



Appeal Decision

Site visit made on 30 November 2023

by A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2024

Appeal Ref: APP/Y3425/D/23/3326883

18 St Ives Close Stafford ST17 0HD

- 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 Keith Baskett against the decision of Stafford Borough Council.
 - The application Ref: 23/37454/HOU dated 28 April 2023 was refused by notice dated 26 June 2023.
 - The development proposed is a rear single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a rear single storey extension at 18 St Ives Close Stafford ST17 0HD in accordance with the terms of the application Ref: 23/37454/HOU dated 28 April 2023 and the plans submitted with it, subject to the following 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 following approved plan: C119:100.
 - 3) The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

Preliminary Matter

2. Although not explicit in the refusal reasons, the Council refer in their appeal statement to the impact which would arise by the obscuring of two small windows in the flank wall of the adjoining dwelling, No.20, which are capable of opening onto the appeal site. I have nothing before me to explain how this unusual configuration came about, however, the appellant has observed that a 2.0m high fence erected against the boundary would have a similar effect to what is proposed. It is not before me to determine any legal rights that might be affected by the grant of planning permission but it is correct to observe that this issue cannot contribute to my reasoning on the matter to be determined since a refusal on such grounds could be seen to prejudice the appellant's right to privacy; on that basis I consider the main issues to be:

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of 18 St Ives Close and of the area.

Reasons

4. The proposal intends a flat-roofed single storey extension to part of the rear elevation of 18 St Ives Close (No.18) which is a semi-detached, two-storey property in a short residential cul-de-sac of similar properties. No.18 abuts, in part, the adjacent detached house, No.20 (No.20), and the proposed extension would increase the depth of that adjacency such that two small windows in its flank wall would be covered by what is proposed.
5. The proposal would be a modest addition at the rear of a dwelling of ubiquitous mid-twentieth century design. The Council appear to be concerned that the proposal uses differing materials and lacks a pitched roof such that this would affect the character and appearance of the dwelling and, in consequence, of the area. My observations direct that the proposal would not be apparent in the street scene, and although there is a general consistency in the frontal appearance of dwellings in St. Ives Close, such consistency exists notwithstanding that many other dwellings nearby have been extended at the rear. Whether or not such changes arose under the provisions of the Planning (General Permitted Development) (England) Order 2015 (The GPDO), these additions (which in many cases include conservatory structures using non-original materials such as UPVC) have not affected the character and appearance of the street in the way the Council suggest would be the case with the proposal.
6. Whilst the materials suggested in the appellant statement and flat-roofed design proposed would not be consistent with those found in the original building, the pursuit of high quality design is not signified by mundane repetition. Despite its modest size, the design of the proposal indicates a high degree of care and expertise in its execution. Even if the proposal were of lesser visual quality it would have very limited impact outwith the property curtilage and, on that basis, I cannot identify any planning harm would arise from any aspect of the proposal.
7. I therefore conclude there would be no conflict with policy N1 of The Plan for Stafford Borough 2014 (PSB) which seeks the enhancement of design quality, nor, therefore, with the development plan as a whole. Consequently having considered all matters raised and for the reasons given, the appeal succeeds subject to the usual plans and timing conditions. I consider, given the flat-roofed design and proximity to other dwellings, that it would be necessary to prevent access thereto other than for purposes of maintenance and repair to protect the privacy of neighbouring users. I have also considered conditions suggested by the Council but, as my reasoning indicates, a materials condition would not be necessary and relevant in this instance.

Andrew Boughton

INSPECTOR