
Appeal Decision

Site visit made on 3 August 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/M3455/D/20/3250499

7 Amherst Place, Barlaston, Stoke-On-Trent ST12 9FB

- 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 S Mitchell against the decision of Stoke-on-Trent Council.
 - The application Ref 64954, dated 27 January 2020, was refused by notice dated 26 March 2020.
 - The development proposed is a single storey rear house extension and replacement garage with gym/office at first floor level.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The decision notice that was initially issued by the Council contained no reason for the refusal of the planning application. However, the Council's delegated report pre-dates the decision notice and it clearly sets out the areas of concern, which relate to planning matters. The report also provides adequate reasoning to demonstrate why the Council came to the conclusions that it did. I am therefore satisfied that the issuing of the decision notice without reasons was an administrative error and that the reasons for refusal, and reasoning behind them, have been made clear to the appellant.
3. The appeal site is located within the Green Belt. The Council considers that the appeal scheme would not represent inappropriate development in the Green Belt and I have no reason to take a different view.

Main Issues

4. The main issues are (i) the impact of the proposed garage upon the character and appearance of the area and (ii) whether adequate private amenity space would remain at the dwelling.

Reasons

Character and appearance

5. The appeal dwelling is located within a modern housing estate and is one of a number of large dwellings arranged in a linear fashion along Amherst Place. Due to its location opposite to Waterford Crescent, the appeal dwelling is prominent in longer views taken from this road and from the open space found within it. Existing dwellings on the same side of Amherst Place as the appeal dwelling have double garages of modest height next to their side elevations, with these being set back from the front elevations of the respective dwellings.

This is consistent with the layout of development in the surrounding area, and it is an important and positive component of the street scene, creating a rhythm and uniformity in the spaces between the dwellings.

6. The proposed garage would disrupt this rhythm and would introduce an incongruous built feature that would jar both with the established street scene and in terms of its relationship to the appeal dwelling itself. It would be of considerable bulk, with a large gable end fronting the public highway and it would have a substantial height in relation to the existing dwelling. It would also appear at odds with the design of the existing garages of nearby dwellings and in terms of their relationships to the dwellings themselves. In the context of the surrounding built development therefore, the proposed garage would result in significant harm to the character and appearance of the area.
7. Whilst there is variation in the design of the roofs of existing garages, and not always a consistent relationship between the roof type of the garages and the roof type of the dwellings to which they relate, there is no development within the existing street scene which is comparable to that which is proposed. The appeal dwelling has gables to its front and there is variation in the design of dwellings found in the surrounding street scene. These factors do not however provide justification for a development that would cause the degree of harm that I have found. Due to the set back from the frontage of the appeal dwelling, the visual impact on views along Amherst Place would be reduced, but nonetheless the proposal would be apparent in views close to the appeal dwelling, and in the many views taken from Waterford Crescent.
8. For these reasons I conclude that the proposed garage would cause significant harm to the character and appearance of the area. Accordingly, the proposal would fail to accord with Policy CSP1 of the Newcastle-Under-Lyme and Stoke-On-Trent Core Spatial Strategy 2009 (CS) which seeks to protect character and appearance. There would also be conflict with the aims of the Newcastle-Under-Lyme and Stoke-On-Trent Urban Design Guidance Supplementary Planning Document 2010 (SPD) where it seeks to deliver good design, and with The Framework where it seeks to achieve well-designed places.

Amenity space

9. The proposed development would reduce the amount of space to the rear of the dwelling as a result of the increased footprint of the proposed garage and the rear extension. However, the remaining space would not be dissimilar to the amount of space available at other dwellings in the locality of the appeal site and it would be adequate in amount and layout to serve the needs of the appeal property in this context. Therefore, there would be no conflict with Policy CSP1 of the CS, the SPD or with the objectives of The Framework in this respect.

Conclusion

10. Although I find that adequate private amenity space would remain at the dwelling, there would be significant harm to the character and appearance of the area and a subsequent conflict with the development plan. Therefore, I conclude that the appeal should be dismissed.

Graham Wraight INSPECTOR