The Planning Inspectorate

Appeal Decision

Site visit made on 27 August 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2019

Appeal Ref: APP/B3438/D/19/3229663
Roselea, 1 Badnall Close, Leek, ST13 8HB

- 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 Ms Sarah-Jane Walmsley against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0060, dated 1 February 2019, was refused by notice dated 29 March 2019.
- The development is proposed construction of a detached garage on land adjacent to 1 Badnall Close.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural matter

3. Reference is made in the Council's decision notice to the Submission version of the Staffordshire Moorlands Local Plan, however I have not been provided with details that it has been adopted. Therefore, I have considered the proposal against the adopted development plan.

Main Issue

4. The main issue is the effect of the proposed garage on the character and appearance of the area.

Reasons for the Recommendation

5. The development is proposed on a parcel of land adjacent to the host property, a 2 storey end of terrace dwelling with a gabled roof, which is located perpendicular to Badnall Close. Three storey flatted accommodation, with windows and first floor balconies, overlook the appeal site from the south. Badnall Close is a narrow road that rises gently from Hamil Drive, to a point just east of the site where it flattens out before descending to Mill Street, a

main road into the town. It has a footpath on the southern side of the road and provides on street parking for some properties in the area.

6. At my site visit I observed that the appeal site and the grassed area to the west, which contains a large Copper Beech tree and several conifers, contributed positively towards the openness of the area.

7. Although set back from the road the new garage would, as a result of its height, width and siting, forward of buildings on this side of the road, result in a building that would be visually prominent and dominant within the streetscene. It's utilitarian appearance and flat roof design would be incongruous and out of keeping with the host dwelling, and its neighbours, causing harm to the character and appearance of the area. Whilst the existing trees would provide some screening of the appeal proposal from the west, they would not mitigate the harm when viewed from the south or east. In any event these trees are not in the control of the appellant and could be removed at any time, resulting in greater exposure of the garage from the west.

8. The appellant has drawn my attention to other flat roofed structures in the area, including one close to the appeal site. At my site visit I observed that the buildings are relatively old, and I have no evidence as to the circumstances under which they were constructed. Accordingly, I can only attach very limited weight to this matter in my consideration of this appeal. Each planning application and appeal is determined on its merits.

9. The appellant has also referred to changes made to address previous reasons for refusal and a willingness to make further changes, including the provision of a pitched roof and a flower bed of comparable depth to that which originally existed. Whilst acknowledging this offer, I can only consider the matter that is before me as shown on the submitted plans. It is clearly open to the appellant to make a planning application to the Council for an alternative designed garage.

10. I note the submissions that cars regularly park in the road and that they detract from the appearance of it, however cars come and go. The garage would be likely to be a permanent structure and as such is not directly comparable to this situation. The appellant's personal circumstances relating to the need for storage space for tools and motorbikes is noted, however this matter does not outweigh the harm identified.

11. Given my findings above I conclude that the proposal would result in harm to the character and appearance of the area. This would conflict with Policy DC1 of A Local Plan for the future of Staffordshire Moorlands - Core Strategy Development Plan Document - Adopted Version 26th March 2014, the Staffordshire Moorlands District Council Design Guide – Adopted 21 February 2018 and the National Planning Policy Framework which collectively seek for development to contribute positively to the surroundings and be appropriate to the local setting and context.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby

INSPECTOR