The Planning Inspectorate

Appeal Decision

Site visit made on 24 January 2024 by N Manley BA (Hons)

Decision by S Edwards BA MA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2024

Appeal Ref: APP/B3438/D/23/3329982
The Cottage, Marten Hill, Staffordshire, Swinscoe DE6 2BW

- 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 and Mrs M Zambrano against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2023/0195, dated 21 April 2023, was refused by notice dated 18 August 2023.
- The development proposed is described as "Double storey side and rear extension to provide extended and additional habitable spaces. Construction of new detached oak framed car port. New non-porous driveway finish."

Decision

1. The appeal is dismissed insofar as it relates to the double storey side and rear extension to provide extended and additional habitable spaces.

2. The appeal is allowed insofar as it relates to the car port and non-porous driveway finish, and planning permission is granted for construction of a new detached oak framed car port and new non-porous driveway finish at The Cottage, Marten Hill, Staffordshire, Swinscoe DE6 2BW, in accordance with the terms of the application, Ref SMD/2023/0195, dated 21 April 2023, and subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years form the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the new car port: 003 2023 004 Rev B, 003 2023 005 Rev B, 003 2023 006 Rev B, 007 2023 006 Rev A.

Appeal Procedure

3. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

4. The Government published a revision of the National Planning Policy Framework (the Framework) in December 2023. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am

therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

6. The appeal site lies near the hamlet of Swinscoe and alongside Marten Hill, which is the main road between Ashbourne and Leek. Situated within open countryside, there are no dwellings immediately nearby, with the landscape being predominantly characterised by farmsteads, small groups of dwellings and open farmland. The property is positioned parallel to the highway with the side gable facing the roadside. Otherwise, the plot is enclosed by fencing and hedging, offering unobstructed views to the south across the gently undulating landscape.

7. The existing dwelling is a nineteenth century double fronted cottage. The frontage and side elevation are constructed with red brick and the remaining elevations are finished in white render. The cottage has undergone significant extensions in the past, including a two-storey extension which extended the rear gable projection to the north-west and altering the south-west field-facing elevation to feature two gables. The existing windows are characterised by their traditional appearance, and are accompanied by French doors and two enlarged windows on the south-west, field facing elevation.

8. The proposal would involve the construction of a two-storey extension at the side and rear of the property. It would extend along the side facing the field, with additional gables, creating a four gabled elevation. On the two new gables, large windows would occupy the first storey, reaching from the floor to the ridge of the gable. Additionally, the extension would elongate the north-west facing gable end, with its proposed ridge height lower than that of the existing dwelling. All elevations would be finished using materials that match the existing ones. Lastly, there is a proposal for a detached car port on the site, featuring a timber-framed, gabled roof and partially open structure.

9. In respect of the north-east facing elevation, the proposed depth and width would result in a significant lengthening of the current building. When observed from the highway, the resulting built form would be excessive in terms of scale and mass, and lack subservience in relation to the host property. Whilst I acknowledge the proposed ridge of this extension would be lower than the original, it does not undo the harmful effect the proposal would have on the character and appearance of the appeal property.

10. The proposed changes for the field facing south-west elevation would also create a substantial addition in both depth and height. The combined appearance of these elements would result in a built form which would be excessive in terms of scale and massing. This, together with further gables to this elevation, would appear as an unduly dominant and disproportionate addition when viewed in relation to the existing size and form of the host dwelling, and cause harm to the character and appearance of the surrounding area.

11. The proposed large windows would introduce a contemporary feature into an otherwise traditional built form. When compared against the existing smaller and traditional windows, these would relate poorly, appearing as the dominant feature with the original form no longer being evident. Whilst similar windows may be added using permitted development rights, this does not outweigh the cumulative harm which the proposed extension, including the new gables and contemporary windows, would cause to the character and appearance of the appeal property and surrounding area.

12. The appellants have suggested the appeal property is not visible from public vantage points and therefore would have no impact upon public perception of the character of the dwelling or its surroundings. However, several Public Rights of Way extend to the south around the property, offering clear visibility of it, especially the field facing elevation. From these vantage points, the historic appearance, scale and character of the property would no longer be discernible with the proposed additions not appearing subservient to the host dwelling. The overall cumulative impact of the proposed development would result in a dwelling which would look incongruous on the landscape.

13. The appellants have also drawn my attention to several large, linear buildings in the area which they suggest provide a context for the proposed extension. However, I do not know the circumstances of those cases, or the policies and guidance that applied at the time of their consideration and cannot therefore be certain that they represent a direct parallel to the proposal before me.

14. No objections were raised by the Council in respect of the impact of the proposed car port and non-porous driveway on the character and appearance of the host property and the surrounding area. Based on my observations on site, and having regard to all available evidence, I have no reason to disagree with the Council's findings on this issue in relation to this part of the proposal.

15. For the above reasons, I therefore conclude that whilst the car port and non-porous driveway would be acceptable, the proposed double storey side and rear extension would harm the character and appearance of the existing property and the local area. It would consequently conflict with Policies DC1 and SS10 of the Staffordshire Moorlands Local Plan (adopted September 2020) which notably require new development to be designed to respect the site and its surroundings in terms of character and appearance, be appropriate in terms of scale and design and not have a detrimental impact on the existing dwelling and character of the rural area.

16. It would also fail to accord with paragraph 135 of the Framework which seeks to emphasise the importance of developments being visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, the proposal would conflict with the Adopted Design Guide (2018) which requires extensions to harmonise with the parent building, respect the dominance of the original building and be subordinate to it in terms of size and massing.

Other Matters

17. I understand the wishes of the appellant to provide additional residential accommodation for their family. However, in view of the harm I have identified, this consideration does not persuade me to reach a different conclusion.

Conditions

18. In addition to the standard time limit, I have recommended a condition specifying the relevant drawings, as this provides certainty. The Council have suggested a condition that any development includes materials to match the existing dwelling. However, with regards to the car port, the proposed materials reflect the rural character of the locality and are suitable. Therefore, the condition suggested by the Council is not considered necessary to make the development acceptable.

Conclusion and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed insofar as it relates to the two-storey side and rear extension. I recommend that the appeal is allowed insofar as it relates to the car port and driveway.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed insofar as it relates to the two-storey side and rear extension. The appeal is allowed insofar as it relates to the car port and driveway.

S Edwards

INSPECTOR