

## Appeal Decision

Site visit made on 7 February 2023

**by K E Down MA(Oxon) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22<sup>nd</sup> February 2023**

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### **Appeal Ref: APP/B3438/D/22/3309844**

### **57 Churchill Road, Cheadle, Staffordshire, ST10 1DL**

- 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 M Jervis against the decision of Staffordshire Moorlands District Council.
  - The application Ref SMD/2022/0337, dated 17 June 2022, was refused by notice dated 28 September 2022.
  - The development proposed is a loft conversion and alterations to a roof over an existing single storey extension.
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### **Decision**

1. The appeal is allowed and planning permission is granted for a loft conversion and alterations to a roof over an existing single storey extension at 57 Churchill Road, Cheadle, Staffordshire, ST10 1DL in accordance with the terms of the application, Ref SMD/2022/0337, dated 17 June 2022, 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: 01174-01A, 01174-02, 01174-03F.
  - 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.

### **Main Issue**

2. There is one main issue which is the effect of the proposed loft conversion on the character and appearance of the host dwelling, its semi-detached pair and the street scene of Churchill Road.

### **Reasons**

3. The Council raises no objection to the proposed roof alterations over an existing single storey extension and I agree these would be acceptable. I
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shall therefore restrict my further consideration to the proposed loft conversion.

4. The appeal dwelling is a semi-detached house in a street of similar dwellings. There is a strong sense of uniformity in Churchill Road with the two storey, semi-detached dwellings being set on a regular building line and exhibiting similar design with, amongst other things, prominent hipped roofs.
5. The appeal proposal involves a hip to gable conversion of the roof, the insertion of a box dormer on the rear elevation and roof lights to the front. I agree with the Council that, in a street displaying considerable consistency of design and lack of change, the hip to gable conversion would stand out and its difference would detract from the uniformity of the street, including the symmetry with the semi-detached pair.
6. However, the appellant has been granted a Lawful Development Certificate (LDC) for an identical hip to gable conversion, a smaller box dormer on the rear elevation and rooflights to the front. This is a material consideration that carries significant weight because the LDC scheme would provide very similar bedroom accommodation in the loft space as the appeal scheme, the principal difference being the lack of space for an en-suite. I consider it highly likely that if the appeal was to be dismissed, the appellant would implement the LDC scheme which would have the same effect on the street scene as the appeal proposal in terms of the hip to gable conversion.
7. The larger rear dormer proposed in the appeal scheme would be the same height and depth as the LDC dormer but would be wider and would accommodate an en-suite, served by an obscure glazed window. It would be set down from the ridge, up from the eaves and in from the new gable end. It would give a more balanced appearance to the rear elevation than the narrower dormer. Due to the set-in, it would have little or no effect on the character or appearance of the street scene and although it would alter the appearance of the rear of the dwelling it would be of a scale and design that did not materially detract from it.
8. It is concluded on the main issue that the proposed loft conversion would have no greater effect on the character or appearance of the host dwelling, the semi-detached pair or the street scene of Churchill Road than the proposal set out in the LDC. In consequence, the conflict with Policy DC1 of the Staffordshire Moorlands Local Plan, 2020, which expects all development, amongst other things, to reinforce local distinctiveness by positively contributing to and complementing the special character of the area, would be outweighed by other material considerations.
9. Third parties in properties to the rear in Victory Close have raised concerns regarding overlooking, loss of privacy and loss of light. However, I agree with the Council that the distance of separation between the dwellings would be sufficient to avoid any loss of amenity to residents in Victory Close.
10. Turning to conditions, the Council suggests two conditions in addition to the statutory commencement condition. I agree that materials should match those used in the existing building and that the development should be

carried out in accordance with the approved plans in order to protect the character and appearance of the area and to provide certainty.

11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*KE Down*  
INSPECTOR