
Appeal Decision

Site visit made on 28 February 2017

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 March 2017

Appeal Ref: APP/Y3425/D/16/3163627

The Hayloft, Lower Heamies, Chebsey, Eccleshall, Stafford, Staffordshire, ST21 6ND

- 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 Robert Fielding against the decision of Stafford Borough Council.
 - The application Ref 16/24769/HOU, dated 18 August 2016, was refused by notice dated 8 November 2016.
 - The development is described as "Single storey extension to rear of property for living room area with pitched roof built within guidelines of permitted development rights specifications. (Please see attached photos). Extension is not visible from courtyard area or from neighbouring properties & cannot be seen from a public road, public footpath, bridleway or other public land. Extension includes installation of a multi fuel log burner & flue fitted to Hetas & DEFRA specifications with flue extension not more than 1 metre above highest point of roof. (Please see attached stove specifications). Planning application to also include existing multi fuel log burner & flue fitted to Hetas & DEFRA specifications with flue extension not more than 1 metre above highest point of roof situated in original living room within property. (Please note that this was installed prior to new regulations 5 years ago but was installed under consultation with Building Control & does meet new regulations as clarified by Laurene Lord) (Please see attached stove specifications). Please refer to collated evidence by Laurene Lord & attached plans for detailed specification of building works. Please note all proposed plans were submitted to Building Control prior to work commencing & all specifications & materials have been approved & signed off by Building Control."
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension with flue and additional flue to existing living area at The Hayloft, Lower Heamies, Chebsey, Eccleshall, Stafford, Staffordshire, ST21 6ND in accordance with the terms of the application, Ref 16/24769/HOU, dated 18 August 2016, and the plans submitted with it.

Procedural matters

2. The description of development in the heading above is taken from the planning application form. The description of development given on the decision notice and the appeal form describes the development as 'single storey rear extension with flue and additional flue to existing living area'. It is clear from the appeal documentation that this is an accurate description of the development. Accordingly, I have used the same description of development in my formal decision.
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3. At the time of my site visit the development appeared to have been completed.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the host building and the area.

Reasons

5. The appeal property is a former barn which has been now converted into a single storey dwelling. It is part of a larger complex of former agricultural buildings which have similarly been converted into dwellings. Although in a rural location in the open countryside the complex, which includes garages, other ancillary structures, maintained gardens and a large gravelled courtyard area used for the parking and manoeuvring of vehicles, has the character and appearance of a domestic residential complex.
6. Policy E2 of the Adopted Plan for Stafford Borough, 2014 (the Plan) makes provision for sustainable rural development. The Council considers that the appeal proposal conflicts with this policy, in so far as it relates to the use and re-use of rural buildings which require the building to be large enough to be converted without the need for additional buildings, new extensions or significant alterations. However, the Hayloft was converted some time ago and is now being used for residential purposes. Accordingly, it seems to me that policy E2 of the Plan is not directly relevant to the appeal proposal. Therefore, I have assessed the proposal on the basis of it being for a single storey rear extension and flues to an existing dwelling in the countryside. However, I am mindful that some permitted development rights were removed at the time of the original permission for the conversion of the building to protect the character and appearance of the original building.
7. The Officer's report refers to policy C5 of the Plan which relates to residential development proposals outside the settlement hierarchy, as is the case here. This policy indicates that the extension or alteration of an existing building should not result in additions of more than 70% to the dwelling as originally built in order to ensure that such development, either individually or cumulatively does not have an adverse impact on the character of the individual properties or their surroundings.
8. In this case the single storey rear extension is modest in scale and when taken together with a previous small infill extension which was allowed on appeal has increased the floorspace of the original building by around 35%. This is well within the increase provided for by policy C5 of the Plan.
9. Although the extension has introduced a rearward projection to the existing linear form of the building its simple design reflects that of the host building and does not look out of place or detract from its appearance. Furthermore, the extension has been constructed from materials which broadly match those of the existing building, the brickwork on the existing building appearing somewhat new.
10. The extension is sited at the rear of the property. It is also screened from the wider area by adjacent buildings and planting to the rear of the property. Accordingly, any differences in the width of the gable end of the roof of the extension from those of the dual gables on the side of the existing building or the style of the windows on the extension from the other windows on the rear

elevation are not readily apparent from public vantage points and do not materially harm the appearance of the building in its rural setting.

11. The flue to the existing living area is located on the external wall to the southern side of the building and extends about 0.7m above the main roof ridgeline whilst that to the rear extension extends about 0.8m above the ridgeline. However, they do not appear overly large or detract from the character or appearance of the host building.
12. Having regard to all of the above therefore, I conclude that the single storey rear extension and flues do not cause harm to the character and appearance of the host building or the area. Accordingly, the development complies with policy C5 and N1 of the Plan which respectively seek to ensure that development does not have an adverse impact on the character of individual properties or their surroundings and takes into account the local character and context, and preserves and enhances the character of the area. There would also be no conflict with the overarching aims of policy E2 of the Plan.

Other matters

13. Concerns have been raised regarding the proximity of the flues to the adjacent property with regard to fumes or smells. However, the appellant indicates that the flues have been installed in accordance with the necessary regulations and there is no substantive technical evidence to indicate otherwise. There are no objections from the Council's Environmental Health Officer. Accordingly, on the basis of the evidence before me I see no reason to conclude that the flues cause material harm to the living conditions of the occupiers of the adjacent property.
14. The appellant has referred to two appeal decisions which relate to developments within the complex, one of which relates to the appeal site. He has also referred to other developments within the complex which have been permitted by the Council. However, each planning application and appeal needs to be determined on its own merits. I confirm that I have considered the appeal on this basis and that my conclusions have been based solely on the merits of the proposal.

Conditions and conclusion

15. Given that the development appears complete the standard plans condition is unnecessary. The Council has not suggested any other conditions and I agree none are necessary.
16. For the reasons given above therefore, I conclude that the appeal should be allowed.

Beverley Doward

INSPECTOR