The Planning Inspectorate

Appeal Decision

Site visit made on 20 July 2022

by Helen Hockenhull BA (Hons) B.Pl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 August 2022

Appeal Ref: APP/B3438/D/22/3294670
Oak Cottage, 58 Rakeway Road, Cheadle, Stoke-on-Trent, ST10 1QH

- 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 Craig Cartwright against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2020/0589, dated 21 October 2020, was refused by notice dated 22 February 2022.
- The development proposed is a single storey extension to the dwelling and extension of existing detached single garage to form double garage.

Decision

1. The appeal is allowed, and planning permission is granted for a single storey extension to the dwelling and extension of existing detached single garage to form double garage at Oak Cottage, 58 Rakeway Road, Stoke-on-Trent, ST10 1QH in accordance with the terms of the application, Ref SMD/2020/0589, dated 21 October 2020, 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 plans: Extension to dwelling as proposed Drawing No. 2008/07/02/A and New Garage as Proposed Drawing No. 2008/07/06/C.

    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.

    4) The additional garage space hereby approved shall be retained as a garage serving 58 Rakeway Road and shall not be used for any other purpose for as long as 58 Rakeway remains a dwelling.

Preliminary Matters

2. The original planning application proposed a single storey extension to the dwelling and the erection of a detached double garage. Following discussions during the application process, the garage proposal was amended to propose an extension to the existing garage rather than a new building. The description in the banner heading above reflects this revision.

Main Issues

3. The main issues in this case are:

- the effect of the proposed garage extension on the living conditions of the occupiers of No. 56 Rakeway Road with particular regard to outlook;
- the effect of the proposal on the character and appearance of the area;
- whether the proposal preserves the setting of the adjacent Grade II* listed building, the Mill House.

Reasons

Living conditions

4. The existing single garage at No. 58 Rakeway Road is located forward of the house in the front garden area. It is proposed to provide an extension to the southern elevation of the garage closest to the dwelling. This would provide a second garage of the same length approximately 4 metres wide, constructed in matching materials of brick with a tile roof.

5. The enlarged garage would be visible from the windows in the front elevation of the adjacent residential property at No. 56 Rakeway Road. However, this would be at an oblique angle. Existing vegetation and planting together with the boundary fence between the two properties would to an extent soften views of the proposed extended garage.

6. Due to the separation distance, boundary treatment and angle of view, I do not consider that the extension would be overbearing or result in such a sense of enclosure that it would adversely affect outlook.

7. The proposed single storey front extension to the dwelling, would project around 3 metres forward of the existing front elevation. It would not breach the 45-degree horizontal plane assessment set out in the Councils Space about Dwellings Supplementary Planning Guidance. It would therefore be acceptable having no adverse effect on outlook for the occupiers of the adjacent dwelling, No. 56.

8. In summary, I have found that neither the proposed extension to the dwelling or garage extension would cause harm to the living conditions of the occupiers of the neighbouring dwelling. The proposals would comply with Policies SS7, H1 and DC1 of the Staffordshire Moorland Local Plan 2020 (LP), which seek to promote good design, and paragraph 130 of the National Planning Policy Framework (the Framework) which seeks a high standard of amenity for existing and future users.

Character and appearance

9. Rakeway Road forms part of a residential area to the south of Cheadle. On the southern side of the road, it is characterised by detached dwellings of different design set back from the highway with mature planting in front gardens. The appeal property is unusual in that it has an existing garage located to the front of the dwelling.

10. The proposed extension to the dwelling is well set back into the plot and due to the existing boundary vegetation has limited visibility in the street scene. It does not therefore create a dominant or incongruous addition and has little adverse effect on the character and appearance of the area.

The garage extension complements the existing building in terms of design and materials and is positioned between the garage and the dwelling, away from the road. The existing front boundary hedgerow of around 2 metres in height together with the gates to the driveway, assist to screen the garage from the road. Trees the subject of a Tree Preservation Order on the western side of the appeal site, would screen the garage in views from the east and from the footway which runs alongside the eastern property boundary. Looking from the west, the existing boundary planting in garden areas would be effective in providing screening to the lower part of the garage, though the upper section of the building would be visible in close views. Overall, bearing in mind the presence of the existing garage and the position of the proposed extension, I consider that the appeal proposal would not form an intrusive feature causing harm to the character and appearance of the area

11. The Council in their reason for refusal refers to the cluttering effect of the proposal on the existing dwelling. Whilst I accept that the proposed development would infill some of the space to the front of the existing dwelling, the overall plot is sizable with space remaining to the eastern side of the property. A sufficient gap between the dwelling and the garage would be maintained to ensure that the plot frontage would not be overdeveloped.

12. I acknowledge that the proposal includes development which could be described as being forward of the established building line. In coming to my decision, I have had regard to the fact that the existing garage is already in such a position. Accordingly, I have considered the proposed extensions on the basis of their individual merits.

13. Given the above, I conclude that the appeal scheme would not cause harm to the character and appearance of the area. It would therefore comply with LP Policies DC1, DC3, H1 and SS7 which seek to reinforce local distinctiveness by ensuring development contributes to and complements the special character and heritage of the area.

Setting of nearby heritage asset

14. Across the road from the appeal site lies the Grade II* listed Mill House. This is a former farmhouse with a lower set back wing to the west, dating from 1635 with minor 19th century alterations. It consists of coursed red sandstone with white sandstone dressings, a tiled roof and stone mullioned windows. Notably is has a centrally positioned front porch with a large, boarded door with 17th century strapped hinges. Its significance derives from its historic and architectural interest as a good example of a farmhouse of this date. The property is set within a grassed garden area bounded by hedgerow. These features contribute positively to its setting.

15. Mill House is set back from the road with mature hedgerow on its boundary with the highway which provides some screening to the property. Looking from the west, the Mill House and the existing garage are difficult to see in the same view due to the curve of the road and mature hedgerows to the front boundaries of neighbouring garden areas. From the east, again a view of the farmhouse and the garage at No. 58 is very limited due to the presence of existing vegetation. I acknowledge that in the winter months, when hedges and trees have lost leaves, there would be likely to be greater visibility. I also take account of the fact that much of the existing vegetation is not within the appellant's control.

16. Nevertheless, having regard to the scale, height, design and position of the proposed garage extension closest to the house, I am satisfied that it would not have any adverse impact on how the Mill House is experienced. The effect of the proposal on the significance of the asset derived from its setting would therefore be neutral. As I have not identified any harm, I am not required to undertake a heritage balance, assessing whether the public benefits of the proposal outweigh the harm.

17. The appeal proposal therefore complies with LP Policies DC1, DC2 and SS7 which seek to maintain and enhance heritage assets in the borough and section 16 of the Framework which has similar objectives.

Other Matters

18. Several local residents have raised concern with the potential for the extended garage to be developed into a separate dwelling or other use. Any such proposal would be the subject of a further planning application which would be considered by the Council in relation to the development plan relevant at that time. The imposition of an appropriate condition to restrict the use of the building to a garage for the parking of vehicles could be imposed to address this issue.

Conditions

19. The Council in the appeal questionnaire has suggested several conditions should the appeal be allowed. I have had regard to these in light of the Framework and Planning Practice Guidance.

20. I impose the standard time frame condition in the interest of certainty and also a condition requiring the development to be carried out in accordance with the submitted plans for the avoidance of doubt.

21. In order to protect the character and appearance of the area, a condition is necessary to require that the extension is constructed in materials matching that of the existing garage. Furthermore, as referred to above, a condition is required to restrict the use of the extension to a garage to ensure it remains available for this purpose only.

Conclusion

22. I have found that the appeal proposal would cause no harm to the living conditions of the occupiers of the neighbouring dwelling and the character and appearance of the area and that it would preserve the setting of the nearby heritage asset. The proposal complies with the development plan and there are no other material considerations which indicate that it should be determined otherwise than in accordance with it.

23. For the reasons given and having regard to all other matters raised, I allow this appeal.

Helen Hockenhull

INSPECTOR