

APPEAL STATEMENT

Land to the rear of 51A Park Lane, Knypersley, ST8 7AS

Appellant: Mr David Ward

LPA Ref: SMD/2025/0204

Fallback Appeal Ref: APP/B3438/W/24/3344763 (Decision issued 15 October 2024)

1. Introduction

1.1

This statement supports an appeal against Staffordshire Moorlands District Council's refusal (29 August 2025) of a Variation of Condition application seeking approval for a modestly enlarged version of the approved dwelling on land to the rear of 51A Park Lane.

1.2

The appeal site already benefits from an implementable permission for a single-storey dwelling, allowed on appeal in 2024. Footings have been dug in accordance with that permission, meaning the fallback is real, deliverable and material.

1.3

The appellant sought to refine this fallback through a modest, domestically scaled dormer bungalow, occupying the approved footprint, plus a small utility addition (later omitted). During the application process, the appellant responded constructively to all design points raised and provided multiple revised drawings, including comparative analysis specifically prepared to assist assessment.

1.4

The Senior Case Officer confirmed in writing that he supported the revised scheme, that he had submitted a recommendation for approval for signing, and that only managerial sign-off was outstanding.

1.5

The application was ultimately refused despite the Case Officer's original recommendation for approval, which was subsequently amended following managerial intervention. A further revised scheme (SK_009), together with a request for an extension of time, was submitted on 29 August; however, the application was refused later that same day. None of the amended drawings submitted during the life of the application were uploaded to the public file, and the Delegated Report contains no reference to the final revised scheme.

1.6

The absence of updated material on the public file meant that consultees and interested parties were only able to view the original May 2025 submission. To this day, the only version publicly accessible on the Council's website is that initial submission; none of the later drawings referenced in the refusal notice were uploaded. The appellant therefore

respectfully invites the Inspector to consider the three relevant iterations of the scheme, in the following order of preference:

- (1) **Appeal Scheme** – preferred
- (2) **Alternative Hybrid Scheme** (SK_009)
- (3) **Refused Scheme** – least preferred

For clarity, Appendix A sets out the contemporaneous email correspondence between the appellant and the Local Planning Authority, illustrating the iterative engagement undertaken during the determination of the application and the basis on which revised drawings were prepared and submitted. Appendix B (Drawing Register) summarises the evolution of the proposals, identifying the drawings submitted, those uploaded to the public file, and those not referenced in the decision-making process. The appellant respectfully invites the Inspector to have regard to these appendices when considering the appeal.

1.7

The Appeal Scheme includes beneficial and neighbour-friendly reductions to ridge height, dormer massing and roof pitch, together with minor refinements (utility removal, small obscured window, reordered fenestration) which amount to modest design refinements. None of these improvements were before the LPA at the time of determination. For clarity, the Appeal Scheme evolves from — and improves upon — the original May 2025 submission, rather than the Refused Scheme, which represented a different design route.

1.8

Accordingly, the Appeal Scheme represents a reduced and improved version of the only scheme that was visible to the public during consultation.

1.9

The appellant also requests that the Inspector considers the updated site plan (PR_001_H) as meeting the requirements of the previously imposed conditions concerning materials, boundary treatments, landscaping and surfacing, given the difficulties encountered in securing timely procedural engagement during determination so as to avoid the need for a further standalone application and to ensure procedural efficiency.

2. Site Description and Context

2.1

The appeal site lies behind 51 Park Lane, accessed via an existing private driveway belonging to the appellant at 51a Park Lane, and is screened entirely from the highway. Development on garden plots is characteristic of the area, including at neighbouring properties.

2.2

The boundary with 51 Park Lane comprises a tall, dense hedge, significantly restricting ground-floor views in both directions, therefore materially limiting any ground-floor intervisibility.

2.3

The plot configuration and layout of 51 Park Lane indicates that its principal areas of amenity are to the front and side, not the rear. Its first-floor rear-facing window which would be inline with the apex of the proposed dormer bungalow is obscure glazed and serves a bathroom, a non-habitable space for planning purposes.

2.4

Recent small-scale tree removal was limited to areas conflicting with the implemented footings of the fallback and was offset by retained and new planting.

3. Planning History

3.1 2024 Appeal – Established Fallback

3.1.1

A single-storey dwelling on the same footprint was allowed at appeal in 2024. The Inspector found the principle, footprint, access, parking and neighbour impacts all acceptable.

3.1.2

The fallback permission is implemented and remains material.

3.1.3

Notably, the original 2023 application shared strong similarities with the current Appeal Scheme; several revisions were offered then also, and the Inspector accepted the basic footprint and relationship as unobjectionable.

3.2 2025 Variation of Condition Application

3.2.1

The 2025 application sought to replace the low single-storey fallback with a modest dormer bungalow, similar to the original 2023 submission.

3.2.2

The appellant submitted multiple revisions addressing all concerns raised, including comparison drawings and alternatives.

3.2.3

The Senior Case Officer confirmed his intention to approve and submitted his positive recommendation for signing.

3.3 The Refusal and Procedural Issues

3.3.1

Despite the above, the application was refused by the Principal Officer, contrary to the Senior Case Officer's original recommendation, and without any opportunity for the final revised submission to be considered.

3.3.2

The refusal notice cites drawings that were never uploaded to the public record. As of November 2025, only the original May 2025 submission is visible online; none of the later iterations are available.

3.3.3

This means the scheme referenced in the refusal notice cannot be viewed on the public record by the appellant, the public or, in turn, the Inspector via the LPA website.

3.3.4

As shown in Appendix A, the appellant submitted revised drawing SK_009 on 29 August alongside a request for additional time.

4. The Three Appeal Options

4.1 Preferred Option – The Appeal Scheme

4.1.1

The Appeal Scheme represents a neighbour-friendly refinement of the original submission, including:

- Ridge height reduced to **6.080m** (a **475mm reduction**)
- Roof pitches reduced to **35°** (from 40° and 45°)
- Eaves height at **2.750m**
- Underside of fascia at **2.250m** (similar to approved fallback)
- No openings to south or north
- Three modest **west-facing** dormers
- High-level rooflights to the east ($\geq 1.7\text{m}$ above FFL)
- **Dormers reduced in bulk** by lowering their eaves and reducing their individual roof pitch to 35°

4.1.2

Additional minor refinements include:

- Removal of the utility projection
- A small obscured front window
- Reordered rear fenestration to accommodate the introduction of a modest flue on the **furthest elevation from No. 51**, to maximise neighbourliness

4.1.3

The Appeal Scheme has been prepared specifically for this appeal and represents a refined and reduced version of the original May submission (the only version made publicly available during the determination period). It differs materially from the refused scheme in form and massing, and is offered as the appellant's preferred option on planning balance.

4.2 Second Preference – Alternative Scheme (SK_009)

4.2.1

SK_009 was submitted to fully address the LPAs concerns regarding the relationship between the proposed dwelling and 51 Park Lane. It provides:

- Single-storey massing nearest No. 51
- Two-storey element pulled **11.750m** away
- Roof sloping away from the boundary
- **Full compliance with the 25° test from both floors**
- Full compliance with Space About Dwellings separation distances

4.2.2

SK_009 is the least impactful of all three options, but the drawing was never uploaded, acknowledged or assessed.

4.3 Third Preference – The Refused Scheme

4.3.1

The Refused Scheme represents a rotated-roof design with a shallow roof plane facing the neighbour. It includes:

- A 30° roof rotated 90°
- Ridge at **6.725m**
- Underside of fascia at **2.8m**
- No openings on the south elevation
- First-floor accommodation served by rooflights and flank gable windows

4.3.2

While this scheme achieves the design intent of improving the relationship by rotating the ridge and increasing separation, and was supported by the Case Officer, it is a less refined solution than the Appeal Scheme and SK_009.

5. Neighbour Amenity Assessment

5.1

The Appeal Scheme is a modestly scaled version of the original submission, with reduced ridge height, softened dormer massing and no openings facing the neighbour. The scheme maintains significant screening via the tall boundary hedge.

5.2

The first-floor window at No. 51 which faces the apex of the proposed raised roofline is obscure glazed and serves a bathroom, meaning it is not a protected outlook and carries no expectation of open views.

5.3

The Alternative Scheme (SK_009) further increases separation and achieves full 25° compliance, clearly exceeding reasonable amenity expectations.

5.4

The Refused Scheme offers an alternative orientation that presents a shallow roof plane, but the Appeal Scheme represents a more balanced and more neighbour-friendly approach than the original submission which the neighbour was consulted on, given the reduced massing and dormer adjustments.

6. Conditions

6.1

Should the appeal be allowed, the appellant requests the re-imposition of any non-dischargeable conditions issued by the Planning Inspectorate for the 2024 appeal decision, with updated plan references.

6.2

The updated site plan (PR_001_H) intentionally incorporates details previously required under condition, including landscaping, surfacing, materials and boundary treatments and the appellant would welcome their consolidation into a single updated plan condition.

6.3

The appellant sought to resolve these matters through the VoC application, and submission of the required information had been agreed with the Senior Case Officer.

6.4

Given the procedural difficulties encountered, resolving these matters through the appeal would assist all parties.

7. Planning Balance and Conclusion

7.1

The Appeal Scheme is a modest, well-designed evolution of the fallback, reducing height, massing and dormer bulk compared to the original VoC submission.

7.2

Material improvements—none of which were viewed by the LPA—demonstrate constructive engagement and result in a neighbour-friendly design fully appropriate to its context.

7.3

The Alternative Scheme provides an even more conservative fallback should the Inspector require further reduction.

7.4

The Refused Scheme remains a viable third option, but its evolution was driven by the LPA's earlier feedback. The Appeal Scheme is a more appropriate, balanced reduced version of the original submission, which is the only scheme consulted on.

7.5

The Inspector is invited to allow this appeal, granting permission for the Appeal Scheme, or alternatively SK_009, or the Refused Scheme, in that order of preference.