The Planning Inspectorate

Appeal Decision

Site visit made on 21 January 2020

by Graeme Robbie BA(Hons) BPl MRTPI

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

Decision date: 6 February 2020

Appeal Ref: APP/B3438/D/19/3240014
25 Oakmount Road, Werrington, Staffordshire Moorlands, Staffordshire ST9 0BZ

- 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 Martin Smith against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2018/0756, dated 26 November 2018, was refused by notice dated 5 August 2019.
- The development proposed is removal of conservatory and construct a two storey extension to the rear of detached property to form; ground floor – seating area, first floor – bedroom with en-suite.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is described as a two storey extension in the terms set out above. However, during my visit to the appeal property I saw that there was a ground floor extension in place at the rear of the property which was not shown on the submitted existing floor plans or elevations. However, for the avoidance of any doubt I have considered the appeal on the basis of the plans before, as submitted to and considered by the Council during the course of the planning application that led to the current appeal.

Main Issues

3. The main issues are the effects of the proposed development on:

   - The character and appearance of the host building and the surrounding area; and
   - The living conditions of occupiers of the proposed extended property, with particular regard to outlook.

Reasons

Character and appearance

4. Policy DC1 of the Staffordshire Moorlands Core Strategy (CS) states that all development should be well designed and, amongst other things, should be of a high quality and which protects the amenity of the area, including residential amenity in terms of privacy. Although I have not been provided with a full copy of the Council's Design Supplementary Planning Document (SPD), the

Council's officer report sets out that, in terms of extensions, proposals should harmonise with the parent building and should be subordinate to it.

5. The proposed two storey extension would not extend across the whole width of the host building's rear elevation. Neither its width nor its projection from the rear elevation of the existing dwelling strike me as being particularly excessive or harmful, whilst eaves level would run through from that of the main house and the roof ridge would be set below the main roof's ridge. The proposal would, in these terms, be subordinate to the main house.

6. However, it seems that in an attempt to address a previous reason for refusal for a similar rear extension, the appellant has designed the current proposal in such a way as to avoid any window openings on the upper level of the rear facing elevation. The result however would be a largely blank upper portion of the extension's rear face creating an incongruous, awkward and bulky form of extension which would fail to harmonise successfully with the host property. Whilst the detailing of a string course of 'blue brick features' at first floor level would reflect detailing above existing window and door openings and provide a point of slight visual interest, it would do little to break up the bulk of what would otherwise be a slab-faced rear elevation.

7. There is a broad consistency along the rear elevations of properties on Oakmount Road and the opposing Scholars Way and the prevailing fenestration pattern is such that large expanses of brickwork on rear elevations are not common. Neither are two storey rear extensions, but their absence is not critical to the proposal. Rather, the blank upper portion of the extension's rear face in this instance would draw unnecessary attention to the extension which as a consequence would appear incongruous and lack of harmony with the character or appearance of the host building or the surrounding area.

8. The proposed extension would not, for the reasons set out, be well designed or of a high quality design, and the extension would fail to successfully harmonise with the host building and the character or appearance of the surrounding area. The proposal would be contrary to CS policy DC1 and fail to reflect the guidance set out in the Council's Design SPD.

9. The Council also take exception to the proposal's hipped roof design and the incorporation of an oriel window on the side elevation of the host building. Hipped roofs, much like two storey rear extensions, are not particularly common within the surrounding area, but I do not find the hipped roof design to be objectionable or harmful to the character and appearance of No. 25, or to that of the surrounding area. So too, the oriel window, which would be inserted into the existing gable elevation of No. 25. Whilst uncharacteristic of the host property and surrounding area, I do not find it to be a disruptive feature to either. The absence of harm in these respects does not, however, overcome the harm that I have identified above and which would arise from the incongruous form of the proposed extension's slab-faced rear elevation.

10. I have some sympathy for the appellant's position having attempted to overcome previous reasons for refusal by redesigning the proposed extension, only then to encounter different issues. I have noted the comments that 'dummy' windows or obscurely glazed windows could have been inserted into the rear elevation in order to attempt to address the Council's concerns regarding the treatment of the rear elevation had it been expressed as a matter of concern. Whilst that may be so, I have to determine the proposal

before me, and as it was considered by the Council. This is not a material consideration to which I can give any significant weight.

Living conditions

11. The proposed extension would provide an enlarged bedroom (with en-suite) and w.c. at first floor level. In order to avoid conflict arising from overlooking and privacy concerns, the proposal presents a revised fenestration detail for the enlarged bedroom from previous designs. As a consequence, the enlarged bedroom would be served by a roof light on the extension's side facing (towards No. 27) roof slope and an oriel window within No. 25's existing gable elevation (also facing towards No. 27).

12. Although the oriel window would be positioned on an elevation facing towards No. 27 this would not be critical in terms of outlook. Nos 25 and 27 do not lie parallel to each other; instead there is a slight splay such that the gap between the two opens out towards the rear of the plot. Furthermore, rather than the full two storey gable elevation of No. 27 being the closest point of that property to the proposed window, the single storey attached garage would be closest.

13. The oriel window would have glazing in both angled faces of the window which would assist in capturing available light, supplemented by the rooflight. Whilst the plans specify that the rear facing side of the window would be fitted with obscure glazing, the front facing element would provide an oblique outlook across the neighbouring driveway to the front of Oakmount Road. Although not ideal and perhaps somewhat contrived, I am not persuaded that the proposal would result in such a poor standard of living conditions for future occupants of bedroom 3 that it would be in conflict with CS policy DC1 or the aims of paragraph 127(f) of the National Planning Policy Framework.

Other Matters

14. Concerns have been raised in relation to privacy and overlooking of the neighbouring property at No. 27, but I note that this did not form part of the Council's reasons for refusal. Nonetheless, I viewed the appeal site from the neighbouring property and the areas considered to be subject to overlooking. Whilst one of the oriel window's angled faces would face towards the rear of No. 27 I am satisfied that the combination of obscure glazing in this face of the window and the rising roof form and ridge of No. 27's garage would ensure that the rear of that property would not be harmfully overlooked.

15. There is, perhaps inevitably in a residential context such as this, a degree of inter-visibility between properties, but the proposed extension would replace the existing closest rear facing upper floor window with blank flank and rear elevations. The oriel window, if it were to incorporate one glazed face fitted with obscure glazing, would not provide the same potential for inter-visibility as presently exists and, as such, I am not persuaded that the proposal would have a materially greater impact on privacy or overlooking than the existing. Similarly, any concerns regarding side-facing ground floor windows could be resolved by way of an appropriately worded condition regarding the installation of obscure glazing. I give this matter limited weight.

16. Whilst I have noted the concerns raised regarding noise transmission from the side-facing windows shown on drawing ref: SMD/2018/0756 Rev B, these windows would serve an extended kitchen area. I have not been presented

with any reason to suspect that these windows' relationship with neighbouring property would lead to unacceptable levels of noise transmission.

17. I have also considered matters relating to consistency of building line along the rear of properties on Oakmount Drive and the energy efficiency and performance of the proposed extension. These matters did not form part of the Council's reasons for refusal and I have not been presented with any compelling evidence to lead me to conclude otherwise. I have determined the appeal on its merits and on the basis of the submitted evidence. Any future proposals at this, or neighbouring properties, would be dealt with in the same manner. For these reasons, these are not material considerations to which I can give significant weight.

Conclusion

18. The proposed extension would provide adequate living conditions for future occupants of the extended property, with particular regard to outlook from the extended bedroom 3. However, the absence of harm in this respect would not overcome the harmfully incongruous form and appearance of the slab-faced and largely unrelieved brickwork of the extension's rear facing upper elevation.

19. Thus, for the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR