



Appeal Decision

Site visit made on 4 April 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2023

Appeal Ref: APP/Y3425/W/22/3308589

53 Adamthwaite Drive, Blythe Bridge, Stoke on Trent ST11 9HL

- 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 Jon Bentley against the decision of Stafford Borough Council.
 - The application Ref 21/34512/FUL, dated 7 June 2021, was refused by notice dated 13 April 2022.
 - The development proposed is the construction of a 3 bedroom single storey dwelling. Complete with driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed new dwelling and driveway on:
 - the character and appearance of the area, including its effect on trees;
 - the living conditions of the occupants of the adjoining Alder Grange care home with particular regard to privacy; and
 - highway safety with particular regard to the adequacy of visibility from the access and parking provision.

Reasons

Character and appearance

3. The appeal site lies within a residential area comprising detached properties of varied design and appearance predominantly within large plots, with a consistency of scale being of two storey height. Mature trees and landscaped gardens are notable features giving the area a verdant, spacious and pleasant quality. The site forms part of a side and rear garden area and positively contributes to this spacious character by providing a gap between 53 Adamthwaite Drive and the adjoining Alder Grange.
4. The single storey design of the proposed bungalow would differ from the prevailing two storey character of the area. The front elevation would be narrow and set back from the front boundary by a significant distance and so would not be prominent in the street scene. Nonetheless, the front elevation lacks in interest due to the extent of solid brickwork which would not be alleviated by the proposed door. This would be in marked contrast with the appearance of the surrounding houses, as would the flat roofed section abutting the shared boundary with Alder Grange. Therefore, the proposal would

appear incongruous in the street scene and would detract from the character and appearance of the area.

5. Compared to its surroundings the plot size would be small with an extremely narrow front boundary. In addition, the proposed dwelling would extend to the side boundaries of the site and would cover a significant proportion of the plot. Such aspects of the proposed bungalow, together with its wedge-shaped footprint, would result in it appearing unusually cramped relative to its plot and to the size of the surrounding plots and thereby contrary to the prevailing character of the area.
6. Notwithstanding that buildings in the locality exhibit great variation in respect of their design, the development would, for the reasons above, have a jarring and unacceptable relationship with the street scene and would be harmful to the character and appearance of the area.
7. In forming this view, I have had regard to no. 55a and note that whilst it directly abuts the front boundary of the site, its plot width is comparable to other properties in the street scene unlike the appeal site. Alder Grange has been extended, nonetheless the plot retains a spacious appearance. My attention has also been drawn to a bungalow within the grounds of a large, detached dwelling. However, this differs from the case before me as the bungalow is within a relatively spacious plot. The examples provided are materially different to the appeal proposal and do not, therefore, support the appeal proposal.
8. A significant proportion of the canopy of 3 trees protected through a Tree Preservation Order, that lie within the grounds of Alder Grange, overhang the appeal site. Along with the other trees on Adamthwaite Drive they make a significant contribution to the character and appearance of the locality. The appellant's Tree Survey Report (the Report) indicates that these trees are in fair or good condition and have either moderate/low or moderate/high amenity value. Based on my observations on my visit, I agree. I have no evidence before me that would suggest that the trees would not survive for many years if current circumstances remain.
9. The Report indicates that these off-site trees pose a significant constraint upon the development of the site since their root protection areas occupy almost all of the land intended for development. It goes on to say that to mitigate for potential harm to the trees, a combination of specialised pile and suspended beam foundation and no-dig method for hard surfacing will be required. Additional provisions would also be required for underground services and drainage.
10. The Report does not confirm the methodology for construction but recommends, amongst other things, that a detailed site-specific Arboricultural Method Statement (AMS) is commissioned. The Report, at paragraph 5.1.2, says that assuming that technical solutions can be formulated, the overall impact of the development on the trees would be minimal. However, it also states that there would be contrary adverse impact from the trees upon the dwelling due to the overhanging crowns resulting in shading and nuisance by way of seasonal honeydew and general detritus. It is therefore likely that there will be future pressure to prune the trees or remove them in part or in full. Therefore, overall, in the absence of an AMS, the Report does not offer any

assurance that the development can be carried out whilst also ensuring the protection and long-term retention of the trees.

11. The evidence before me therefore indicates that undertaking the proposed development would be likely to risk the health of the protected trees. Moreover, it has not been demonstrated that the effect would be minor or could be avoided with protection measures and suitable Arboricultural practices. The development would be likely to lead to the loss or damage of this trees and thereby undermine the positive contribution that the trees make to the appearance of the area.
12. Therefore, the proposal would harm the character and appearance of the area, including its effect on trees. It would therefore be contrary to Policies N1 and N4 of The Plan for Stafford Borough (The Plan) which, amongst other things, requires high design standards which have regard to the local context and protect the natural environment.

Living conditions

13. The intervisibility between the proposed windows on the side elevation and the side facing bedroom window in Alder Grange would have a negative effect on the living conditions of the occupier in terms of privacy, due to the limited separation and direct views. This is particularly so given it is the only window to that bedroom and the living conditions are already compromised as the activity within the parking area at the side of Alder Grange affects privacy.
14. The appellant suggests that the windows to bedrooms 2 and 3 of the proposed dwelling could be fitted with obscure glazing or replaced by roof lights. However, such amendments would result in a poor, or no, outlook from such rooms and as such would be to the detriment of the living conditions of the future occupiers of the proposed dwelling. Therefore, whilst such amendments would mitigate the identified negative impact on the living conditions of the occupants of Alder Grange it would create unacceptable living conditions for the future occupants of the proposal.
15. Accordingly, I conclude that the living conditions of the occupants of the adjoining Alder Grange care home, with particular regard to privacy, would be harmed. Consequently, the proposal would conflict with Policy N1 of the Plan insofar as it requires that design and layout take account of the amenity of adjacent residential areas.

Highway safety

16. Adamthwaite Drive, between Uttoxeter Road and Ridgway Drive, is an unmade road without pavements. The access entrance into the appeal property would be directly onto the carriageway of Adamthwaite Drive. As the boundary treatment would closely flank the access on either side and extend up to the junction, which would be of single car width, visibility on exit from the driveway would be limited. Consequently, any driver exiting from the proposed access would have limited forewarning of any other vehicles or pedestrians travelling along Adamthwaite Drive. As such, the highway users would not be able to anticipate each other's movements and stop as appropriate.
17. My observations on the site visit suggests that Adamthwaite Drive is quiet in respect of the number of vehicles that pass the appeal site, and such vehicles are likely to be travelling at slow speeds. Nonetheless, the impediment to

visibility for vehicles exiting the site is likely to result in conflict with users of Adamthwaite Drive, including pedestrians, to the detriment of highway safety.

18. Turning to parking, I note that the adopted parking standards, set out in Appendix B of the Plan, require 2 off-street parking spaces for the proposed dwelling and 3 for the existing dwelling. The proposed plans do not show that number of vehicles within the respective driveways. Even so, from the information contained in the plans and based on my observations on site, I consider that the adopted standards would be achieved and could be secured by condition if the appeal were to be allowed.
19. Consequently, I conclude that, while adequate onsite parking could be provided, the development would have an unacceptable effect on highway safety due to the inadequacy of visibility at the access of the proposed dwelling. As such it would conflict with Policies T1 and T2 of The Plan, which amongst other matters, seek to ensure adequate parking is provided for all new development.

Other Matters

20. The proposal is described as having green credentials with a sedum roof integrated into it. I also acknowledge the economic and social benefits resulting from the construction and occupation of the proposed development. However, given the scale of the development such benefits would be limited.
21. The appellant has raised concerns with the Council's handling of the planning application, however that is not relevant to my findings on the planning merits of the scheme.

Conclusion

22. Whilst I have found that adequate provision is made for parking, this is a neutral factor that does not outweigh the harm to the character and appearance of the area, the living conditions of neighbouring occupants and due to inadequate access visibility. The proposed development, therefore, conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
23. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR