



Appeal Decision

Site visit made on 9 May 2025

by **A.Graham BA(hons) MAued IHBC**

an Inspector appointed by the Secretary of State

Decision date: 30 July 2025

Appeal Ref: APP/B3410/D/24/3358208

31 Longmead Road, Burton Upon Trent, Staffordshire SE13 0TQ

- 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 Khaliqdad Karimi against the decision of East Staffordshire Borough Council.
 - The application Ref is P/2024/00382.
 - The application is for erection of single storey front extension, part two storey and single storey side extension, first floor rear extension and extension to existing rear dormer extension including roof alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal upon the character and appearance of the area and upon the health and longevity of nearby trees.

Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 (updated 7 February 2025) whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.

Reasons

4. The appeal property is an end terrace house within a row of three similar likely ex local authority houses. The row is built of a red orange brick laid in Flemish bond with red pantile roofing. The terrace is located to the end of Longmead Road which turns into a cul de sac near the site with a footpath extending from around the side of the appeal plot toward the main Horninglow Road.
5. Due to the orientation and layout of houses here the appeal site occupies a corner plot which is more generous than some nearby albeit with the front and side garden being slightly larger than the more triangular plot of the rear. To the side of the site, outside of the property boundary there are two trees. These have been identified as Category C trees within the submitted tree survey.

6. The existing plans show the house to have already been extended both to the roof and the side. These presumably relate to previously consented scheme¹, however, on my site visit I saw no such extensions were extant and the house was much as it would have been originally.
7. The proposals before me seeks permission for alterations to what is, despite the other approved schemes as shown on the existing plans, currently therefore quite a modest house. Although there is undoubtably scope for some form of extension, as has already been agreed, the proposals before me would extend the property further to include an extension to the side of around 5.2m in width by 11m in depth. Moreover, a larger, flat roof dormer would be introduced to the roof space that would be faced in composite cladding material.
8. In assessing this appeal, I am aware of the Council's Supplementary Planning Document in the form of the East Staffordshire Design Guide (SPD) which reflects the Framework in its emphasis upon the importance of good design and supports the need for new development to be contextual and sensitive to their surroundings. These aspirations are reflected in the East Staffordshire Local Plan Policies DP1 and DP3.
9. The scheme would quite considerably extend this house and would effectively extend the terrace further along this part of the streetscene, effectively creating a row that could conceivably contain four houses. This would be reinforced through the lack of a set down or set back to the front extension which would create a uniform appearance which would be contrary to the SPD. However, it would be the larger mass, scale and design of the rest of the scheme that I find would bring this scheme into conflict with the above policies and the Framework.
10. For instance, the proposed footprint and overall extent of development would appear out of scale to the surroundings, and this would be compounded through the poor design details such as the overly large flat roof dormer to the rear and the minimal active frontage to the side elevation. These elements all fail to respond to the context of the area or the particular attributes of this site.
11. Although the rear dormer would not be readily visible from nearby streets, I consider that it could be glimpsed and it would, moreover, present what would appear as a three storey flat roof edifice when seen from the gardens of neighbours to the rear. On approach along the footpath from Horninglow Road, the building would remove what space there currently is to the side of the property and fill it with a large mass of development that would be largely blank which would make the footpath feel less safe than it already does. Ultimately, this scheme represents a poor design response that would be insensitive to its context and would dominate the streetscene and surroundings.
12. The trees adjoining this site are located within a strip of land that is under separate ownership. According to the tree survey the trees have an expected likely lifespan of between 20 and 40 years. I consider that they echo the emphasis on landscape that was derived from the Garden City philosophies that led to the creation of estates such as this. They therefore form an attractive backdrop to both the appeal site and the wider estate as a whole and as such I consider these trees to have high value in terms of visual amenity and their contribution to the streetscene.

¹ Certificate of Lawfulness approved 17.01.2024 under reference P/2023/01074 for erection of single storey side and rear extensions and loft conversion including rear dormer extension and hip to gable enlargement.

13. Even though the trees are not formerly protected with a Tree Preservation Order (TPO), and this may be due to a plethora of reasons, this does not diminish their high amenity value. The trees are therefore important for the character of the area and the retention of such landscape features is important.
14. In this case the trees have a significant life span ahead of them and, although the tree survey identifies the potential for little harm, I consider that the scheme would place the trees under increasing pressure both through the proximity of the extensions and the perceived obscuring of light to the dwelling that the trees would create when added to the mass of the proposed extensions. This in turn would have the strong potential for the trees to be pressured and removed prematurely which would be highly regrettable.
15. Ultimately, the proposal before me would not contribute in a positive manner to the character and appearance of the area and it would place further pressure upon the existing trees adjacent to the site. As such this proposal would be contrary to Policies DP1, DP3 and DP8 of the East Staffordshire Local Plan as well as the emphasis upon good design placed upon the scheme by the East Staffordshire Design Guide and the Framework itself. As such this appeal must fail.

Other Matters

16. The Appellant has directed my attention to several other examples of extensions within the local area that they feel are relevant to the case before me. Although some extensions have been implemented nearby, I do not have the precise reasons before me as to why they were approved or what reasons led to such consent. Nor do I consider that these examples bear such similarity with this proposal so as to oblige me to give them sufficient weight to lead to a different conclusion.

Conclusion

17. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR