



Appeal Decision

Site Visit made on 9 November 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2021

Appeal Ref: APP/Y3425/W/21/3277759

203 Prospect Road, Stafford, Staffordshire ST16 3NN

- 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 Miroslaw Florek against the decision of Stafford Borough Council.
 - The application Ref 20/32391/FUL, dated 2 November 2020, was refused by notice dated 23 March 2021.
 - The development proposed is change of use of grass land to form domestic garden area. Side and rear two storey extension, single storey kitchen extension, new boundary fence with gates and driveway.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

3. The appeal property is an end terrace dwelling located on an 'open-plan' estate where the majority of frontages are absent from boundary treatments and generous green verges and open spaces around and in-between houses are notable features. This results in an overwhelming sense of openness that makes a positive contribution to the character and appearance of the area.
4. I acknowledge that the open space is not used for leisure purposes and may not be considered to be a 'locally important open space'. However, it has significant value through its contribution to the spatial characteristics and distinctiveness of the locality. The introduction of built form and the enclosure of the land would unacceptably result in the loss of an open space that positively contributes to the area.
5. Despite the appellants contention the height of the fence and its close spatial relationship with the footpath would result in a visually intrusive feature. Irrespective of retaining a garden area, the proposed development would diminish views through the estate and would significantly erode the current sense of openness that exists, being completely out of keeping with the established character of the area.
6. Whilst the design of the proposed extension would be sympathetic to the host property and would not unduly affect the living conditions of nearby occupiers, neither of these things are sufficient to justify the loss of the open space.

7. I acknowledge that the proposal may reduce incidents of anti-social behaviour. However, this factor would not outweigh the harm that I have identified in relation to the main issue.
8. I conclude that the proposed development would adversely affect the character and appearance of the area contrary to Policies SP7 (i) and N1 (g, h and i) of The Plan for Stafford Borough (2014) which, amongst other things, seek to prevent the loss of locally important open space; require high quality design that takes into account local character and preserve and enhance the character of the area and strengthens the continuity of street frontages.

Conclusion

9. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR