

Appeal Decision

Site visit made on 13 September 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th October 2016

Appeal Ref: APP/C3430/D/16/3156620

105 Hyperion Road, Stourton DY7 6SJ

- 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 Owen Lawson against the decision of South Staffordshire Council.
 - The application Ref 16/00333/FUL, dated 14 April 2016, was refused by notice dated 10 June 2016.
 - The development proposed is attached garage at side of property.
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Decision

1. The appeal is allowed and planning permission is granted for an attached garage to the side of the property at 105 Hyperion Road, Stourton DY7 6SJ, in accordance with planning application Ref 16/00333/FUL, dated 14 April 2016, subject to the conditions set out in Annex A to this decision.

Main Issue

2. The effect of the appeal proposal on the character and appearance of the locality.

Reasons

3. The appeal site includes a detached house and land to its front, side and rear. It is located within an estate of mostly similar detached properties, many of which have been altered over time. Generally, although properties are set close to one another, trees, planting and planned green spaces give the locality a spacious and verdant character and appearance.
 4. The proposed garage and increased hardsurfaced area would take up most of the green space to the side of the appeal dwelling. However, a small part of that space and some planting would remain near to the road and to the side, such that it would not adversely affect the verdant character and appearance of the locality. Furthermore, there is a hardsurfaced access immediately adjacent which leads to the properties at the rear, so space between the properties would remain. For this reason, the appeal garage would not adversely affect the spacious layout of the locality. That the proposed garage would be in line with the existing dwelling and there is not a consistent building line to the properties at the rear adds weight to this finding. Additionally, the proposed garage would be lower than the host dwelling, its roof pitch would be similar and materials would match, such that it would relate appropriately to the main house. All in all, I consider that it would integrate successfully into the street scene.
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5. I have had regard to the previous refused planning application (Ref 03/00497/FUL) for a similar development. However, the proposal before me is for a garage with a reduction in length, which differentiates it from that previous application. Whilst I am aware that it would have a greater roof height, I consider that it would be acceptable for the reasons set out above.
6. I conclude that the appeal proposal would not adversely affect the character or appearance of the locality and would generally accord with South Staffordshire Council Core Strategy Development Plan Document (2012) Core Policy 4 and Policy EQ11. Those policies, together, aim for development of the highest quality that respects local character and distinctiveness.

Planning Conditions

7. A list of planning conditions has been suggested by the Council. Standard time and plans conditions are required to ensure clarity and in the interests of proper planning. A condition to control external materials is necessary to ensure that the development blends into the locality. All would be consistent with national policy and guidance.¹ A list of planning conditions to be imposed is set out in Annex A to my decision.

Conclusion

8. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed, subject to the conditions listed in Annex A to my decision.

R. Barrett

INSPECTOR

LIST OF PLANNING CONDITIONS

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with approved plan 1579/002.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

¹ Paragraphs 203 and 206 of the Framework and PPG paragraphs 21a-001-034