



Appeal Decision

Site visit made on 30 August 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2024

Appeal Ref: APP/J3720/D/24/3346247

58 Loxley Road, Stratford-Upon-Avon, CV37 7DR

- 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 Lee Clarke against the decision of Stratford-on-Avon District Council.
 - The application is Ref 24/00177/FUL.
 - The development proposed is an upward extension to provide enlarged first floor, plus extension to rear.
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Decision

1. The appeal is allowed and planning permission is granted for an upward extension to provide enlarged first floor, plus extension to rear at 58 Loxley Road, Stratford-Upon-Avon, CV37 7DR in accordance with the terms of the application Ref 24/00177/FUL subject to the conditions set out in the attached Schedule.

Preliminary matter

2. Amended plans were presented during the course of the determination, and it is these that formed the basis of the Council's decision.

Main Issue

3. The main issue is the effect of the development on the street scene.

Reasons

4. The Council describe the proposal to extend the bungalow as '*transformative*' in the sense that its scale and appearance would be wholly altered. I do not disagree with the Council's description – the proposals involve substantial additions and the finished product, if built, would appear significantly different to the existing property.
5. Loxley Road is a lengthy road, wherein several examples of extensions of varying sizes, new dwellings, including infill are apparent. I take it from what I saw that in the application of its policies the Council does not object in principle to new development, even when it may look different to other development in close proximity. This may explain, in part, the presence of a variety of house types with differing designs on either frontage. The street has far from a unified appearance, but nevertheless presents a pleasant residential ambience.
6. Sometimes in the street single bungalows sit alongside two storey houses, but in the case of the appeal property it is one of several bungalows standing

alongside one another on the southern frontage of Loxley Road from its junction with Manor Road eastwards. Further eastwards, and also opposite, two storey dwellings are much in evidence, but the Council considers that the appeal property relates more to the bungaloid development to its west. Principally for this reason the Council considers that the scale of the development and the changed appearance of the appeal property would harm the character and appearance of its surroundings.

7. I understand the basis of the Council's concern but do not share it. Such is the eclectic nature and appearance of development along the street, that the proposal would make little impact on its overall character and appearance, even though the property would in effect be changed from a bungalow to a two storey dwelling. The bungalow stands in a wider plot than most alongside, so the increased scale may be more easily accommodated. The amended design is of good quality, with twin front gables and hipped roof. It would add another but entirely acceptable design variation to the street.
8. I therefore conclude that the proposal would fit harmoniously into the street scene. Accordingly, no conflict arises with those provisions of policies CS9 & CS20 of the Stratford-on-Avon District Core Strategy (CS) directed to ensure that the design of development should be sensitive to local setting, existing built form, ensuring local distinctiveness whilst preserving local character.

Conditions

9. The Council's suggested condition that the development shall be carried out in accordance with the approved plans shall be imposed in the interests of certainty. The Council's suggested condition on materials shall not be imposed since materials not matching those of the existing dwelling are proposed. In the interests of visual amenity and in the absence of a comprehensive schedule, an alternative condition in respect of materials is imposed.
10. The Council's suggested sustainability enhancement condition is imposed in the interests of encouraging sustainable development. An additional condition is imposed in the interests of biodiversity gain.

Other matters

11. Representations were submitted by a neighbour in respect of concerns as to the effect on living conditions. The objection is considered in some detail in the officer report on the application, and I share the officer assessment on this aspect. No other matter raised in the representations is of such strength as to outweigh those which led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. Prior to the commencement of development details of the materials to be used on all external elevations, windows, doors and the roof shall be submitted to the local planning authority for its approval, to be obtained in writing. The development shall thereafter be carried out in accordance with the approved details.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: location plan and plan Ref 1676-BP-01_C; 1676-P-01; 1676-P-02; 1676-P-03_F & 1676-P-04_F.
4. The development shall incorporate the sustainability measures contained in the Climate Change Checklist submitted with the application. Thereafter the incorporated sustainability measures shall be retained.
5. The development shall be carried out in accordance with the recommendations on ecological mitigation and enhancement contained in Section 5 of The Phase 1 Bat & Nesting Bird Survey, dated 30 August 2023 produced by Ridgeway Ecology Ltd.