The Planning Inspectorate

Appeal Decision

Site visit made on 26 November 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/B3438/D/19/3236783
1 Willfield Court, Willfield Lane, Brown Edge ST6 8RY

- 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 Miss M Ahmed against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0301, dated 10 May 2019, was refused by notice dated 16 July 2019.
- The development proposed is proposed balcony to front elevation.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the development on the character and appearance of the area and the living conditions of adjacent residents.

Reasons

3. From the evidence in front of me, it is apparent that the property subject to the appeal was converted from an office/storage building. It sits adjacent to a private drive which allows access to parking for the appeal building and a pair of semi-detached properties. The appeal property has a French window with a Juliet balcony at first floor level that looks onto the private driveway.

Character and appearance

4. The existing property has a gable elevation to the frontage, with a rendered finish. The appeal proposals would create a balcony at first floor level that would project approximately 1.5m from the existing front elevation. Privacy screens to a height of approximately 2m would be positioned to both ends of the balcony with a 1m high screen across the frontage. It would be cantilevered in order to avoid the use of uprights from the floor of the private driveway.

5. I find that the proposals would give the external appearance of a glass box sat above the driveway, which would appear visually jarring when set again the design aspects of the property, and the relatively traditional design of surrounding properties. The set back from the highway and the narrow access of the driveway would give some screening from the wider street scene, but this would not overcome the harm caused to the character and appearance of the area from the presence of the balcony, if it were to be constructed.

6. Therefore, I find that the proposals would be in conflict with policies SS6a and DC1 of the Staffordshire Moorlands Core Strategy Development Plan Document (2014) (the CS) which collectively seek design to be of high quality, with detailing and materials appropriate to the local area, as well as the guidance set out in the Staffordshire Moorlands Design Guide Supplementary Planning Document (2018) (the SPD) and the design aspects of the National Planning Policy Framework.

Living Conditions

7. At present, the host property has French windows and a Juliet balcony at first floor level, which overlooks the driveway area. The proposals would see a balcony extend out to 1.5m from the front of the dwelling at first floor level. The technical design of the balcony includes the use of a cantilever system, rather than mounting it from struts that would anchor it at floor level, which in turn could potentially narrow the driveway.

8. I find that the proposed balcony would overlook onto the driveway, but as this is a shared area that allows access to parking for the three dwellings, it would not cause harm to the living conditions of the residents that use the driveway, nor would it affect the private amenity spaces of surrounding properties. The existing layout already allows overlooking of the driveway, and the installation of the balcony would not cause any additional harm to the living conditions of residents, given the current situation.

9. As a result, in relation to this issue, I find that the appeal proposals would not be contrary to policies SS6a and DC1 of the CS, and the guidance set out in the SPD, where it relates to the amenities of nearby residents.

Conclusion

10. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR