



Appeal Decision

Site visit made on 20 December 2021

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2022

Appeal Ref: APP/M3455/D/21/3278559

23 Elldawn Avenue, Milton, Stoke-On-Trent ST6 8XD

- 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 & Mrs Bator against the decision of Stoke-on-Trent City Council.
 - The application Ref 66269, dated 29 January 2021, was refused by notice dated 10 May 2021.
 - The development proposed is for a two storey side extension, demolition of rear conservatory and erection of single storey rear extension and engineering operations to alter ground levels on front garden/driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development as stated on the Council's decision notice, rather than that given on the application form, as this is more precise and includes all elements of the development proposed. The appellants raise no specific objection to that description, which they have subsequently used in their appeal statement.
3. On 20 July 2021, a revised version of the National Planning Policy Framework (the Framework) was published. However, it does not materially alter the national policy approach in respect of the issues raised in this appeal.

Main Issue

4. The effect of the development proposed on the character and appearance of the host property and the surrounding area.

Reasons

5. The appeal property is a two storey semi-detached dwelling located on the western side of Elldawn Avenue. There is a slope down from the highway to the front of the property, which includes a front garden and a driveway which extends to the side. The property is situated on an irregularly shaped plot, such that the driveway to the side tapers from its widest point at the front. The surrounding area is characterised by two storey and single storey semi-detached dwellings which are set back from the road with low level boundary treatments and planting. A further defining feature of the properties on this stretch of the road is the broadly even spaces between semi-detached pairs of dwellings and the symmetry that exists between them. The area therefore has

a pleasant spacious and well-ordered appearance which contributes positively to its character.

6. There are three elements to the appeal proposal: a two storey side extension, a single storey rear extension to replace an existing conservatory, and engineering operations to the front incorporating the raising of the driveway level and construction of a low retaining wall to provide two off road parking spaces. I note that the appeal proposal is a resubmission of a previously refused scheme¹, which showed that the two storey side extension would be flush with the front elevation of the property.
7. In the appeal scheme the proposed two storey side extension would be set back about 0.18m from the front elevation and the ridge would be below the roof of the original building. It would extend to the boundary with No 25 with a stepped side elevation and staggered roofline to reflect the tapered nature of the site.
8. The irregular nature of the varying roof forms and stepped side elevation of the two storey extension would result in a contrived and awkward arrangement that would unnecessarily complicate the external appearance of the property. With only a small set back from the front elevation, the proposal would lack relief from the frontage of the existing building. Moreover, it would have an unbalancing effect on the symmetry of the semi-detached pair and would not reflect the pattern of development on this part of the road. Therefore, notwithstanding the use of a contrasting material finish to differentiate it from the existing building, the two storey extension would be an incongruous addition which would be harmful to the established street scene.
9. The appellants have referred to an example of a similar extension to a property on Bellerton Lane. However, that extension has taken a different design approach and is in a different position relative to the road. As such, it is not comparable to the appeal proposal and I understand that it pre-dates the current development plan and the Framework. I have determined the appeal on its own merits in accordance with the requirements of the current development plan. Therefore, the example referred to does not provide a compelling precedent for allowing the proposed two storey side extension.
10. For the above reasons, whilst acknowledging that the appellants consider the proposed two storey side extension would achieve subservience to the original building, I find that it would be harmful to the character and appearance of the host property and the surrounding area. Accordingly, it would be contrary to Policy CSP1 of the Newcastle-Under-Lyme and Stoke-On-Trent Core Spatial Strategy 2009, which seeks to protect character and appearance. There would also be conflict with the aims of the Policy R23 of the Newcastle-Under-Lyme and Stoke-On-Trent Urban Design Guidance Supplementary Planning Document 2010, where it seeks to deliver good design, and with the Framework, where it seeks to achieve well-designed places.

Other Matters

11. The proposed single storey rear extension would represent a modest addition which would be in-keeping with the host property and the surrounding area. The Council has not indicated any specific objections to the proposed rear

¹ Council ref 66056/FUL

extension or the engineering operations to the front of the property, and I have no reason to reach a different view on the basis of the evidence before me and my observations on site.

12. Whilst I appreciate that the proposed two storey side extension would provide enlarged accommodation for the appellants, in the form proposed this would be at the expense of the character and appearance of the property and the surrounding area. Therefore, this consideration would not outweigh the harm that I have identified.

Conclusion

13. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

M Offerenshaw

INSPECTOR