
Appeal Decision

Site visit made on 14 April 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2022

Appeal Ref: APP/B3438/D/22/3292656

17 Southlands Close, Leek, ST13 8DF

- 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 Matthew Potts against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2021/0757, dated 15 November 2021, was refused by notice dated 10 February 2022.
 - The development proposed is the erection of a two-storey side extension and single-storey rear extension and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey side extension and single-storey rear extension and associated works at 17 Southlands Close, Leek, ST13 8DF in accordance with the terms of the application, Ref SMD/2021/0757, dated 15 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 2022-2680-01 and 1160-A100.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The application was amended through the submission of revised Drg No 2022-2680-01 to which I have had regard.

Main Issues

3. The main issues are the effect of the proposed two-storey side extension on the character and appearance of the area, and upon the living conditions at 17 and 19 North Street with specific regard to visual impact.

Reasons

Character and Appearance

4. The appeal property is a two-storey, gable-fronted, detached dwelling with an attached garage to one side. Together with No 19 it forms a pair of similar dwellings occupying a corner position at the terminal end of a residential cul-de-sac from where the appeal property is tucked away and out of sight. The wider area is a residential estate development comprising generally a mix of detached and semi-detached bungalows and two-storey houses of similar age and with a pepper-pot arrangement of repeat designs but with many altered through a variety of changes over time. The northern side boundary of the appeal site is common with the rear garden boundaries of bungalows at Nos 17-21 (odd) North Street, which are set on a lower level. To the east side of 17 North Street is an area of open green from where the side and rear elevation of the appeal property is open to view from the public domain.
5. The Council has no objection to the proposed single-storey rear extension which would span the full width of the existing building. I have no reason to disagree.
6. The two-storey side extension would effectively replace the attached garage as existing but with a first-floor above that would be slightly recessed behind the dwelling's front elevation. The side extension would have lower eaves compared with the existing dwelling with half-dormers to the front and rear.
7. The extension would be obviously sub-ordinate to the original building, which would remain clearly legible and dominant. At the same time, through the use of matching roof tiles and other complimentary materials, together with a hipped roof that would be pitched to match the slope of the existing, I do not agree with the Council's view that the addition would be either incongruous or visually unpleasing. The addition would be obviously domestic in scale and appearance and, in my assessment, it would integrate well with the existing building resulting in a remodelled dwelling that would sit comfortable in its setting. For these reasons, I am unable to identify any conflict with part 5 of the *Staffordshire Moorlands Design Guide 2018* where it deals with extensions. As such, I am satisfied that there would be no harm to the character or appearance of the area. There would therefore be no conflict with Policy DC1 of the Staffordshire Moorlands Local Plan 2020 (LP) insofar as it requires development to be well-designed and respectful of the site and its surroundings, or with the National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.

Living Conditions

8. The flank wall of the attached garage to the side of No 17 is set close to the plot's side boundary. The position of the existing dwelling straddles the boundary between Nos 17 and 19 North Street. I was able to view the appeal property from both of these neighbouring plots during my visit.
9. 17 Southlands Close is seen from the rear of both neighbouring plots as a two-storey dwelling at the foot of the gardens and on higher land. However, despite the levels differences and the single-storey scale of Nos 17 and 19 North Street, it did not strike me as having an especially overbearing presence.

In neither case is there a direct face-to-face relationship between the dwellings, and both neighbouring bungalows have outlooks in part that are unconstrained by the existing building. This would not change as a result of the proposed side extension.

10. The side extension would unquestionably bring the built form of No 17 at first-floor level closer to the appeal site's side boundary and rear garden boundaries to Nos 17 and 19 North Street. However, the addition would be residential in scale and appearance and, when seen in the rear outlook from these neighbouring properties, it would be against the backdrop of the existing two-storey scale and bulk of the existing dwelling. I accept that there would be some further modicum of enclosure to the outlook and rear setting of Nos 17 and 19, but I am not persuaded that the change would materially alter the existing arrangement to a degree that would harm the living conditions of these adjoining neighbours.
11. The distance between the principal rear facing windows on the properties at Nos 17 and 19 and the flank wall of the appeal property, at around 11m and 12m respectively according to figures stated by the Council, would fall below the 14m normally required by the Council's *Space About Dwellings Supplementary Planning Guidance*. Nevertheless, given the existing arrangement and the specific relationship between these buildings, I am unable to identify any harm to the neighbours' living conditions. There would therefore be no conflict with LP Policy DC1 where it requires development to protect residential amenity, or with the Framework as it seeks to create a high standard of amenity for existing and future users.

Conditions

12. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposal is finished with materials that would match the existing.

Conclusions

13. For the reasons given, I conclude that there would be no harm to the character or appearance of the area, or to the living conditions at 17 and 19 North Street. Accordingly, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR