

1. INTRODUCTION & BACKGROUND

- 1.1. The application is refused on the grounds that it causes “less than significant harm” to the Oakamoor Conservation Area. The appellant contends that this is not the case for the reasons set out in this Statement.
- 1.2. The documents submitted with the planning application were the householder application form; a Design, Access, and Heritage Statement; a location/site plan; and two drawings showing the existing and proposed details. Details of the proposed development and the impact on the Conservation Area are set out in the Design, Access, and Heritage Statement.

2. PLANNING CONTEXT

- 2.1. The Development Plan consists of the Staffordshire Moorlands Local Plan (2020). Other relevant planning documents are: -
 - The Oakamoor Conservation Area Appraisal.
 - Article 4 Direction.
- 2.2. The appeal building is on a terrace of eight houses; none of which are listed. It is not on the Council's list of local historic assets which only contains 2 properties.
- 2.3. The house is located in the Oakamoor Conservation Area and the Local Plan policies relating to design and the historic environment are cited in the reason for refusal. Also pertinent is policy SD 5 (Flood Risk) because of the site's location in Flood Risk Zone 3.
- 2.4. Staffordshire County Council's Flood Risk Management Team was consulted on the application. It advised consultation with the Environment Agency and provided the standing advice form for “Householder and Minor Extensions in or near to Surface Water Flow Routes” which is to be completed by the applicant. The appellant submitted the completed form stating that the proposed extension floor level would be 100 millimetres higher than the existing yard and utility room levels. Staffordshire Moorlands Council in reaching its decision relied on the standing advice and did not consult the Environment Agency.
- 2.5. The Council's Senior Conservation Officer was consulted. The issues highlighted by the Conservation Officer are discussed in more detail in section 3 of this Statement - The Appellants' Case.
- 2.6. Consultation responses were also received from Severn Trent Water which had no objection; from the neighbour at no.10, The Square objecting on the grounds that the proposal would block the view from, and light to, her kitchen window; and from the Parish Council which recommended approval.
- 2.7. The case officer in the delegated report identified two main issues: - the impact on the character and appearance of a Conservation Area and the impact on residential amenity. The officer did not consider that the proposal would harm residential amenity but did consider that it would harm the Conservation Area. During its consideration of the application, the Council suggested that an extension could be formed by retaining the wall at the current height and having a steeper lean-to roof to reduce the harm. Whilst the appellant declined

the suggestion it indicates that the Council accepts the principle of an extension. The reasons why the appellant did not agree to this suggested revised design are explained later in this Statement.

3. THE APPELLANT'S CASE

- 3.1. The appellant contends that the proposal would not cause "less than significant harm" to the conservation area for reasons set out below.

Harm to the conservation area

- 3.2. The Conservation Officer's response recognises, in the second paragraph, that character of the conservation area has been eroded by incremental changes and the objection to the proposal appears to be an attempt to prevent further change. The scale and nature of the incremental change can be seen in the adjoining photographs Photos 1 and 2. As can be seen, there is a mixture of building designs and roof types up at the rear of both terraces. The extensions and outbuildings include lean-tos, pitched roofs, and flat roofs. Photograph 1 was taken from a position on the road just to the South West help the entrance to the back alley. Photograph 2 is taken from the northwestern end of the back alley. See the map in Appendix 4.



Photo 1 – View of the rear of No's 10-17 The Square



Photo 2 – View of the rear of No's 2-9 The Square

- 3.3. The existing appeal utility room is at the forefront of the adjoining photograph. The sidewall of the kitchen of No.10 The Square is on the left side of the picture. A sewer runs down the back alley between the two terraces. This sewer backs up at times when the river floods; occasionally flooding the appellant's backyard.
- 3.4. The finished floor level of the proposed extension would be 100 millimetres higher than the present yard and utility room floor levels; it would be level with the existing main house and kitchen floors. The increase in floor levels would also lessen the chance of flooding.
- 3.5. During the discussions about revising the proposed design, the Council insisted that the eaves level should be no higher than the height of the existing rear yard wall. The Council in an email dated 13th September 2021 requested that "the scheme would need to be amended to maintain the line and height of the wall for the coping to be visible and instead to try a steeper pitch rather than raising the wall". This email was one of a series dating from the 13th to the 27th of September 2021. It and the other emails mentioned in the next two paragraphs

are contained in Appendix 1. They are included here because they are not on the Council's public applications website and might not be sent.

- 3.6. The agent replied on the 14th of September 2021 attaching a drawing (see Appendix 2) that shows the suggestion is impractical because the yard wall is too low. The internal head height at the rear wall would be 1.235 metres.
- 3.7. The Senior Conservation Officer responded on the 17th September 2021 that as no alternative was proffered the application should be refused. The appellant then concluded an email that there was no way forward and asked that the application be allowed to proceed as submitted.
- 3.8. The Council's central concern is that the proposal would further erode the distinctive uniform character of the terraces and harm the character of the Conservation Area. The appellants contend that this would not be the case. Whilst the proposal is of a different design there is a mixture of different rear buildings which include at least one existing lean-to. Many of these buildings are not built of matching materials. In contrast, the proposed extension would be built in matching brick and roofing material as similar as possible to the clay tiles on the main house. The appellant would be willing to put a double course of blue engineering bricks in the rear and side elevation walls at the height of the existing coping on the rear yard to "represent/reflect" the coping.
- 3.9. Plain clay "Staffordshire Blue" roof tiles require a steeper gradient than that possible on the lean-to. The presence of the upstairs window cills prevents any increase in the roof gradient. The proposed roof tiles (*Sandtoft-Flat-Interlocking-20-20-Antique-Slate*) although not an exact match to Staffordshire Blues are similar in appearance and would harmonise well with the existing tiles. Appendix 3 contains a photograph of the tile.
- 3.10. The Oakamoor Parish Council recommended approval of the application. This is a stronger comment than a "no objection" response. The housing secretary Michael Gove told the House of Commons on 25th October 2021 that he "welcomed" the idea of maintaining residents' ability to comment on and influence individual planning applications. Whilst this is not confirmed in policy this increased emphasis on taking account of local communities' views is relevant here. The parish councillors live in the village and it is contended that the Parish Council's view is a material consideration.

4. CONCLUSION

4.1. The appellant contends that: -

- The Council's suggested alternative design is impractical and not viable.
- The proposed design is the best option for extending the kitchen and integrating the utility room.
- The Council's requirement that the yard should not be developed effectively prevents any extension to the kitchen.
- Rather than harming the character of the Conservation Area, the proposal would remove the existing out-of-scale and unattractive lean-to replacing it with a better-designed building and more appropriate roofing. It would enhance the appearance of

No.9 The Square and would be in context with the character and appearance of the nearby houses and the village.

- The proposed roof tiles would harmonise with and not harm the character of the two terraces and the Conservation Area.
 - The Parish Council's recommendation that the proposal should be approved is a material consideration.
 - Although the proposed roof at No.9 would hide a large part of the outbuilding roof at No. 8 not all of it would be hidden; sufficient details of the buildings beyond the appeal site would still be visible and not obscured.
-

5. CONDITIONS

5.1. If the appeal is allowed the following conditions would be acceptable to the appellant: -

- A double course of blue engineering bricks to be built into the rear and side elevation walls at the height of the coping on the existing rear yard wall.
- Details of the bricks to be used in the construction of the external walls are to be submitted to and approved by the local planning authority.
- The Sandtoft-Flat-Interlocking-20-20-Antique-Slate to be used to tile the roof.

APPENDIX 1 – emails from the 13th to the 27th of September 2021

06/12/2021, 13:32

Gmail - Re: FW: 9 The Square Oakamoor



Nigel Forrester <nigeljforrester@gmail.com>

Re: FW: 9 The Square Oakamoor

1 message

Nigel Forrester <nigeljforrester@gmail.com>

27 September 2021 at 09:03

To: "Johnston, Christopher" <Christopher.Johnston@staffsmoorlands.gov.uk>

Hello Chris

Thank you for your email

My client wishes to pursue the proposal as it currently stands, simple because the alternatives are not viable. He has photographed just about every other property in the square and they have all been altered in some similar fashion.

On behalf of the applicant, I agree to a Time Extension to Friday 1st October as requested.

Regards

Nigel

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On Thu, 23 Sept 2021 at 12:08, Johnston, Christopher <Christopher.Johnston@staffsmoorlands.gov.uk> wrote:

Afternoon Nigel

Please see comments from the Conservation Officer below. Unfortunately it appears any alteration to that back wall would harm the Conservation Area and therefore the application would be recommended for refusal. I would be grateful if you could inform me how you wish the application to proceed i.e. accept a refusal for the application or seek amendments which retain the back wall? Would you agree to a Time Extension to Friday 1st October to allow enough time to consider further/discuss with your client?

Regards

Chris

From: Bayliss, Gillian <Gillian.Bayliss@staffsmoorlands.gov.uk>

Sent: 17 September 2021 13:47

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06/12/2021, 13:32

Gmail - Re: FW: 9 The Square Oakamoor

To: Johnston, Christopher <Christopher.Johnston@StaffsMoorlands.gov.uk>
Subject: RE: 9 The Square Oakamoor

Hi Chris,

Well, if there is no suggestion of a possible alternative scheme taking into account the comments that I have made then I can only recommend that the application is refused.

The raising of the height of the lean-to and extending it to cover the whole of the rear yard is harmful to the building's historic legibility and its historic character, as well as representing a structure which will jar with the scale and rhythm of other walls and outbuildings fronting the passage. The tile specified is also not a traditional clay tile. It will be harmful to the historic detailing of this terrace of workers' cottages which are a key component of the character and appearance of the Conservation Area (as outlined in the adopted character appraisal).

Gill Bayliss MA (Arch Con), MA (Env Planning) IHBC RTP1

Senior Conservation Officer

Staffordshire Moorlands District Council & High Peak Borough Council

From: Johnston, Christopher <Christopher.Johnston@StaffsMoorlands.gov.uk>
Sent: 15 September 2021 10:55
To: Bayliss, Gillian <Gillian.Bayliss@staffsmoorlands.gov.uk>
Subject: FW: 9 The Square Oakamoor

Hi Gill

Your comments please

Thanks

Chris

From: Nigel Forrester <nigeljforrester@gmail.com>
Sent: 14 September 2021 17:44
To: Johnston, Christopher <Christopher.Johnston@StaffsMoorlands.gov.uk>
Cc: Tony Loynes <tony@loynes01.co.uk>
Subject: Re: 9 The Square Oakamoor

Hello Chris

Thank you for your email.

With regards to the Conservation Officers suggestion:

In terms of a solution, the officer has suggested that the scheme would need to be amended to maintain the line and height of the wall and for the coping to be visible and to instead try a steeper pitch rather than raising the wall.

I am attaching the previously included section through the extension on which I have superimposed the suggestion. As you will see, this is not a way forward as the height of the wall is far too low for this to be practical.

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06/12/2021, 13:32

Gmail - Re: FW: 9 The Square Oakamoor

Regards

Nigel

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On Mon, 13 Sept 2021 at 17:10, Johnston, Christopher <Christopher.Johnston@staffs Moorlands.gov.uk> wrote:

Dear Mr Forrester

SMD/2021/0359: Single-storey rear extension

Firstly I apologise for the delay in determining the application.

Unfortunately the Conservation Officer has had concerns with the proposal due to the impact on the Conservation Area. Her comments are as follows:

The property is situated at the end of a terrace fronting onto the River Churnet. It is part of the three earliest terraces of mill-workers housing shown on the Farley Township map dated 1844. They were built by Thomas Patten as a planned area of housing for workers at the wire mill and brass works between 1793 and 1810, prior to the construction of the canal. The terraces had uniform, characterful detailing, built in the Picturesque style. The character appraisal notes that each property had long front gardens with outhouse and privy with good surviving details at Nos. 1, 5 & 7. The appraisal notes that there has been some alterations and rebuilding which has obscured some original features.

The distinctive character of the uniform terraces has been eroded by incremental changes such as changes to windows and doors, loss of boundary walls and outbuildings. Loss of historic detailing across the whole Conservation Area was highlighted in the character appraisal and resulted in the serving of an Article 4 Direction. It notes that the uniform and repeated architectural details and rhythm of terraces and frontages is easily spoilt by ad-hoc alteration. The character of the worker's terraced housing is particularly under threat.

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Proposal

The application relates to the rear yard of No.9 The Square (at the north-western end and one of the largest). This fronts a pedestrian passageway running across all of the terrace and significant features include the repetition of brick walls with stone copings and brick and tile outbuildings at right-angles to the terraces. This detailing has clearly been uniform in the past but some alteration has occurred, including the loss of some pitched roofs to the outbuildings (although the retention of the lower sections has retained the uniformity of this rhythmical detail) and some loss of yard walls with stone coping. However, despite these piecemeal alterations sufficient detailing survives to understand and appreciate this estate building terrace which contributes to the character of the terrace and views within the area. Evidence of greater harm to outbuildings and rear yards can be seen at 10-17 The Square.

The rear yard of No.9 has already been impacted with a low brick lean-to with corrugated roof resting on the boundary wall and replacing earlier historic detailing (which the brick outline suggests may have been a lower lean-to roof). However, because this is relatively low you are able to look across it and it doesn't obscure detailing beyond. The yard brick wall and stone coping survives beyond the lean-to. The application proposes the raising of the height of the lean-to so that its upper edge will sit just below the first floor window cills, and will rise from just under the eaves of the adjoining outbuilding; replacing the corrugated sheet with Sandtoft 20/20 clay tiles and extending the roof across the whole of the rear yard. Three rooflights will be installed and a door inserted in the end.

I consider that the extension of the lean-to roof, raising its height and loss of the historic yard wall will be harmful to the detailing of the building. It will also enlarge the structure visually which will jar with the scale and rhythm of other walls and outbuildings fronting the passage. The junction between the new lean too and the neighbours outbuilding will be a particularly awkward detail. Whilst the replacement of the corrugated sheet is to be welcomed, the tile specified does not replicate a traditional blue clay tile. It is important to retain historic detailing to this early terrace of workers' cottage to preserve the character and appearance of the Conservation Area.

In terms of a solution, the officer has suggested that the scheme would need to be amended to maintain the line and height of the wall and for the coping to be visible and to instead try a steeper pitch rather than raising the wall.

Would you agree to amending the scheme accordingly?

Regards

Chris Johnston

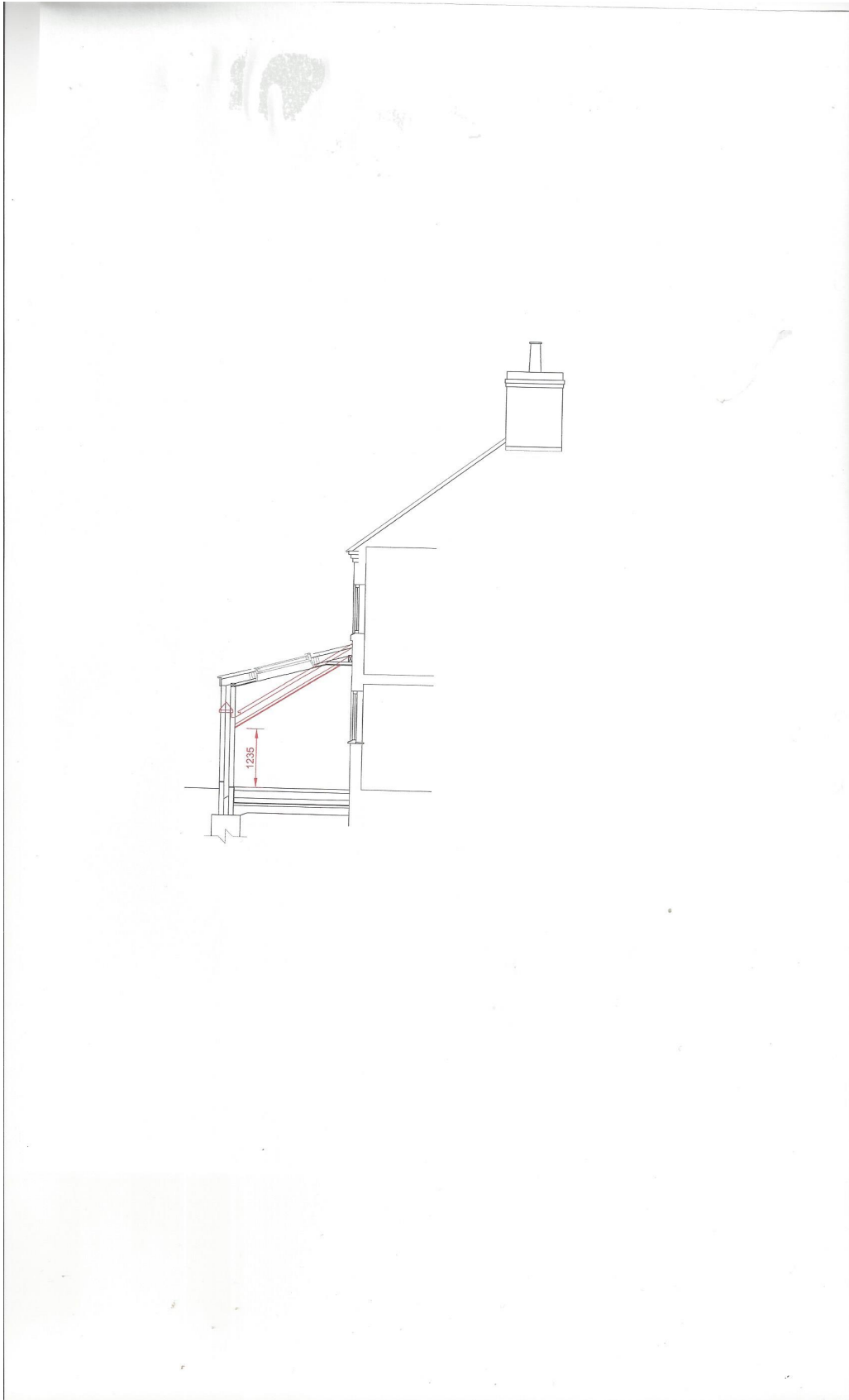
Planning Officer

Do you really need to print out this Email? Be green - keep it on the screen.

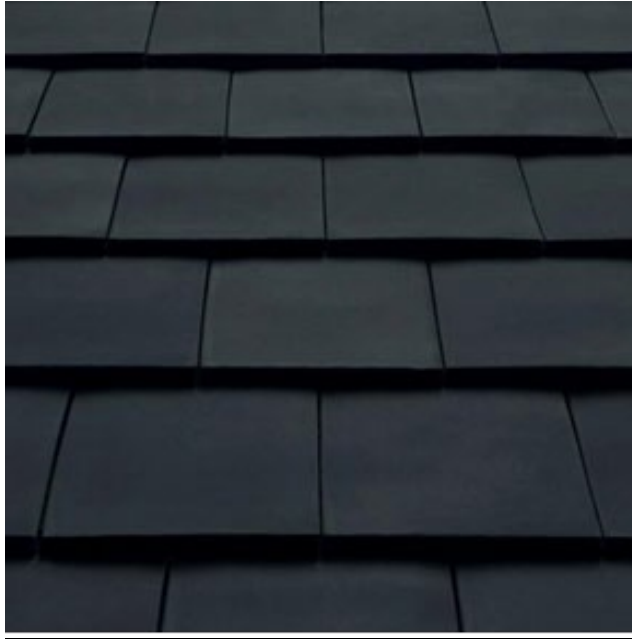
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APPENDIX 2 – ALTERNATIVE DESIGN USING THE YARD WALL (not to scale)

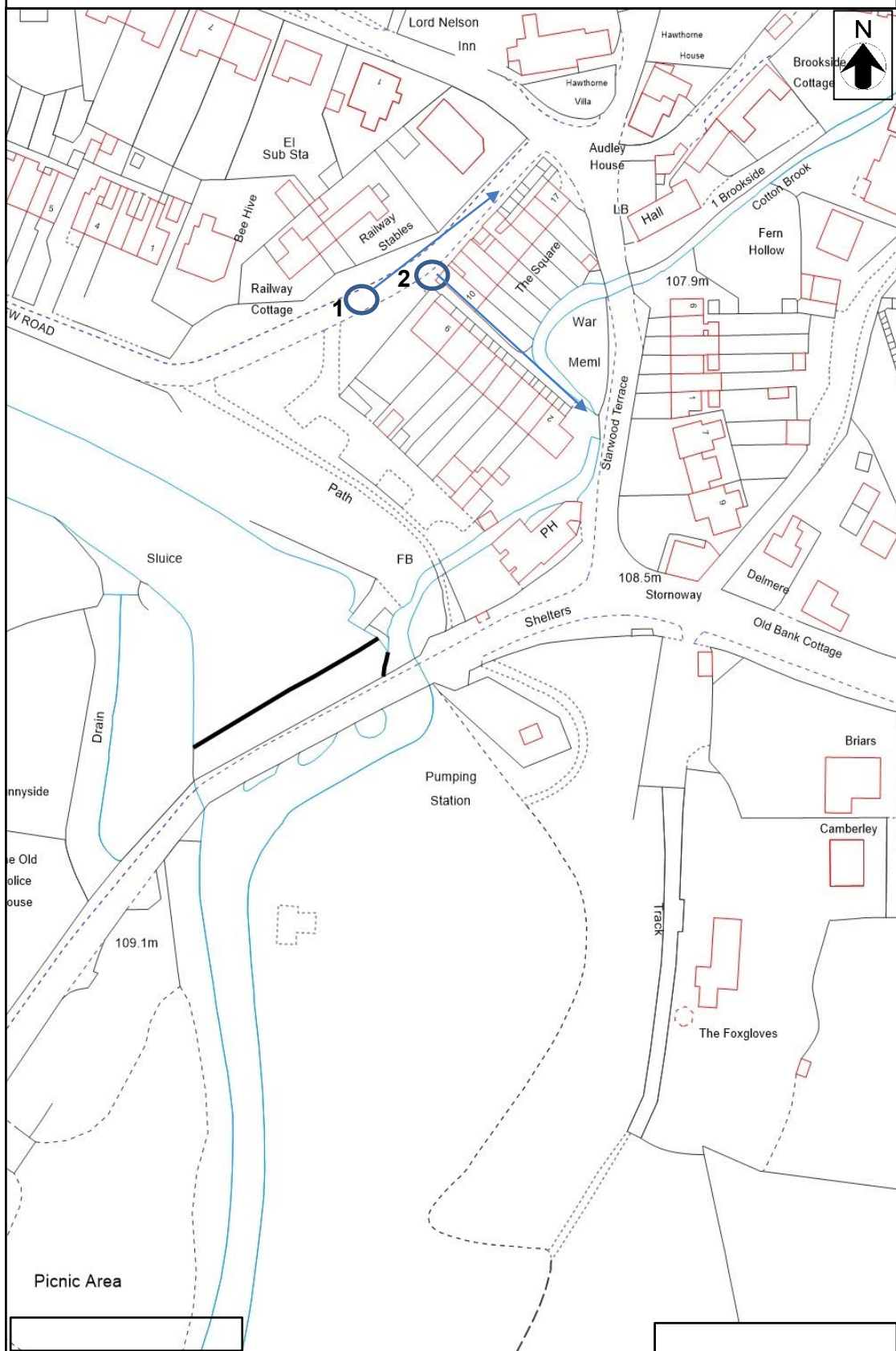


APPENDIX 3 - THE PROPOSED ROOF TILE



Sandtoft-Flat-Interlocking-20-20-Antique-Slate Tile.

Appendix 4 – Photograph Locations



Scale: 1:1250 @A4

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Date: 08 December 2021

