
Appeal Decision

Site visit made on 14 November 2017

by A Jordan BA Hons MRTPI

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

Decision date: 30 November 2017

Appeal Ref: APP/Y3425/W/17/3181164

**Land Rear of Meadowcroft, 214 Grindley Lane, Blythe Bridge,
Stoke-on-Trent ST11 9JS**

- 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 Miss Z Ash against the decision of Stafford Borough Council.
 - The application Ref 16/25402/FUL, dated 12 December 2016, was refused by notice dated 30 January 2017.
 - The development proposed is demolition of the exiting garage and construction of new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the exiting garage and construction of new dwelling at land rear of Meadowcroft, 214 Grindley Lane, Blythe Bridge, Stoke-on-Trent, ST11 9JS in accordance with application Ref 16/25402/FUL, dated 12 December 2016 and the plans submitted with it and subject to the following conditions:
 - 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
 - 2) This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
 - 5263-004C
 - 5263-005A
 - 5263-006B
 - 5263-007
 - 3) Before the development hereby permitted is first brought into use the single storey element shown dotted on drawing 5263-005A shall be removed from the rear of 214 Grindley Lane.
 - 4) Notwithstanding any description/details in the application documents, and in pursuance of condition 3, no development shall commence unless and until precise details of the proposed treatment to the rear elevation of 214 Grindley Lane have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 - 5) Details of hard and soft landscaping, including all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be implemented within 8 months of the first occupation of the development and thereafter retained.

6) The landscaping scheme to be submitted in pursuance of condition 5 shall include details of at least two trees to replace the two Lime trees to be removed.

7) Notwithstanding the submitted 1st floor layout and rear elevation plans a revised plan showing the style, size, glazing treatment and position of the rear facing windows to the bathroom and bedrooms 2 and 3 shall be submitted to and approved in writing with the Local Planning Authority before development commences. Thereafter the development shall proceed wholly in accordance with these approved details.

8) Prior to the commencement of development full details of the materials to be used on the external surfaces of the dwelling hereby approved shall be submitted in writing for approval to the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved plans.

Procedural Matters

2. The potential impact of the proposal on living conditions was not a reason for refusal but was a concern for some neighbouring occupiers. Following the site visit I sought the views of the main parties as to whether the condition put forward by the Council in respect of obscure glazing would be appropriate. I have taken these comments into account in reaching a decision.

Main Issue

3. The main issue for the appeal is whether the proposal would conflict with policies for residential development which seek to achieve a sustainable pattern of development.

Reasons

Sustainable Location

4. The *Plan for Stafford Borough* (Local Plan) sets out in policies SP3 and SP7 where the majority of future development should be delivered within the Borough. It seeks to encourage the reuse of brownfield land and to direct development towards the most accessible locations in the Borough, which have access to local services. Policy C5 sets out the type of development considered appropriate outside the defined settlement hierarchy. The plan predates the Framework which differs from the Local Plan in that rather than precluding development outside defined settlement boundaries, refers instead to the need to resist isolated new dwellings in the countryside. Nevertheless, the aim of the policies is consistent with guidance in the *National Planning Policy Framework* (the Framework) which aims to support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport and balances land uses so that people can be encouraged to minimise journey lengths.

The site comprises part of the rear garden of a large semi-detached dwelling within the settlement of Blythe Bridge. I noted on site that the site lay within an established residential area and the parties agree that it is within walking distance of a railway station, bus stops, schools, local shopping provision and

community facilities. I therefore consider that the site is relatively accessible to local services.

I take into account the Council's view that the development would contribute to a disproportionate amount of development taking place outside the designated settlement hierarchy. However, the proposal is for a single house and this limits the extent to which the proposal would increase the number of sustainable journeys made and would not lead to significant harm in this regard. Although future residents may depend on the private car to reach some services and employment available in nearby higher order settlements, a significant proportion of day to day trips could be undertaken by sustainable means. It follows that although the proposal would conflict with policies SP3, SP7 and C5 of the Local Plan, the location of the proposal can be considered sustainable as it would not conflict with guidance within paragraphs 30 and 37 of the Framework.

Other Matters

5. The proposal relates to a large dwelling which would provide 4 bedrooms and have the capacity for accommodation within the roof void. The proposal also includes the removal of a rear extension at No 214, which is intended to in part offset the visual effect of the additional development in the street scene. Whilst it is clear that the proposal would be on a smaller plot than its neighbours, the surrounding residential area exhibits a variety of architectural styles and plot sizes. In this context, it would not appear as an overly intensive form of development and would assimilate into the existing mixed character.
6. Although not a concern for the Council, some neighbours have expressed concerns as to the effect of the proposal on the living conditions of adjoining occupiers. The proposed dwelling would be orientated with windows looking directly onto Brammall Drive and towards part of the rear garden of No 212 Grindley Lane. I noted on site that upstairs windows relating to the bathroom and bedrooms 2 and 3 would face onto the rear garden of No 212 and would sit around 6 metres from the boundary. The adjoining property has a large garden and the lawned area to the rear which immediately adjoins the appeal site comprises only a small proportion of the overall plot. It is currently open to view from the windows on the rear elevation of no 214.
7. The Council have advised that any overlooking from the dwelling could be mitigated by the use of a planning condition relating to the glazing in the upstairs rear windows. The appellant has also indicated that a condition could be imposed seeking a revision to the window configuration on the rear elevation to reduce any perception of overlooking. I note that bedroom 2 would also have a window on the front elevation, and that a high level window could be provided to bedroom 3. I am therefore satisfied that such a condition could be implemented in this case.
8. Whilst it is likely that a building of the size proposed would have some detrimental effect on the quality of the outdoor space in the area of garden immediately adjacent to the proposed dwelling, taking into account the extent of existing overlooking, and the proportion of the plot affected, I do not consider that the proposal would have a significantly harmful effect on the living conditions enjoyed by existing occupiers at 212 Grindley Lane. Furthermore, due to the orientation of The Elms and its garden, I am satisfied

that the proposal would not intrude upon living conditions at this property. The effect of the proposal on living conditions is therefore not a matter which weighs against the proposal in the planning balance.

9. The proposal would make only a small contribution to housing supply. The Council consider that as the Borough can demonstrate a 5 year supply of housing, the contribution to housing supply should carry little weight. However, I take into account the impetus in the Framework to significantly boost the supply of housing, which makes clear that the 5 year figure is a minimum requirement. Accordingly I attribute moderate weight to the contribution the proposal would make to housing provision.
10. Finally, my attention has been drawn to the fact that the plans include Brammall Drive within the red-line plan and have taken account of the fact that the road lies outside the residential plot. I also note comments in relation to rights of access. However, this is a separate legal matter which does not alter my consideration of the planning merits of the case.

Conclusion

11. Although the proposal would conflict with policies SP3, SP7 and C5 of the Local Plan, it would nonetheless be in an accessible location and would not conflict with guidance in the Framework. It would also not lead to significant harm to the living conditions of adjoining occupiers and would make a small contribution to housing in the Borough. I therefore conclude that the appeal be allowed.
12. In addition to conditions relating to the time limit for implementation and the approved plans, in the interests of visual amenity I also consider it reasonable and necessary to impose a condition requiring details of proposed materials, as these are not specified in sufficient detail on the submitted forms. In order to facilitate the proposal, and to ensure that it has an acceptable effect on the character and appearance of the area, it is necessary to impose conditions requiring the removal and making good of the rear extension to no 214 Grindey Lane, as well as the provision of landscaping to replace trees removed to enable development. As outlined above, I have also imposed a condition relating to the form and position of rear facing windows, in order to protect privacy.

Anne Jordan

INSPECTOR