



Appeal Decision

Site visit made on 17 September 2019

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State

Decision date: 04 October 2019

Appeal Ref: APP/M3455/C/19/3221243

141 Belgrave Road, Stoke-on-Trent ST3 4NL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mrs Balkees Arif against an enforcement notice issued by Stoke-on-Trent Council.
 - The enforcement notice was issued on 15 January 2019.
 - The breach of planning control as alleged in the notice is: without planning permission, dormer roof extension to the rear of the property.
 - The requirements of the notice are: reduce the height of the rear dormer to below or level with the ridge height level of the existing roof of the original dwelling or demolish the unauthorised rear dormer extension and make good the roof of the original dwelling or demolish the unauthorised rear dormer extensions and make good the roof of the original dwelling.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the Act as amended falls to be considered.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

The appeal on ground (a) and the deemed planning application

Main Issue

2. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is an end of terrace dwelling occupying a corner site within an established residential area. The development comprises a box dormer extension to the rear of the property. The Council's document entitled 'Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance – Supplementary Planning Document' (SPD) states that extensions to dwellings should be well designed and contribute positively to the townscape character.
4. The new dormer spans most of the width of the property, subsuming the majority of the rear slope, and effectively obscuring the original pitched roof at the back. Its square, flat-roofed design is at odds with the characteristic double-pitched roof form that is typical of rest of the terrace. The dormer dominates the back elevation, appearing neither sympathetic nor subsidiary to

the modest scale and appearance of the existing property. It is also clearly visible from the side of the house, detracting from the simple gable end of the property, and adding disproportionate bulk at high level.

5. At the front, the edge of the flat roof of the dormer sits above the original ridge of the property. In this obtrusive position, it disrupts the uniform roof line of the short terrace of dwellings, creating an unbalanced appearance, and materially harming the character of the appeal building.
6. By virtue of its excessive size, unsympathetic design, and poor relationship to the appeal property and its immediate neighbours, I find that the development unacceptably harms the character and appearance of the surrounding area. It therefore fails to comply with Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy, which requires that new development should be well-designed to respect the character, identity and context of the townscape. It is also contrary to the guidance given in the SPD.
7. The appellant states that her builder assured her that planning permission had been approved before he started the works, and that she was unaware that she needed to apply for permission for the development. Whilst these circumstances are unfortunate, they do not justify the granting of permission for a development that is contrary to the development plan.

Conclusion

8. For the reasons given above, I conclude that the appeal on ground (a) should fail, and that the deemed planning application should be refused.

Elaine Gray

INSPECTOR