



Appeal Decision

Site visit made on 15 February 2022

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2022

Appeal Ref: APP/B3438/W/21/3283146

Glan Lea, The Avenue, Cheddleton, ST13 7JB

- 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 J & D Property Developments Ltd against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2021/0362, dated 1 June 2021, was refused by notice dated 27 July 2021.
 - The development proposed is a detached 2 bedroomed dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - whether the development would provide acceptable living conditions for future occupiers of the appeal dwelling and the occupiers of Glan Lea, with particular regard to the availability of suitable outdoor amenity space.

Reasons

Character and appearance

3. The appeal site is located within a predominately residential area and comprises the side garden of the existing property known as Glan Lea, a 1.5 storey detached dwellinghouse. The site forms a corner plot which is bounded by The Avenue to the north and The Roche to the east. The appeal proposal seeks the erection of a rectangular shaped 1.5 storey detached 2 bedroom dwelling.
4. Whilst the proposed dwelling would be of a similar height and scale to Glan Lea, its northern elevation which would face onto The Avenue, would have few features and a particularly high solid to void ratio of brickwork. The brickwork on this elevation would only be broken by two windows, with the property's front door located on the western elevation. The lack of features combined with the high solid to void ration results in the prominent northern elevation appearing plain and harsh.
5. The appellant refers to the Staffordshire Moorlands Design Guide (adopted February 2018) (SMDG) which detail characteristics of traditional elevations

including having a high solid to void ratio and a limited number of openings. However, the SMDG also advises that the architectural style of new development should be guided through an understanding of the character and context of the area, and that new buildings should pick up on the proportions of neighbouring buildings.

6. The existing properties on The Avenue and The Roche vary in terms of their size, type and design. However, they share a common pattern in that their principal highway fronting elevations contain a number of features including front doors, windows, bay windows and canopies. As a result, these properties generally have a lower solid to void ratio and their various features assist in adding detail to the street scene. By virtue of its design, the proposed development would therefore not respect or relate to the character and appearance of the surrounding area.
7. Furthermore, the existing dwellings in the surrounding area sit within spacious plots, many with a significant amount of space to the side and rear. The proposed new dwelling would be located in close proximity to the site's boundaries, in particular those with Glan Lea and 8 The Roche to the south, resulting in a plot size significantly smaller than nearby properties. The small plot size, combined with the proximity of the site's boundaries and adjacent properties would result in the development appearing cramped and uncomfortable.
8. The appeal site benefits from existing vegetation along its northern and eastern boundaries, and whilst this is of some benefit to the street scene, I consider that its main contribution is its open nature which provides a visual break between the properties on The Roche and The Avenue. This results in the site having a spacious feel which contributes to the character and appearance of the area. Although the vegetation would remain and partly screen the proposed dwelling, particularly when viewed from the east, I consider that the proposed development would erode the spaciousness of the plot resulting in a cramped form of development causing further harm to the character and appearance of the area.
9. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. The development would conflict with Policy DC1 of the Staffordshire Moorlands Local Plan (adopted September 2020) (LP) and guidance contained within the SMDG, which amongst other things, seek to ensure that new developments are well designed, of high quality incorporating detailing appropriate to the character of the area, and reinforce local distinctiveness.

Living Conditions

10. The Council's Space About Dwellings Supplementary Planning Guidance (SPG) outlines that the minimum size of private gardens should be 65 square metres. Although the Council queries whether the garden space of the proposed dwelling would meet this minimum size, the appellant's architect has confirmed that it would extend to 65 square metres. The SPG also requires that private gardens have a mean length of 11 metres, which both parties agree the proposal fails to achieve.
11. In any event, it is apparent from the proposed site layout that a proportion of this space would be made up of a small narrow strip of land sandwiched

between the rear elevation of the dwelling and the southern boundary. I consider that the useability of this space would likely be very limited. The remaining area of private garden space would be to the eastern side of the dwelling, however the useability of this area would also be reduced by existing and proposed vegetation and landscaping. As a result, I consider that the living conditions of future occupiers of the appeal dwelling would be harmed by the proposal's failure to provide a suitable standard of useable private amenity space.

12. With regards to the level of private amenity space that would be retained by Glan Lea, whilst the proposal would result in a large percentage of its existing amenity space being lost, the retained space would be predominately located to the rear of the dwelling, useable, and sufficiently private. The size of this space would also be adequate, particularly following the removal of the existing greenhouse, and would exceed the minimum size stipulated in the SPG. I do not consider therefore that the proposal would result in the living conditions of occupiers of Glan Lea being unduly harmed.
13. I have identified that the development would result in harm being caused to the living conditions of future occupiers of the appeal dwelling due to substandard level of private amenity space being provided. Whilst I have found that the development would be acceptable in terms of its effect on the living conditions of occupiers of Glan Lea, this as a neutral outcome, insofar as it would not be harmful, would not outweigh the other harm I have identified in respect of the living conditions of future occupiers of the appeal dwelling.
14. I therefore conclude that the proposed development would cause an unacceptable level of harm to the living conditions of future occupiers of the appeal dwelling, with particular regard to the availability of suitable outdoor amenity space. It would therefore conflict with Policy H1 of the LP and guidance contained within the SPG, which amongst other things, seeks to ensure that new dwellings provide satisfactory levels of amenity for future occupiers.

Other Matters

15. I have given due regard to fact that the proposed dwelling would be orientated so that its rear elevation faced south, therefore optimising solar gain and bringing about environmental benefits. These benefits however do not outweigh the harm I have identified that would be caused to the character and appearance of the area, and to the living conditions of future occupiers of the appeal dwelling.

Conclusion

16. The proposal would conflict with the development plan and there are no material considerations which would outweigh this finding. For the reasons given above the appeal is dismissed.

David Jones

INSPECTOR