



Appeal Decision

Site visit made on 5 September 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2023.

Appeal Ref: APP/M3455/D/23/3325527

2 Woburn Close, Trentham, Stoke on Trent, ST4 8TA

- 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 & Mrs A Clayton against the decision of Stoke on Trent City Council.
- The application Ref 68944 dated 6 March 2023, was refused by notice dated 12 June 2023.
- The development proposed is front porch, single storey side and rear extensions along with raised patio area to the rear garden.

Decision

1. The appeal is allowed, and planning permission is granted for front porch, single storey side and rear extensions along with raised patio area to the rear garden at 2 Woburn Close, Trentham, Stoke on Trent, ST4 8TA in accordance with the terms of the application ref 68944 dated 6 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, block plan proposed elevations and plans within combined drawing ref: 1767-AL06C;
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The refusal reason generically references the Framework however, it is not considered that this impacts upon the determination of this appeal given the main changes to the Framework

Main Issue

4. The main issue is the impact of the proposal upon the character of the dwelling and visual amenity of the area.

Reasons

5. The appeal site is a two-storey, detached, residential dwelling located within a residential area that stands at the entrance to Woburn Close. The side elevation, along which the side extension would be constructed, faces onto Oldacres Road. I note from the submissions (and the appellant's appendix A) that the appeal site benefits from planning permission under reference 68398/FUL for a similar, smaller, development (the previous permission). As a comparison, the proposal before me would be 0.2 metres taller in height with a width which would be around 0.67 metres wider than the previous permission. Other than this, the proposal would remain unchanged in all other respects.
6. The changes between the proposal before me and the existing permissions are, as the Council acknowledges, minor changes. Whilst the Council contend that the proposal would be the same width as the host dwelling itself, I find, looking at the plans, that this is not the case, and that the proposal would be narrower than the host dwelling itself as well as being single storey and generally subservient in all other respects compared to the host dwelling itself.
7. I do not find that the changes proposed between the two schemes would result in the massing and scale of the side extension appearing significantly larger, nor do I find it would result in an infringement on an open grass verge to the side of the dwelling. I do not find that the property is enclosed by a grass verge as this implies something which is part of the wider public space or highway but rather, in this case, the appeal site is enclosed by garden which, at the time of my site visit, I noted was denoted by an established Laurel hedgerow and where existing built form is more limited. At time of my site visit, I found that the enclosure of site frontages by landscaping and planting is a notable characteristic as is visible for several properties which can be seen from the appeal site itself.
8. The appellant draws my attention to two additional sites. Whilst each case must be considered on its merits, I find these two examples to be of relevance as they are contributing to extensions, such as that within the proposal before me, being characteristic of the area. In the case of 1 Barnsdale Close, this is visible within the same general views as the appeal site, and permission was granted (59249/FUL) for a single storey side extension which extends to the side of Oldacres Road in a similar manner to the appeal proposal before me. The appellant has provided, within their submissions, copies of the approved plans and delegated report which demonstrate that the extension, which was allowed, extends into the side garden of that property leaving a gap of around (just over) 2 metres between the extension and the back of the footway to Oldacres Road. This extension, noted during my site visit, is arguably in a more prominent location due to a relatively elevated position in relation to the street scene and highway.
9. 2 Meerbrook Close is over 100 metres away from the appeal site, however, views are available of this extension when stood on the opposite side of Woburn Close to the appeal site itself. The appellant has submitted copies of the plans approved under reference 66613/FUL as well as the accompanying delegated report. From these documents I can see that an extension was allowed which left a space of around 2 metres between the extension itself and the back of the footway to Oldacres Road. The appeal proposal, by comparison, would leave a larger gap between the edge of the extension and

the back of the footway than the examples outlined above. In addition, it would appear, visually, lower and more subservient as a feature within the street scene due to the site levels and the presence of the Laurel hedgerow around the edge of the appeal site at the back of the footway itself.

10. Any views of the proposal would be against dwellings behind and within the context of the surrounding built form and, for the reasons previously outlined, the proposal would be subservient to the host dwelling itself. Contrary to the Council's statement, I find there are two examples, both visible from the appeal site itself, where similar encroachment into spaces to the side of dwellings have been allowed and that they are characteristic of general built form in the vicinity of the appeal site.
11. Overall, for the reasons outlined, I do not find that the proposal could be said to have a harmful impact on the visual amenity of the locality which would warrant refusal. The Council state that there are no significant concerns in relation to the design of the front porch and, based upon the plans before me, and my site visit, I have no evidence to conclude differently on this particular element. I do not find that the proposal would result in an extension which would be visually obtrusive or detract adversely from the character of the dwelling, nor would it be detrimental to the visual amenity of the area due to the open position of the site. The proposal is, ultimately, a subservient addition which would leave in excess of two and a half metres to the side of the appeal site between the extension itself and the back of the footway and would not realistically be perceived as notably larger than the fallback position of the existing permission.
12. The proposal would be consistent with Urban Design Guidance Supplementary Planning Document 2010 Policy R3, which requires that extensions to dwellings should be well designed and contribute positively to townscape character and clearly be subservient to the original building. The proposal would also be consistent with commentary within the National Design Guide 2019, which requires that development should be well designed and respond positively to the features of the site itself and the surrounding context beyond the site boundary. This includes the existing built development including layout, form, scale, appearance, details, and materials.
13. The proposal would also be consistent with Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2009 Policy CPS1 which requires that new development should be well designed to respect the character and identity of the townscape as well as being accessible to all users. The proposal would be consistent with paragraph 130 of the Framework, which seeks to ensure that developments are sympathetic to local character, including the built environment, whilst not preventing or discouraging appropriate innovation or change as well as creating places that are safe, inclusive, and accessible which promote health and wellbeing with a high standard of amenity for future and existing users.

Other Matters

14. I note the supporting letter, provided in appendix F, of the appellant's statement as well as commentary surrounding the need for an extension larger than the existing permission. Despite this, for the reasons I have outlined, I find that the proposal is acceptable on its own merits and in that regard, I do

not find that personal or special circumstances need to be taken into account as part of the consideration of this appeal on this occasion.

Conditions

15. As part of their questionnaire the Council have suggested three conditions. A time condition is attached to comply with section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent. A condition relating to matching materials is required to ensure the proposal is appropriately finished.

Conclusion

16. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR