

APPEAL BY MR P JACKSON AGAINST THE DECISION OF THE BOROUGH COUNCIL TO REFUSE TO GRANT PLANNING PERMISSION FOR A SINGLE STOREY EXTENSION AT 26 CHURCH LANE, WOLSTANTON

<u>Application Number</u>	17/00992/FUL
<u>LPA's Decision</u>	Refused under delegated authority 5th February 2018
<u>Appeal Decision</u>	Appeal dismissed
<u>Date of Appeal Decision</u>	11th July 2018

The Appeal Decision

The Inspector identified the main issue to be whether the extension would preserve or enhance the character or appearance of the Wolstanton Conservation Area.

In dismissing the appeal the Inspector made the following comments:-

- Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is reflected in the National Planning Policy Framework (NPPF) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- The appeal property forms part of an early 20th century crescent composed of three pairs of two-storey, semi-detached dwellings that share a common design theme. Whilst there are slight differences in terms of external finishes and fenestration detailing, the form of the front elevations of the dwellings, which are viewed from the adjacent Church Lane, remain largely unaltered and the front gardens are free from built development. Overall, the uniformity of their design and layout makes a positive contribution to the character and appearance of the Conservation Area.
- The extension would be on the front elevation of the dwelling. Its significant projection and its width across much of the elevation would occupy a large portion of the front garden and represent a dominant feature that would fail to appear subservient to the host dwelling. Furthermore, as a result of its size and location, it would unduly disrupt the uniformity of the front elevations of the dwellings within the crescent. Consequently, its dominant and incongruous appearance would fail to reflect the existing form of the host dwelling and crescent and consequently diminish the significant positive contribution they make to the Conservation Area.
- The proposal would fail to preserve or enhance the character or appearance of the Conservation Area and is contrary to policy. In addition, it would fail to accord with the design objectives of the NPPF.
- Paragraph 134 of the NPPF in place at the time of the decision confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. The Inspector acknowledged the requirement for the extension is to create a dwelling that meets the Lifetime Homes standard. Whilst this represents a public benefit in providing a suitable accessible home for the elderly and disabled, the Inspector did not consider that the need to provide such a home outweighs the harm the extension on the Conservation Area.

Recommendation

That the appeal decision be noted.