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## Appeal Decision

Site visit made on 11 March 2017

**by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI**

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

**Decision date: 21<sup>st</sup> March 2017**

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**Appeal Ref: APP/Y3425/D/17/3168491**  
**20 Clare Road, Holmcroft, Stafford ST16 1PX**

- 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 Miss Kaye Wootton against the decision of Stafford Borough Council.
  - The application Ref 16/25085/HOU, dated 15 October 2016, was refused by notice dated 16 January 2017.
  - The development proposed is for a two storey extension on side on existing garage to form additional bedroom.
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### Decision

1. The appeal is allowed and planning permission is granted for a two storey extension on side on existing garage to form additional bedroom at 20 Clare Road, Holmcroft, Stafford ST16 1PX in accordance with the terms of the application, Ref 16/25085/HOU, dated 15 October 2016, 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: OS Location Plan; OS Block Plan; Drawing as Existing 20 Clare Road, and; Drawing Proposals for 20 Clare Road.

### Procedural matters

2. I have taken the appellant's name from the appeal form. The description in the application differs to that shown on the Council's decision notice. This minor variation in description is not vital to an understanding of what is involved and I have therefore relied on the appellant's description.
3. My attention was drawn to an earlier appeal at this site for a two storey side extension that was dismissed<sup>1</sup>. The details of that appeal are not before me; however, I have perused the appeal decision and the Inspector's description of what was involved in that proposal.

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<sup>1</sup> APP/Y3425/D/16/3151217

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## **Main Issues**

4. The main issues in this appeal are firstly, whether the proposed development would adversely affect the character and appearance of the area and, secondly whether the development would have an unacceptable impact on the living conditions of occupiers of 22 Clare Road in terms of outlook and light.

## **Reasons**

### *Character and appearance*

5. The appeal property comprises a two storey semi-detached house incorporating a hipped roof with an attached garage to its side. The area is characterised by similarly designed houses incorporating similar features. However, the appeal property has a more spacious quality due to the fact that its neighbour, No.22 occupies a corner plot and is set back at an angle to the junction. That property too has a garage, which is detached together with a single storey extension.
6. The proposal would see the introduction of a hipped roofed extension over the existing garage. However, unlike the previous appeal proposal that continued the front building line to the property, the latest proposal would be set back from the front face to create a legible recess. This would help ensure that the appearance of the extension would remain as a subordinate design element to the host property. It would also respect the characteristic built form of these semi-detached properties and thus protect the character of the street scene and area.
7. Consequently, the proposal would comply with Policy N1 of The Plan for Stafford Borough (Local Plan), which amongst other things seek to ensure that the design of new development respects local context and preserve the character of the area.

### *Living conditions*

8. In dismissing the previous appeal, the Inspector concluded that the development comprising a somewhat larger two storey extension than the one now proposed would not be harmful to occupiers of adjoining neighbouring properties, most particularly No.22 Clare Road, either in terms of outlook or loss of light. It is difficult to understand why the Council has maintained its objection to what is a smaller scale extension. In my view given the orientation and distance between the properties, the extension would be unlikely to be over-dominant or cause a significantly adverse effect in terms of loss of light.
9. I therefore conclude that the proposal would also comply with Local Plan Policy N1, which at sub-section e), requires the design and layout of new development take account of light implications and the amenity of adjacent residential properties. A copy of the Council's SPG<sup>2</sup> has been provided that requires extensions to be carefully designed to provide adequate levels of privacy and amenity for residents. However, nothing in that document would preclude the type of extension that is now proposed and I am satisfied given that the principal window at first floor does not directly face the neighbouring

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<sup>2</sup> Space About Dwellings: Supplementary Planning Guidance to the Stafford Borough Local Plan 2001 (SPG)

property that the appeal proposal meets the requirements of Standard 1 in that document.

*Other matters*

10. An objector raises the issue regarding the ability of the Council to resist repeat applications. However, there are material differences between this proposal and what was considered previously. Applicants to planning applications have the right to submit revised proposals to overcome refusal reasons. Despite the relatively small reduction in the size of the extension now proposed, the revised proposal overcomes the concerns of the previous Inspector and I am satisfied that this scheme is acceptable in all respects.

Conditions

11. I am aware that the Council's planning officer prepared a comprehensive report to the Council's Planning Committee and in recommending that permission be granted, advised that two conditions be attached to any consent, which I have now considered against the Government's Planning Practice Guidance. I therefore attach a condition specifying the time period for commencement together with a condition specifying approved drawings in order to provide certainty.

**Conclusions**

12. I am satisfied that the revised proposal the subject of this appeal is fully compliant with the development plan and the Council's SPG. For the above reasons and having regard to matters raised in this appeal, I conclude that the appeal should be allowed.

*Gareth W Thomas*

INSPECTOR