



---

# Appeal Decision

Site visit made on 28 March 2023

**by David Jones BSc (Hons) MPlan MRTPI**

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

**Decision date: 12 May 2023**

---

**Appeal Ref: APP/M3455/D/22/3311136**

**106 The Boulevard, Tunstall, Stoke-on-Trent ST6 6DW**

- 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 S Hussain against the decision of Stoke-on-Trent City Council.
  - The application Ref 67551, dated 10 February 2022, was refused by notice dated 24 August 2022.
  - The development proposed is a single storey and two storey side and rear extension and dormer roof extension.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The above description of development is taken from the decision notice and appeal form, as it more accurately describes the proposal than the description given on the application form.

## Main Issue

3. The main issue is the effect of the proposed development on the host dwelling, having particular regard to whether or not it would preserve or enhance the character or appearance of the Victoria Park Conservation Area.

## Reasons

4. The appeal property is a two-storey end of terrace dwelling with a two-storey rear outrigger located within the Victoria Park Conservation Area (CA). The CA is centred around Victoria Park along with its park gates and lodge, but also incorporates a mixture of semi-detached and terraced properties in the immediate vicinity of the park. These properties form a generally linear form of development along the roads surrounding the park and are predominantly constructed in red brick with tile roofs. They have also largely retained their original form and appearance. The lack of any significant alterations and the consistent use of these materials gives the CA a traditional appearance which contributes greatly to its importance as a designated heritage asset. The appeal property is a typical form of development within the CA and so contributes to its significance.
5. The appeal proposal would see the erection of a single storey side and rear extension built up to the site's boundary with King William Street, the erection of a first-floor extension above the single storey element of the existing rear

- outrigger, and a loft conversion comprising the erection of a box dormer window on the rear roof elevation.
6. Although the window would be similar in size to the existing bay window on the side elevation of the property, the proposed single storey extension would fail to relate to or harmonise with the existing building and would appear as an uncomfortable addition to the detriment of the character and appearance of the CA.
  7. Similarly, whilst its windows would be in proportion with those on the existing property, I find that the first-floor rear extension would result in the two-storey outrigger appearing overly dominant and not subservient to the host dwelling. Furthermore, the box dormer window which would extend across almost the full width of the rear roof slope would be a bulky and uncharacteristic addition to the property, which would appear as an incongruous feature within the street scene causing harm to the character and appearance of the CA.
  8. When taken together, the proposed development would add significant mass and bulk to the side and rear of the modest terraced dwelling. Although elements of the proposal would be set back from the site's boundary, I find that by virtue of its scale, form, and massing the proposed development would be overly prominent within the street scene. This prominence would be further exacerbated by the site's corner plot location at the junction of The Boulevard and King William Street.
  9. Whilst I acknowledge the presence of a small number of dormer windows at other properties in the vicinity of the appeal site, including on Queens Avenue, these are generally much smaller and/or less prominent than the dormer window proposed as part of the appeal scheme. As such they do not weigh in support of the appeal scheme or justify the harm I have identified that would be caused to the character and appearance of the CA.
  10. Consequently, I find that the proposed development would fail to preserve or enhance the character or appearance of the CA. Whilst this harm would be less than substantial, paragraph 202 of the National Planning Policy Framework (the Framework) requires this harm to be weighed against the public benefits of the proposal. The only benefit described by the appellant is a private benefit taking the form of additional bedroom space and improving the internal layout of the property. The lack of public benefit to outweigh the less than substantial harm I have identified results in the appeal proposal conflicting with paragraph 202 of the Framework.
  11. I therefore conclude that the proposed development would fail to preserve or enhance the character or appearance of the CA. As a result, the development would be contrary to Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted October 2009) and guidance contained within section 16 of the Framework. These collectively seek to ensure that developments are well designed and respect the character, identity and context of built heritage and the historic environment, and that due regard is given to the importance of preserving or enhancing designated heritage assets.

## **Other Matters**

12. Although not referred to in the Council's reasons for refusal, the Planning Officer's delegated report also raises concerns regarding the amount of outdoor amenity space that would remain after the proposed development and its impact on the living conditions of future occupiers. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.

## **Conclusion**

13. The appeal proposal would conflict with the development plan and there are no other considerations to lead me to determine this appeal other than in accordance with it. Accordingly, for the reasons set out above, the appeal fails.

*David Jones*

INSPECTOR