The Planning Inspectorate

Appeal Decision

Site visit made on 28 May 2024

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2024

Appeal Ref: APP/B3438/D/23/3333799
The Cottage, Marten Hill, Swinscoe, Staffordshire DE6 2BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs M Zambrano against the decision of Staffordshire Moorlands District Council.
- The application Ref is SMD/2023/0470.
- The development proposed is the erection of a part single storey part two storey extension.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single storey part two storey extension at The Cottage, Marten Hill, Swinscoe, Staffordshire DE6 2BW in accordance with the terms of the application, Ref SMD/2023/0470, subject to the following conditions:

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

   2) The development hereby permitted shall be carried out in accordance with the following approved plans;

   - Block and site location plans; Ground floor plan as proposed; First floor plan as proposed and Elevations and car port as proposed.

   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 dwelling.

Preliminary Matter

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023. However, the policies therein which are material to this case have not fundamentally changed. Therefore, I have proceeded to determine the appeal having regard to the revised Framework.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the appeal property and the surrounding area.

Reasons

4. For the purposes of the Council's 2008 Landscape and Settlement Character Assessment, the appeal site lies within the 'Dissected Sandstone Cloughs and Valleys Landscape Character Type which is regarded as being of a very high

landscape quality. There is limited evidence before me regarding the specific characteristics and qualities of this landscape type. However, I saw at my site visit that the area in which the appeal property is appreciated is predominantly rural in character and is typified by gently undulating open fields, defined by a mix of hedgerows and trees which are interspersed with sporadic development. Whilst properties in the immediate area vary in scale and age, they are mostly of traditional design and materials. These characteristics provide a scenic, rural setting.

5. The appeal property comprises a standalone, double fronted dwelling which lies at a right angle to Marten Hill, the main route between Leek and Ashbourne. It occupies a generous plot which is enclosed by low-level fencing and hedging which allows for unobstructed views of the appeal site from the public right of way, nearest neighbouring dwelling, and Bull Gap Lane. The traditional character of the appeal property positively contributes to the character and appearance of the area.

6. The proposed two storey extension would extend the full width and depth of the existing recess. However, the additional floorspace, mass and visual bulk would not be overly excessive when viewed in relation to the property as a whole. The ridge height would be sufficiently subservient to the appeal property whilst the roof pitch would be in keeping with the twin gables, thus providing a degree of visual continuity and balance. The proposed lean-to extension, whilst elongating the property would be modest in terms of its floorspace whilst its single storey form and mono-pitched roof structure would limit the additional visual mass and bulk to ground floor level.

7. The proposal, in combination with previous additions would undoubtedly change the scale and appearance of the appeal property, which would be particularly noticeable from the identified receptors. However, given that a large part of the proposal would be located on the far side elevation, the elevations which are most prominent on the main approach to the appeal site would be largely unaffected. Moreover, the original cottage would remain legible and would continue to be the dominant element within the appeal site for the reasons set out above. Accordingly, the proposed two-storey and single storey extensions would not read as a disproportionate or unduly dominant form of development.

8. The scale, design and proportions of the proposed openings would differ to the more traditional fenestration found in the original cottage. Nevertheless, these features would not be read in the same context as those openings in the original cottage and would be consistent with the openings in the existing side elevation thus securing visual cohesion. The first-floor balcony, albeit a more contemporary feature would not be obtrusive by virtue of its glazed, lightweight construction and would be viewed against the more recent gable additions. The rooflights would be limited in number and not overly obtrusive given their dimensions and siting. The use of render on the lean-to, whilst in contrast to the brick finish which predominates on the roadside elevations would be in keeping with the existing rear elevation which is rendered on the upper part.

9. Although visible from the road, the proposed carport would be largely screened by the existing roadside landscaping and would be sufficiently subservient to the appeal property. Its traditional design and use of sympathetic materials would relate well to the appeal property and the site's rural surroundings and would thus not read as a dominant or conspicuous addition to the site.

10. For the foregoing reasons, I find that the proposed development would not be harmful to the character and appearance of the appeal property and the surrounding area. It would accord with Policies SS 1, SS 10, DC 1 and DC 3 of the Staffordshire Moorlands Local Plan 2020 (Local Plan). Amongst other aspects, these policies seek to ensure that development is of an appropriate scale and design which respects and enhances the local landscape character and distinctiveness. It would also be consistent with the design objectives set out in the Staffordshire Moorlands Design Guide 2018 and the Framework.

11. Conflict with Local Plan Policy SS 2 is alleged by the Council. However, this relates to the settlement hierarchy and distribution of new development. My attention has not been drawn to any wording therein which relates to character and appearance and therefore this policy is not determinative to this main issue.

Other Matters

12. There is a grade II listed mile post within proximity of the appeal site. The significance of the mile post relates in part, to its location and historical function whilst its setting is informed by the immediate grass verge in which it is located. In determining the appeal, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest which it possesses. As the appeal development would not affect the grass verge or the legibility of the listed mile post, I find that the setting of the heritage asset would not be harmed.

Conditions

13. I have had regard to the planning conditions recommended by the Council, and I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency. In addition to the standard time limit, I have imposed a condition requiring the development to be carried out in accordance with the approved plans in the interests of certainty. A condition requiring the use of matching materials is imposed to safeguard the character and appearance of the appeal property and the surrounding area.

Conclusion

14. For the reasons given above, having regard to the development plan taken as a whole, and all other material considerations including the Framework, the appeal is allowed.

H Wilkinson

INSPECTOR