



Appeal Decision

Site visit made on 22 March 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd March 2022

Appeal Ref: APP/P3420/W/21/3285178

2 Hawthorn Gardens, Talke, Stoke-on-Trent ST7 1TD

- 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 John Brown against the decision of Newcastle-Under-Lyme Borough Council.
 - The application Ref 21/00532/FUL, dated 25 May 2021, was refused by notice dated 30 July 2021.
 - The development proposed is change of use and extension of existing garage at sub ground floor level and new porch at ground floor level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a linked bungalow positioned on elevated land above Hawthorn Gardens. It is part of a group of seven bungalows which are similar in terms of scale, position and appearance. Indeed, the uniformity of scale and design of the bungalows relates to front doors at the top of steps with windows either side, flat roofed attached garages projecting forward and at a lower level than the main houses, long and steep front gardens and driveways, unbroken roofs and the use of brick and render for walls. These attributes give the Hawthorn Gardens its distinctive character.
4. It is proposed to extend the property to the front comprising gable roof additions at ground and lower ground levels in addition to a flat roof extension at lower ground level. Additional windows would be added at ground and lower ground levels. In effect, the proposals would have the effect of creating a much larger and imposing dwelling. The development would include a new front porch, additional bedroom accommodation and storage.
5. Owing to the position, scale and appearance of the proposed extensions and alterations, I find that the proposal would depart significantly from the pleasing consistency of design and scale that is prevalent across the existing seven bungalows. Indeed, the main roof of the property would be broken as a result of the gabled roof extension, there would no longer be a general uniformity of size, number and position of window and door openings within the terrace of

bungalows, and the development would overall appear bulky and dominant to the front of the appeal property at odds with the existing flat roof garage which is subordinate in scale to the main dwelling. For these reasons, I find that the development would appear prominent and incongruous in the street-scene and would unacceptably harm the existing sense of design symmetry across the seven terraced bungalows.

6. For the above reasons, I therefore conclude that the proposal would cause significant harm to the character and appearance of Hawthorn Gardens. Therefore, it would not accord with the design, character and appearance requirements of policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, policy H18 of the Newcastle-under-Lyme Local Plan 2011 (adopted 2003) and Chapter 12 of the National Planning Policy Framework 2021. I agree with the appellant that the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD 2010, and particularly guidance R23, is not relevant to this appeal as it concerns areas which have '*historical significance*'. While there is no evidence of the site or area having historic significance, this does not obviate the need to achieve good design.

Other Matters

7. I acknowledge the appellant's desire to increase the floorspace of the property and that a porch would provide shelter during inclement weather. I also note that in terms of extending the dwelling, the site is to some extent constrained given topography. However, these are not considerations that carry sufficient weight to overcome the significant harm that would be caused to the character and appearance of the area.
8. The appellant has commented that if the proposal was replicated across the wider terrace of bungalows, it would '*provide for a positive modernising impact*'. The proposal is not for alterations and additions across the wider terrace of bungalows and there can be no certainty that other residents would want to extend their properties in a similar way. It is necessary that I determine this appeal on the basis of the site conditions that exist now and not based on what may hypothetically happen in the future.
9. The appellant has referred me to examples of other extensions to dwellings in the area such as at Swan Close and America Street. However, the latter areas and dwellings are not seen within the same immediate visual context as Hawthorn Gardens and, in any event, the alterations either relate to detached properties or are materially different to that proposed. I have therefore determined this appeal on its individual planning merits and the examples of other development does not alter or outweigh my conclusion on the main issue.

Conclusion

10. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR