



Appeal Decision

Site visit made on 1 August 2023

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 September 2023

Appeal Ref: APP/Y3425/W/22/3313610

**Wolseley House, Orchard Lane, Wolseley Bridge, Stafford, Staffordshire
ST17 0XR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr A. Baker against Stafford Borough Council.
 - The application Ref 22/35600/HOU, is dated 9 February 2022.
 - The development proposed is described as "form two storey and single storey extensions and elevations alterations to existing dwelling."
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Decision

1. The appeal is allowed and planning permission is granted for 'form two storey and single storey extensions and elevations alterations to existing dwelling' at Wolseley House, Orchard Lane, Wolseley Bridge, Stafford, Staffordshire, ST17 0XR in accordance with the terms of the application, Ref 22/35600/HOU, dated 9 February 2022, subject to the schedule of conditions attached.

Preliminary Matters

2. The appeal follows the Council's failure to determine the application Ref 22/35600/HOU within the prescribed period. However, the Council has indicated in its statement, that had it been in a position to determine the application, it would have refused planning permission. The substance of the Council's statement has informed the main issues of the appeal.

Main Issues

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal site is a large, detached dwelling located on Orchard Lane. The property is set back from the road on a wide plot with a large rear garden. The site is accessed by a long private driveway off Orchard Lane. Orchard Lane is characterised by substantially sized detached dwellings of varying styles, which are generally set back from the road on spacious plots.
5. Permission is sought for a two-storey side extension and a single storey side extension to the existing dwelling. The proposed extension would link the main house to the existing detached garage.
6. The appeal site is located within the rural settlement of Wolseley Bridge. It does not fall within a Key Service Village as defined within the Sustainable

Settlement Hierarchy of The Plan for Stafford Borough 2011-2031 (TPSB) (2014) and consequently, is within the open countryside.

7. Part C of Policy C5 of the TPSB is referred to in the Council's statement. Policy C5 states that in areas outside of the Sustainable Settlement Hierarchy the extension or alteration of an existing building should not result in additions of more than 70% to the dwelling as originally built, unless the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and the surrounding area. In this case, the main parties are in agreement that the proposed development would exceed the 70% figure, to which I agree. Therefore, it is necessary to consider whether the resulting building would be proportionate to the existing dwelling and its surroundings.
8. While the proposed extension would increase the bulk and mass of the host dwelling, it would be set back from the frontage with lower eaves and ridge line. The proposal's two-storey gable element would be narrower and set back compared to the central gable on the host dwelling's front elevation, making it appear less prominent. It would also appear proportionate to the existing rear gables. These features would provide a clear distinction and visual break between the host dwelling and the proposed extension, resulting in the development being seen as subordinate. The use of matching construction materials and fenestration design would contribute to the development being seen as a natural extension to the host dwelling rather than an incongruous new feature.
9. The proposed link to the existing garage building would be discrete due to the proximity of the existing garage and its positioning forward of the proposed extension. As the existing garage is already present, it would not create additional floorspace or bulk to the main dwelling and would remain subordinate. Views of the proposed extension would also be partially screened by the existing garage building.
10. The visual impact of the proposed extension on the wider area would be limited due to the host dwelling's considerable distance from the road and the mature trees and vegetation round the site that provide significant screening. Although public views of the rear of the proposal would be possible, these would be distant views across countryside. The appeal site is also large enough to accommodate the appeal proposal without causing any significant impact on the rural appearance of the area.
11. Consequently, the proposal is not a dominant, disproportionate addition that is out of keeping with the host dwelling or out of character with the surrounding area. Rather, its design reflects the character and appearance of the host dwelling and would integrate positively to the surrounding area's identity in terms of scale, volume, mass, and materials.
12. Permission has already been granted at the appeal site for single storey side extensions under application references 17/26754/HOU and 19/30879/HOU. Construction work for planning permission ref 19/30879/HOU has already commenced on site, which I observed during my site visit. Therefore, this other permission represents a realistic fallback for the appellant.
13. Whilst the proposal would be larger than the previous planning permission (ref: 19/30879/HOU), the appellant indicates that there would only be a small

increase in floor area. Based on the evidence before me, I find the proposal would not be significantly larger than the 2019 scheme. Though there would be an increase in height, the set back and positioning of the appeal proposal, combined with the additional two-storey gable feature, would create visual balance and rhythm when viewed from the site's main entrance. In my judgement, this would improve the visual harmony of the front elevation compared to the 2019 scheme, which did not include the additional two-storey gable feature.

14. Although the planning permission for ref 17/26754/HOU has expired, the submitted plans indicate that the appeal proposal would be significantly smaller. Even if I were to agree with the Council's floorspace figures, there would still be a decrease compared to the expired planning permission. Furthermore, unlike the 2017 scheme, the proposal would not alter the existing front or rear elevation of the host dwelling.
15. Therefore, whilst representing a notable increase in the size of the existing dwelling, the proposed extension would not cause an adverse impact on the character and appearance of the host dwelling or its surroundings over and above the already approved extensions.
16. For the reasons given, the proposal would not be harmful to the character and appearance of the host dwelling and the surrounding area. Consequently, it would accord with Policy C5 of the TPSB, which, amongst other things, seeks to ensure extensions do not have an adverse impact on the character of properties or their surroundings. In addition, the proposal would adhere with the National Planning Policy Framework (Framework) (para 130), which emphasises the importance of securing good design and states that development should respond to local character and add to the overall qualities of the area.

Other Matters

17. The appellant refers to potential fallback options in the shape of development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). However, there is limited information within the evidence regarding the detail of such permitted development. Whether it would be likely and indeed whether it would be more or less harmful than the appeal scheme. I therefore give limited weight to the potential permitted development fallback.

Conditions

18. In addition to the standard time limit, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty. To ensure the satisfactory appearance of the development, a condition is attached to require that the external materials match those of the existing building.
19. I have given consideration to the Council's suggested condition relating to the removal of permitted development rights for extensions. However, no clear justification to restrict these rights has been presented to me. Moreover, I have not been made aware that such restrictions apply to other properties nearby. It would therefore be unnecessary and inequitable to restrict permitted

development rights in relation to this development. Therefore, I have not imposed the suggested condition.

Conclusion

20. For the reasons given, having considered the development plan as a whole, the approach in the Framework, and taken account of all other material considerations, the appeal should be allowed.

H Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans:

Location Plan – 470-LP1, dated Feb 2022

Block Plan – Drawing No: 470-SP1 Revision A, dated: Feb 2022

Existing House Floor Plans – Drawing No: 470-101, dated: Feb 2022

Existing Elevations – Drawing No: 470-102, dated: Feb 2022

Existing Detached Garage – Drawing No: 470-103, dated: Feb 2022

Proposed Ground Floor Plan – Drawing No: 470-104, dated Feb 2022

Proposed First Floor Plan & Roof Scape – Drawing No: 470-105 Revision A, dated: Feb 2022

Proposed Front & Rear Elevations – Drawing No: 470-106, dated: Feb 2022

Proposed Side Elevations – Drawing No: 470-107, dated: Feb 2022

Proposed Sections – Drawing No: 470-108, dated: Feb 2022

- 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.

****End of Conditions****