The Planning Inspectorate

Appeal Decision

Site visit made on 25 February 2020

by Rachel Walmsley BSc MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2020

Appeal Ref: APP/B3438/D/20/3245877
Upper Fernyhill Farm, Basford Green Road, Basford, Leek ST13 7ET

- 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 & Mrs Harrison against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0549, dated 20 August 2019 was refused by notice dated 5 December 2019.
- The development proposed is rear and side conservatories.

Decision

1. The appeal is allowed and planning permission is granted for rear and side conservatories at Upper Fernyhill Farm, Basford Green Road, Basford, Leek ST13 7ET in accordance with the application ref SMD/2019/0549, dated 20 August 2019 and subject to the following conditions:

   i) the development hereby permitted shall begin not later than 3 years from the date of this decision, and;

   ii) the development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Elevations @ Upper Fernyhill Farm, Scale 1:100.

Main Issue

2. This is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The residential dwelling on the appeal site sits in an elevated position and has extended views from the rear of the house to the open countryside. Because of this, the house is prominent and visible within local views. There is a public footpath some distance from the appeal site. Views of the house from here are possible, albeit given the distance between the two, the property is not immediately apparent.

4. The dwelling exhibits a rural vernacular that originates, in part, from the light-coloured stone and oak coloured window frames that complement the rural character of the property's location.

5. The rear and side conservatory would be constructed from dressed stone, slate tiling for the roof and oak stained hardwood and oak uPVC for the windows and

doors. These materials would complement those on the existing property and would reinforce the dwelling's rural vernacular. As such, the proposed development would not appear overly dominant or incongruous, nor be harmful to the rural character and appearance of the area. With the development being a notable distance from a public right of way, the development would not hinder the public's enjoyment of the countryside.

6. At the heart of the National Planning Policy Framework (the Framework), there is a presumption in favour of sustainable development. Good design and the desirability of new development to make a positive contribution to local character and distinctiveness is a key aspect of sustainable development. The proposal would provide useful additional covered space for the appellant that would not detract from the character and appearance of the area. Therefore, the proposed development would represent sustainable development, as sought by the Framework.

7. I therefore conclude that there would be no harm to the character and appearance of the area as a result of the development proposed. It complies with the requirements of policies SS6c, R2, DC1 and DC3 of the Core Strategy[1] which seek to, amongst other things, ensure that development has a positive relationship with its surroundings.

Other matter

8. The Council refer me to the policies of the Emerging Local Plan[2]. Policies SS1, SS10 and DC1, like those of the Core Strategy, seek development that is well-designed and complements the character and appearance of the area. The proposal would not be contrary to these policies, for the same reasons identified above. Whilst this emerging Local Plan is at an advanced stage, it has not yet been finalised and is not part of the development plan. Consequently, I can only attach moderate weight to them. Nonetheless, I find no conflict with these policies to outweigh the accordance with the development plan.

Conditions

9. The main parties have not suggested any conditions, should the appeal be allowed. I have attached conditions limiting the life of the planning permission and setting out the approved plans for the avoidance of doubt and in the interests of proper planning.

Conclusion

10. For the above reasons, and having due regard to all other matters raised, the proposal is not contrary to the development plan and therefore the appeal is allowed.

R Walmsley

INSPECTOR

[1] Staffordshire Moorlands Local Development Framework, A Local Plan for the future of Staffordshire Moorlands, Core Strategy Development Plan Document, Adopted Version 26 March 2014.
[2] Staffordshire Moorlands Emerging Local Plan, Submission Version, 2018