



Appeal Decision

Site visit made on 19 May 2020 by S Watson BA(Hons) MSc

Decision by Andrew Owen MA BA(Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 03 June 2020

Appeal Ref: APP/M3455/D/20/3244573

126 Sprink Bank Road, Chell, Stoke-on-Trent ST6 6HZ

- 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 C Ball against the decision of Stoke-on-Trent Council.
 - The application Ref 64490, dated 12 September 2019, was refused by notice dated 11 November 2019.
 - The development is a proposed two storey side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a two storey side extension at 126 Sprink Bank Road, Chell, Stoke-on-Trent ST6 6HZ in accordance with the terms of the application, Ref 64490, dated 12 September 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) the development hereby permitted shall be carried out in accordance with the approved plan No 0126-01 Rev ii.

Appeal Procedure

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

Main Issues

3. The main issues in this case are the effect of the proposal on the:
 - Living conditions of the occupiers at the host dwelling and School House, with particular regard to outlook and privacy; and,
 - The character and appearance of the host dwelling and surrounding area.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is located on the south side of Sprink Bank Road. It contains a semi-detached dwelling set back from the road by a deep garden. The dwellings and plots around the appeal site are varied and there is little uniformity. However, with the exception of the neighbouring property to the west known as School House, which is perpendicular to the road, the properties are largely set back from the road and run parallel with it. The road outside the site slopes down towards the east and the appeal site is lower than it and School House.
5. The proposal comprises a two-storey side extension. Its design would replicate that of the host dwelling by way of its design, materials, fenestration and roof style and would as such protect its character and appearance. Although I note that there are no examples of this type of development in the immediately surrounding area, the varied character of the street scene and form of the buildings means that the proposal would not be out of keeping with the street and would not harm the relationship or balance between the two semi-detached dwellings. This is especially so given its siting adjacent to School House which is substantially different to the general area. Moreover, although it would be a wide extension, relative to the host dwelling, it would be set back from the front elevation and down from the roof. This would ensure the proposal still appeared subservient and maintains a sense of spaciousness on the plot.
6. In all I conclude that the proposal would respect the character of the existing property, street scene and wider area. As such there would be no conflict with Policy CSP1 of the Local Development Framework: Newcastle-Under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) which seeks, amongst other things for development to be well designed and to respect the character, identity and context of its surroundings, nor with Paragraph 127 of the National Planning Policy Framework (the Framework) which similarly looks for sympathetic development.
7. Although the Council have referred to the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance: Supplementary Planning Document (SPD) as part of the associated reason for refusal, I find that the sections submitted by the Council have little relevance to this issue.

Living conditions

8. The proposal includes a new living room which would be served by two windows, one on the north elevation and one on the west. The proposal would also result in the removal of a side facing first floor window, which is clear glazed and allows views across the garden and to the windows of School House. From the information available to me it appears that the front of School House is on the west side of the building and that the side, and garden, facing the appeal site are the rear.
9. The proposed ground-floor side window would be in close proximity to the side boundary which is made up of a retaining wall topped by a fence. Due to the boundary's height, and the change in land levels between the appeal site and School House, any outlook from the side window would be very limited.

However, the front facing window would have views across the front garden towards the north and would therefore have an open and pleasant outlook. In light of this I find that the front window, on its own, would be sufficient to make the room a pleasant place to use. In this way the living conditions provided for the occupiers at the appeal site would be acceptable irrespective of the poor outlook provided by the side window.

10. The rear of School House is open to public views from the highway and is currently overlooked from the first-floor side window at the appeal site. The proposal would result in the removal of the first-floor window, and the proposed ground floor window, although closer, would be largely screened by the boundary treatment and land level changes. As such, the neighbouring garden and opposing windows would be granted a greater level of privacy than as existing. Likewise, for the above reasons I find it unlikely that there would be any significant or unacceptable impact on the privacy afforded to the occupiers of No 126. I therefore find that the proposal would not result in an unacceptable loss of privacy to either the occupiers at School House or the appeal site.
11. Given my findings, I conclude that the proposal would provide a suitable quality of accommodation for the occupiers at 126 Sprink Bank Road and would not harm the living conditions of the occupiers at School House. Therefore, the proposal would comply with Paragraph 127 (f) of the Framework which requires development to, amongst other things, create places that promote well-being and a high standard of amenity. The proposal would also comply with the guidance contained within Paragraphs R15 and R19 of the SPD which include references to suitable light levels and privacy. Policy CSP1 of the CSS does not appear to directly relate to the effects of privacy or outlook on living conditions, and I did not give it material weight in regard to this issue.

Conditions

12. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
13. Conditions requiring that the development is carried out in accordance with the approved plans and within three years are necessary in the interests of certainty. In the interests of the character and appearance of the area, a condition is necessary to ensure that the external materials of the new extension match those of the existing house.

Conclusion and Recommendation

14. For the reasons given above I recommend that the appeal should be allowed with the suggested conditions.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed with the conditions set out above.

Andrew Owen

INSPECTOR