



Appeal Decision

Site visit made on 22 August 2022

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2022

Appeal Ref: APP/B3410/D/22/3303179

High View, Ludgate Street, Tutbury DE13 9NG

- 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 Neil Hodgkiss against the decision of East Staffordshire Borough Council.
 - The application Ref P/2022/00421, dated 5 April 2022, was refused by notice dated 28 June 2022.
 - The development proposed is new garage, revised drive configuration to create access via new drop kerb off Norman Road.
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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 a detached dwelling occupying a corner plot in a residential area. Positioned on elevated ground above Ludgate Street, the site is in a prominent location that is clearly visible from Ludgate Street and Norman Road.
4. The proposed garage would stand in front of the main dwelling on a plateau formed from groundworks approved under a separate planning permission¹. The position of the proposed garage, along with the massing and scale of the development would create an incongruous addition out of keeping with the wider street scene. Vegetation would provide some screening but the garage would still be clearly evident despite being set back into the bank. It would not overcome the harm identified. Similarly the use of materials to match the dwelling would do little to mitigate the impact.
5. I note the benefits of locating the access off Norman Road. However, this could be achieved irrespective of the construction of the garage.
6. The appellant has provided examples of other detached garages in the area which they say supports their case. However, the proposal is different in terms of location and prominence within the street scene and so I consider them to

¹ Planning Application P/2021/00828

be materially different. Each case is determined on its own merits and my assessment has been based on the information before me.

7. The proposal would harm the character and appearance of the area and as such would conflict with Policies SP24, DP1 and DP3 of the East Staffordshire Local Plan. Amongst other things, these policies require new development to respond positively to the context of the surrounding area, respect local patterns of development and present an appropriate layout that integrates with the existing context.

Conclusion

8. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR