



Appeal Decision

Site visit made on 4 February 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/M3455/W/19/3239578

182 Furlong Road, Tunstall, Stoke-on-Trent, ST6 5UN

- 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 ADF Investments Ltd (Mr A Fitzgerald) against the decision of Stoke-on-Trent Council.
 - The application Ref 64375, dated 9 August 2019, was refused by notice dated 18 September 2019.
 - The development proposed is described as the "*erection of new dwelling on land adjacent to 18 Furlong Road – resubmission*"
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. It is noted that the description of the proposal in the application form refers to "land adjacent to 18 Furlong Road". It is assumed that this is a typographical error and that this should refer to 182 Furlong Road. The appeal has been decided on this basis.

Main Issues

4. The main issues are the effect of the proposed development on: (i) the character and appearance of the surrounding area; and (ii) the living conditions of the occupants of No. 182 Furlong Road with particular reference to privacy, outlook and private amenity space.

Reasons for the Recommendation

Character and appearance

5. The appeal site is situated on the northern side of the residential street of Furlong Road and comprises garden space to the side of No. 182, a semi-detached dwelling located at the corner junction with Greenfield Road. The immediate surroundings are characterised by similar residential properties which differ in size and style but retain a broad uniformity in terms of materials and character. The semi-detached style of No. 182 is mirrored on the opposite side of the corner junction with

Greenfield Road, while the remainder of the nearby dwellings on the northern side of Furlong Road are terraced in nature. The immediate southern side of the road is characterised by larger semi-detached dwellings, along with a pub.

6. The proposal relates to the erection of a new detached two storey dwelling at the appeal site. It is to be constructed in materials similar to the adjacent property at No. 182 and would have a hipped roof with eaves and ridge heights to match the neighbouring roof. Nonetheless the proposal would introduce a feature to the streetscape that would not respect the character or appearance of the surrounding area. The proposal represents a significant addition of built form to the appeal site, which would appear as overly dominant in the context of both the neighbouring property at No. 182 and the site itself reducing the space between the properties and the nature of the relationship that prevails for the corner plots at this junction.
7. In contrast to the prevailing pattern of other non-terraced dwellings in the immediate area, the addition of the proposal at the site alongside No. 182 would appear cramped and incongruous, with little space between the two buildings. The subdivision of the garden area would result in two compact plots and would contrast awkwardly with the prevailing pattern of development. This overdeveloped feeling at the site would be exacerbated by the orientation of No. 182, which would sit diagonally alongside the proposal and result in particularly narrow separation distances between both properties and the boundary towards the rear of No. 182.
8. The proposal would be experienced primarily alongside the other semi-detached and terraced dwellings present and would represent the only detached residential property within the immediate group of properties in which it sits. While a detached bungalow and pub are present on Furlong Road, the separation distance between the proposal and the bungalow together with the single storey element of the bungalow and the non-residential nature of the pub means that these would not detract from the incongruous nature of the proposal among its neighbouring non-detached dwellings. Therefore, while there is no requirement for the proposal to directly mirror the neighbouring properties, it would nonetheless greatly reduce the sense of coherence that exists in its immediate surrounds.
9. For the reasons given above, the proposal would fail to respect the character or appearance of the surrounding area and would have a materially harmful impact in this regard. It would therefore be contrary to Policy CSP1 of the Local Development Framework Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, October 2009 and the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document 2010

Living conditions

10. The proposal would introduce a sizeable element of built form close to the side elevation of No. 182, where an entrance door is located. It would rise to a full two storeys in height and be conspicuous above the fence to be installed between the two dwellings. While it would be set in slightly from the site boundary the overall separation distance between properties would be limited. This would result in the proposal appearing as a dominant feature from No. 182. When entering or exiting by the side entrance door, and in the space adjacent to the property, the proposed development would thereby feel overbearing by nature of its scale and proximity.
11. Due to the orientation of the site and the nature of the proposed built form the rear elevation of the proposal would project beyond the rear of No. 182. This additional built form would be highly visible from the rear garden of No. 182 where, when

combined with the small scale of the subdivided garden plot, it would create a strong sense of enclosure. The proposal would therefore appear unduly dominant from the rear garden of No. 182 with a resultant detrimental effect on outlook and feeling of overbearing.

12. As only one small bathroom window is to be installed in the side elevation of the proposal overlooking No. 182, there would be no loss of privacy in this regard. The issue therefore relates to the adequacy of private outdoor space including its privacy. While I note that the garden areas would wrap around the two dwellings, much of the external space would be for parking and bin storage rather than for general residential amenity or recreation use. In addition, the areas to the front of the properties would not be particularly useable space. Therefore, I find that the only useable private outdoor amenity space for recreation associated with the properties would be to the rear.
13. While the angle of the rear elevation of the proposal would be slightly facing away from the rear garden, due to the site orientation and the projecting nature of the proposal views across the area would still be possible. Such views would be available to occupiers of the proposal from both a small bathroom window and large bedroom window on the first floor. This would greatly reduce the privacy for the occupiers of No. 182 when in the rear garden. The total amount of useable space would be limited for both properties and given the size and shape substantially smaller than those in the surrounding area.
14. For the reasons given above, the proposal would have a materially harmful impact on the living conditions of the occupiers of No. 182 Furlong Road with regards to privacy, outlook and private amenity space. It would therefore be contrary to Policy R15 of the Local Development Framework Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 – 2026, October 2009.

Other considerations

15. The appellant has stated that the proposal would comply with other policies within the Local Plan and points out that there is no requirement for the proposal to enhance the environment of the area. While this is acknowledged, the matters raised in this instance do not attract sufficient weight in planning terms to override the harm that would arise as detailed above.
16. Reference has been made to other examples of similar development in the surrounding area. However, for the most part, no information on the precise nature or location of these other additions has been provided, nor on their comparability to the development in question. While it has been argued that the dwellings at The Tudors estate have smaller separation distances than the proposal and No. 182, this estate is located in a cul de sac with its own clearly defined character. Furthermore, the appeal is decided on its own site-specific circumstances and reference to other development nearby does not outweigh the harm identified above.

Conclusion and Recommendation

17. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

Kenneth Stone

INSPECTOR