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## Appeal Decision

Site visit made on 24 September 2019

**by Jonathan Edwards BSc(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 September 2019**

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**Appeal Ref: APP/Y3425/D/19/3232956**

**The Dale, Fair Oak Bank, Fair Oak, Stafford ST21 6PN**

- 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 Ben Gray against the decision of Stafford Borough Council.
  - The application Ref 19/30114/HOU, dated 16 February 2019, was refused by notice dated 29 April 2019.
  - The development proposed is two storey front, side and rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for two storey front, side and rear extension at The Dale, Fair Oak Bank, Fair Oak, Stafford ST21 6PN in accordance with the terms of the application, Ref 19/30114/HOU, dated 16 February 2019, 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: 132\_AR\_000\_021\_B rev B, 132\_AR\_030\_021 rev A, 132\_AR\_030\_022 rev A, 132\_AR\_040\_021 rev A, 132\_AR\_040\_022 rev A, 132\_AR\_040\_023 rev 0, 132\_AR\_040\_024 rev B
  - 3) No development above ground floor slab level shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

### Main Issue

2. The effect on the character and appearance of the host building and the surrounding area.

### Reasons

3. The Dale is a 4 bedroom 2 storey high house with a side extension in a large plot away from the road. Rising land levels to the north and east and nearby groups of mature trees give the appeal site a sense of rural seclusion.
4. The proposed development includes the demolition of the existing extension to allow the erection of a new 2 storey side extension that would project out

significantly beyond the front and rear elevations of the main part of the house. The scheme also includes a single storey porch/garden room extension to the front which would connect to a new canopy along the side.

5. Part C of policy C5 of the adopted Plan for Stafford Borough 2014 (PSB) is referred to in the Council's refusal reasons. This states that in the countryside, extensions should not result in additions of more than 70% to a dwelling as originally built, unless the design and appearance of the proposed dwelling is proportionate to the type and character of the existing dwelling and surrounding countryside. The proposed development would clearly fail to comply with the 70% figure and so it follows to consider whether the resulting building would be proportionate to the existing house and its surroundings.
6. Since this appeal was lodged, the Council has granted planning permission for the 2 storey side extension element of the appeal proposal<sup>1</sup>. As this is a recent permission, there is a greater than a theoretical possibility the side extension would be constructed regardless as to my decision. This fallback position is a significant consideration in my assessment of the appeal.
7. The single storey elements of the appeal proposal are lower and significantly smaller than the 2 storey extension. Whilst resulting in a cumulative increase in the size of the dwelling, the single storey elements would be comparatively small, so the appeal proposal would not be disproportionately larger than the scheme already permitted by the Council. The site is secluded and would be large enough to accommodate the appeal proposal without causing any significant impact on the rural appearance of the area. Therefore, whilst representing a marked increase in the size of the existing dwelling, the proposal would not cause any adverse impact on the character or appearance of the house or its surroundings over and above the extensions already approved by the Council.
8. For the reasons outlined above, I conclude that the development would not be harmful to the character and appearance of the host building and the surrounding area. Consequently, and in this regard, it would accord with policy C5 of the PSB which, amongst other things, looks to ensure extensions do not have an adverse impact on the character of properties or their surroundings.

### **Conditions**

9. I have considered the conditions put forward by the Council. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. A condition that requires the submission and approval of external materials is also needed in order to ensure the satisfactory appearance of the development.

### **Conclusion**

10. For these reasons, I allow the appeal as set out in the formal decision above.

*Jonathan Edwards*

INSPECTOR

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<sup>1</sup> Stafford Borough Council planning permission ref. no. 19/30958/HOU, dated 19 September 2019.