassed verge the detached properties in the crescent have a more defined visual presence in the street scene and due to the curve, the extent of visibility is also different to other properties in Avon Crescent.
11. Overall, I find that the proposal would fail to harmonise with the existing property and would harm the prevailing pattern of development and character of the area. It would therefore be contrary to Policies CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy 2011 to 2031, Policy BE5 of the Stratford upon Avon Neighbourhood Plan 2011-2031 and the SPD. Together these require a high standard of design and for development to be sensitive to the setting, existing built form and neighbours, and to reflect the context and continue key design features. There would also be conflict with the National Planning Policy Framework with regard to high-quality design and being sympathetic to local character.

Other Matters

12. I recognise that the appellant has sought to amend the previous scheme and that they are undertaking extensive work to repair and modernise the property. Matters relating to the Council's approach and delays are considered further in the cost decision and are not matters which alter my decision on the planning merits of the proposal. While the other elements of the scheme are acceptable, as noted in the previous appeal decision, the extensions to the rear are not directly severable and therefore, I am unable to split the decision. It does however show that the property can be extended in other ways.
13. Reference has also been made to the ability to add a pitched roof to the garage. Whether such a proposal would be permitted development is outside the remit of this appeal. Nonetheless, it would not result in first-floor accommodation of the type proposed and therefore is a matter to which I have given limited weight as a fallback.

Conclusion

14. For the reasons set out and having regard to all other matters raised the appeal is dismissed.

G Ellis

INSPECTOR