



Appeal Decision

Site visit made on 8 February 2022

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4TH March 2022

Appeal Ref: APP/M3455/D/21/3289068

29 Cavendish Street, Etruria, Stoke-on Trent, ST1 4BH

- 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 Mrs S Shahzad against the decision of Stoke-on-Trent City Council.
 - The application Ref 66870, dated 17 June 2021, was refused by notice dated 9 November 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal proposal would result in unacceptable living conditions for the occupants of the dwelling, with particular regard to outdoor amenity space.

Reasons

3. The appeal property is a traditional terraced dwelling, which is situated in densely built-up area of the city. The rear of the dwelling backs onto an alleyway that provides access to the rear of properties on both Cavendish Street and Sandon Street. I noted at my site visit that a number of properties have been extended at the rear, including some that are comparable to the appeal proposal. However, I do not have details relating to these extensions, and therefore, I am unable to give their existence any weight in my decision.
4. The proposal is to construct a single storey rear extension that would occupy much of the existing rear yard area, leaving only a narrow pathway between the alleyway and the rear entrance to the dwelling. The extension would provide a bathroom and utility area. The appellant points to the benefits of the improved accommodation, which is something that I consider to weigh in favour of the proposal. I also note that the appellant considers that the remaining external space would be sufficient for her requirements.
5. However, I also consider that in an area of high-density development, private amenity space can also contribute significantly to the enjoyment of a dwelling. Although there is a public park close to the appeal site, this does not, in my opinion, replace the more intimate and private space around the dwelling itself. The area that would be covered by the proposed extension is of a size and shape that provides space for sitting out or play for small children. The

resultant space would be a narrow pathway which would not provide the same level of amenity for existing or future occupants of the property.

6. Policy CSP1 of the Council's adopted Core Spatial Strategy seeks (amongst other things) to ensure that the design of new development is of high quality and contributes positively to the area. In addition, Policy R13 of the Council's Supplementary Planning Document – Urban Design Guidance (SPD) advises that dwellings should provide a good quality of life for residents by providing (amongst other things) adequate amenity space. Furthermore, Policy R16 of the SPD states that developments should provide useable outdoor space. I consider that these accord with the provisions of paragraph 130 of the National Planning Policy Framework (the Framework), which also states that developments should create places with a high standard of amenity for existing and future users.
7. Whilst there would be benefits to the applicant through the provision of extra accommodation, I consider that this is outweighed by the significant reduction in the amount of external amenity space. This reduction would have a harmful effect on the living conditions of existing and future occupants. Consequently, the proposal would conflict with the provisions of the Development Plan, the SPD and the Framework, as referred to above.

Conclusion

8. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR