



Appeal Decision

Site visit made on 21 March 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2023

Appeal Ref: APP/B3438/W/22/3311698

3 Rochford Close, Leek, Staffordshire ST13 8JH

- 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 S Willis against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2022/0260, dated 18 May 2022, was refused by notice dated 14 July 2022.
 - The development proposed is detached house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is garden land associated with a 2 storey dwelling with front facing gable and single storey side garage located on a corner plot within a row of 3 properties. The plot runs parallel with the road which is on higher ground and is lined by conifer trees. The absence of built development creates an openness within the street scene.
4. Although there are a number of pairs of semi-detached properties in the road the property exhibits features that are characteristic of other detached dwellings within the vicinity. Notably, this includes single storey garages to the side of dwellings that generate an even distinguishable gap between properties. Dwellings are set back from the road behind front gardens and driveway parking.
5. Elements of the proposed design would replicate neighbouring properties. However, there would be a much narrower gap between the proposal and the neighbouring property, No. 3, than is experienced by other properties of the same style in the road. Whilst the proposed gap may be comparable with properties on the opposite side of the road, they are of a different style. The scheme would be located close to the boundary with the pavement which would have an enclosing effect within the street scene. The close proximity of the proposal to No 3 on one side and the road on the other would create a cramped incongruous development. The use of materials similar to other dwellings in the area would not overcome the harm. Similarly, despite the differences in the

height of the road and the presence of trees on the site boundary, the property would not be completely screened, particularly when viewed from the front.

6. The development would harm the character and appearance of the area and as such would conflict with Policy H1 and Policy DC1 of the Staffordshire Moorlands Local Plan. Amongst other things these policies require new development to be compatible with the character of the area, be well designed, reinforce local distinctiveness and be designed to respect the site and its surroundings.

Planning Balance

7. The Council confirms that it cannot demonstrate a 5 year housing land supply. Therefore, the policies which are most important for determining the appeal are considered to be out of date. Paragraph 11d of the National Planning Policy Framework (NPPF) is engaged. In accordance with paragraph 11d ii) of the NPPF consideration must be given as to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.
8. The development would be located in an established residential area where development is supported. There would be some economic and community benefits although this would be very small given the very modest contribution to the residential supply proposed.
9. As set out above, the development would cause harm to the character and appearance of the area to which I give considerable weight. The harm significantly and demonstrably outweighs the benefits. The proposal would not therefore benefit from the presumption in favour of sustainable development.

Conclusion

10. The proposal would conflict with the development plan as a whole and there are no other considerations, either individually or in combination, that would outweigh the identified harm and development plan conflict. Consequently, the appeal is dismissed.

K Ford

INSPECTOR