



Appeal Decision

Site visit made on 16 August 2024

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal Ref: APP/T3725/D/24/3337601

The Spinney, 1 Thickthorn Close, Kenilworth, CV8 2AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Stella Garner against the decision of Warwick District Council.
 - The application Ref is W/23/1164.
 - The development proposed is the part demolition of existing bungalow and erection of 1.5 storey extension and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the part demolition of existing bungalow and erection of 1.5 storey extension and associated landscaping at The Spinney, 1 Thickthorn Close, Kenilworth, CV8 2AF, in accordance with the terms of the application, Ref W/23/1164, and the plans submitted with it, 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: THC1_100_01 Rev A, THC1_100_02 Rev A, THC1_200_01 Rev A, THC1_201_01 Rev, Site Plan.
 - 3) Notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works or demolition works, an Energy Statement to comply with Net Zero Carbon Development Plan Document Policy NZC4 and Local Plan Policy CC1 shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out how the requirements of the policies have been complied with, including justification for why any of the measures referred to within the policies have not been included.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the character and appearance of the area around Thickthorn Close and Birches Lane.

Reasons

3. No 1 is a detached bungalow on a corner plot at the junction of Thickthorn Close with Birches Lane. It is a brick-built, wide-fronted bungalow standing within a spacious plot. It has a forward projection at its southern end with a

gable front and a porch to the side. It also has a large rear extension with a double-pitched roof, and a full length side extension with a flat roof. There is a 1.5-1.6 metre high brick wall to the boundary with Birches Lane and a 1.7 metre high fence between the boundary wall and the main front elevation of the bungalow. The front garden is open, largely given over to parking, with a low front boundary wall along the Thickthorn Close frontage.

4. Policy BE1 of the Warwick District Local Plan (LP), adopted in 2017, indicates that new development will be permitted where it positively contributes to the character and quality of its environment through good layout and design. Developments will be expected to demonstrate, amongst other things, that they reflect, respect and reinforce local architectural distinctiveness, and that they respect surrounding buildings in terms of scale, height, form and massing.
5. Policy KP13 of the Kenilworth Neighbourhood Plan (NP), adopted in 2018, indicates that developments should achieve a standard of design that is appropriate to the local area and demonstrates that there is a positive response to the site characteristics and surroundings.
6. The Council's Residential Design Guide (RDG), also adopted in 2018, gives a range of guidance on design matters, including guidance on proposals for development on corner plots. It indicates that corner plots are often larger than those of neighbouring dwellings and that they can provide welcome open space in the streetscape. In addition, interest can be created by different heights on a corner site.

Character and appearance

7. The area around the appeal site is characterised by a wide range of property types and designs, including bungalows, chalet bungalows and two-storey houses, utilising a variety of materials. The dwellings along Birches Lane, to the rear of the appeal property and also on the opposite side are two-storey. The dwellings along Thickthorn Close on the same side as the appeal property are bungalows, but on the opposite side are chiefly chalet bungalows and two-storey in nature. The dwelling on the opposite corner to No 1 is a bungalow.
8. The proposal would involve the demolition of the existing flat-roofed side extension and its replacement with a wider 1.5 storey side extension. It would have a pitched roof with a gable front and would project a little forward of the main front elevation of the bungalow, but less so than the existing single-storey forward projection at the southern end of the dwelling. Both the proposed extension and the existing front projection would have matching bay windows at ground-floor level. The proposal would also involve the reduction in height of a significant length of side boundary wall at the front end of the property, down to the equivalent height of the existing front boundary wall, which is some 0.6 metres.
9. The Council contends that the proposed side extension, by reason of its additional height, would dominate the existing building and would appear out of character with the bungalows along the rest of the eastern frontage of Thickthorn Close. In addition, the Council contends that the increased width of the property by some 3 metres, coupled with the additional height of the extension, would result in a loss of openness at the side of the property. Finally, the resultant dwelling would appear out of character with the existing bungalow on the opposite corner plot.

10. I acknowledge that the proposed extension would not appear subservient to the existing dwelling and would be a prominent feature in the street scene. However, in the context of its corner plot situation and the immediate surroundings along Birches Lane, I consider that the increased scale of the extension would create interest to the streetscape and would appear consistent with the two-storey dwellings to the north and east. In addition, the 1.5 storey element would allow for a visual step down from the two-storey properties on Birches Lane to the bungalows further to the south on Thickthorn Close. Finally, the new structure would replace the existing flat-roofed side extension, which is unattractive and appears incongruous attached to the main building with its pitched-roofs.
11. The new extension would extend out closer to the side boundary with Birches Lane by some 3 metres, but there would still be a significant gap between the dwelling and the road. Moreover, the reduction in height of the side boundary wall to the front of the appeal property would result in a more open appearance to the corner plot. There is a bungalow on the opposite corner plot, but this is largely hidden from view by a tall mature hedge along the boundaries with both Thickthorn Close and Birches Lane, and it does not present an open appearance to the street scene.
12. In conclusion, I find that the proposal would be a positive addition to the visual appearance of both the host property and the immediate surroundings. By virtue of its increased, though modest, height, it would add interest to the corner plot. In addition, the reduction in height of the side boundary wall would open up the appearance of the area around the junction of Thickthorn Close and Birches Lane. Finally, the 1.5 storey nature of the extension would reflect the scale the houses along Birches Lane and provide a step down to the bungalows further south along Thickthorn Close, while the new bay windows at each end of the front elevation would add an element of balance to the overall design within the street scene.
13. On the basis of the above, the proposal would not be harmful to the character or appearance of the area around Thickthorn Close and Birches Lane and may be said to add interest to the appearance of the area. It would not, therefore, conflict with Policy BE1 of the LP, Policy KP13 of the NP, or guidance on corner plots in the RDG. Accordingly, I allow this appeal subject to the conditions above.

Conditions

14. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. I have attached a further condition relating to an Energy Statement in the interests of sustainability in the construction of the development permitted.

J D Westbrook

INSPECTOR