



Appeal Decision

Site visit made on 30 November 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 21st December 2021

Appeal Ref: APP/Y3425/D/21/3274615

The Croft, Church Lane, Gayton, Stafford ST18 0HL

- 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 and Mrs M Stevens against the decision of Stafford Borough Council.
 - The application Ref 20/33592/HOU, dated 18 December 2020, was refused by notice dated 17 March 2021.
 - The development proposed is alterations and extensions to a single storey dwelling to form a two storey dwelling (resubmission of withdrawn application 20/33176/HOU).
-

Decision

1. The appeal is dismissed.

Background and Preliminary Matters

2. An earlier planning application (ref 20/31977/HOU) for alterations and extensions to a single storey dwelling to form a two storey dwelling was refused and it was dismissed on appeal. The appeal proposal differs from the refused scheme including through a reduction in the width of the frontage, removal of a chimney and front dormers, and its external materials. A subsequent planning application (ref 20/33176/HOU) was withdrawn. An application (ref 20/33619/POTH) for prior approval – additional storey (Class AA) total height of dwelling 7.45m was granted in February 2021.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The Croft is a single storey detached dwelling set back from the road in a large plot. It is in the village of Gayton, which is a dispersed settlement with a village hall, church, farmsteads and residential dwellings. There are a limited number of modern dwellings in a cluster near to the church, but elsewhere the red brick and simple slate roof dwellings impart a traditional and harmonious character and appearance. It is in the open countryside for planning purposes.
5. The proposal would be a large 2 storey dwelling with prominent roof gable extensions, single storey rear extensions and a tall attached double garage. It would be finished in red brick with a tile roof. It would have 6 en suite bedrooms, including an assisted living ground floor bedroom.

6. The evidence indicates that the proposal would result in an increase of roughly 115% in the floor area of the existing dwelling. However, the existing conservatory and the side and rear extensions are not original. As such, the Council estimates the proposal would increase the floor area of the dwelling as originally built by over 250%. On this basis, it would be a substantial and disproportionate increase in the size of the dwelling. In this regard, the appellant acknowledges that the proposal, which would increase the length of the building and it would roughly double its height, would be over dominant to the existing single storey dwelling.
7. The existing dwelling is of little architectural merit and it is not in keeping with neighbouring 2 storey dwellings. Nevertheless, it is a low and relatively simple building set back in its plot and partially screened by planting. In contrast, while the proposal would be similarly set back from the road, the significant increase in the bulk of the building would be readily visible and it would be prominent in the street scene. Its red brick finish would be in keeping, but even so the proposal would be markedly dissimilar to the more unassuming and traditional surrounding built environment. By virtue of its overly large size and scale and its modern design, it would be a dominant feature that would erode local distinctiveness and sense of place. It would not be proportionate to the type or character of the existing dwelling and the surrounding area.
8. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies SP7, C5, N1 and N8 of The Plan for Stafford Borough 2011-2031 Adopted June 2014. These require that extensions and alterations should not result in additions of more than 70% to the dwelling as originally built unless the design and appearance of the proposal is proportionate to the existing dwelling and the surrounding area. Development is required to be appropriate in scale and appearance, taking into account local character and context and it should reinforce and respect the character of the settlement and its landscape setting. It would also conflict with the National Planning Policy Framework in relation to being sympathetic to local character and history and contributing to sense of place.

Other Considerations

9. The prior approval scheme would be a 2 storey dwelling with approximately 330sqm of floor area. This would be greater than a 70% increase in the original dwelling, but less than the roughly 465sqm provided by the proposal.
10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications and appeals must be made in accordance with the development plan unless material considerations indicate otherwise. I have no reason to think that the prior approval scheme would not be constructed if the appeal should fail. As it is a valid fallback position, it is a material consideration. However, even if the prior approval scheme had been implemented, it would not be the original building for the purposes of planning policy and it is not a justification to set aside the development plan.
11. The fallback would be finished in red brick with a tile roof to match the existing dwelling. It would have a simple pitch roof and front elevation. It would be relatively well-proportioned, and it would not be visually obtrusive. The existing single storey rear and side extensions and the conservatory would be retained as subservient extensions. While it might not be the same design quality as the proposal, it would be less imposing and less dominant in the street scene. The

materially smaller size, and the less harmful visual impact, of the fallback scheme does not provide a justification for the appeal proposal.

12. The scheme has been amended in an attempt to address the reasons for refusal and dismissal on appeal of the earlier planning application. I have considered the appeal scheme on its own merits. The previously refused scheme does not weigh in favour of the proposal.
13. The appellants are seeking to create a larger dwelling for their growing family and to provide care for parents. Notwithstanding the assisted living bedroom, there is little before me in relation to the size of the family or the needs of the parents. Moreover, it has not been demonstrated that the fallback position, which would be a large family home with bedrooms and bathrooms at ground and first floor levels, would not meet the extended family's needs. Therefore, the personal circumstances carry limited weight in favour.
14. The proposal would not harm the living conditions of the neighbours. There were representations in support of the proposal, including by the Ward Member, and no third parties objected to it. However, the avoidance of harm and the acceptability of the scheme to the neighbouring residential occupiers and the Ward Member do not outweigh the harm that I have found.
15. My attention has been drawn to planning permissions for large extensions elsewhere. Full details have not been provided. Permission ref 16/23553/HOU is a 150% increase in the original floor area but only a subservient side extension is visible in public views and it does not obviously add to the bulk of the existing house. Permission ref 17/27586/HOU is a 150% increase but the side extension is the same height as its host, the rear extension is subservient, and it is proportionate to its surroundings. Permission ref 17/27105/HOU is less than a 90% increase in the original dwelling which, irrespective of any similarities, is a far smaller increase than the proposal. On the basis of the evidence before me, I cannot be certain that they are directly comparable to the proposal or its context and they do not provide a justification for it.

Conclusion

16. For the reasons set out above, the proposal would conflict with the development plan and there are no considerations, including the permitted development rights, that would outweigh that conflict.
17. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR