



Appeal Decision

Site visit made on 5 September 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2023

Appeal Ref: APP/Y3425/D/23/3325678

19 Berkeley Street, Stone, Staffordshire, ST15 8LS

- 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 Mark Axon against the decision of Stafford Borough Council.
 - The application Ref 22/36901/HOU dated 13 December 2022, was refused by notice dated 4 July 2023.
 - The development proposed is reinstate roof to existing garage structure, lift the roof eaves up to allow home office within roof space with rear dormer and rooflights to the front elevation. Existing roof structural was removed by the previous property owner to validate Planning Approval to form new dwelling on the plot in 2007.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The refusal reason references the Framework however, there is no specific assessment against the Framework within the Council's delegated report. It is not considered that this impacts upon the determination of this appeal given the main changes to the Framework.

Main Issue

3. The main issue is the impact of the proposal upon the host property, street scene and character and appearance of the area.

Reasons

4. The appeal site is an end of terrace dwelling. To the side of the dwelling is a vacant area which is understood to have originally been number 17 Berkeley Street with the planning history, outlined within the council's delegated report, confirming historic permission for new residential development on the site. The appellant confirms that the existing roof structure was removed, by the previous property owner, in order to validate planning permission for a new dwelling on the plot in 2007.
5. At the time of my site visit I noted that remains of the side and rear walls of the previous garage structure are evident, with the appellant having provided photographs, of the previous structure, as photograph ME1. The appeal proposal seeks permission for the construction of a new garage structure with a habitable room above to provide a home office. The Council confirm that the principle of reconstruction of a garage within the appeal site is acceptable and

note that the removal of the remaining structure and a replacement building could be an improvement to the character and appearance of the street scene. I have no reason to conclude differently on these elements, however, the proposal must still be acceptably designed taking into account the host property, the street scene, as well as the character and appearance of the site and surrounding area.

6. The appellant has noted an existing detached garage structure at 24 Berkeley Street (no. 24) as well as providing photographs (as ME2 and ME3 respectively). I note some similarity between that garage and the appeal proposal before me (such as the extensive roof massing), however, there are also some notable differences. The garage at no. 24 is adjacent to an access road which provides access to a courtyard to Berkeley Court Mews. As a result of this, the garage does not completely infill a gap between two terraced dwellings as would be the case with the appeal proposal before me. In addition, and most notably, the garage at no. 24 has a significant set back from the front elevation of its host property resulting in the garage structure being around a car length back from the street scene itself. I find that these factors assist in mitigating the impact of the garage at no. 24 on the end of the terraced row. I acknowledge the overall height and roof structure is comparable but the set back and gap to the right-hand side are not comparable to the proposal before me. Each case must be considered on its own merits.
7. The proposal within this appeal would, by comparison, result in the garage structure being level with the front elevation of the host property, with no set back, and would entirely fill the space available between 15 and 19 Berkeley Street. The proposal would also introduce a double garage door on the front elevation which, in the context of the wider street scene, would be an uncharacteristic feature within the terraced row. The ridge height of the garage would be comparable to the eave height of the host property, however, due to the fall in site levels (which results in the neighbouring property being at a slightly lower level) the ridge height of the garage would exceed the eave height of no. 15. The eave height of the proposal would be around 2.4 metres with an overall, maximum, height of 6.2 metres which would result in a large volume of roof massing which would result in a visually bulky and prominent feature in contrast to the host dwelling and within the middle of the terraced row and within the street scene.
8. I acknowledge that planning permission has historically been granted for a dwelling on the appeal site. I do not have copies of the previous permission details for that dwelling before me, but I would assume that a dwelling in this location would have been appropriately designed to continue the terraced row within similar design features, roof structure, proportions and fenestration which would allow the proposal to be viewed as an extension to the terrace running along Berkeley Street which would not result in visual contrast in the middle of the row. Whilst a dwelling would, evidently, result in greater overall scale and massing, I find that the proposal before me, as currently presented, would result in too strong a contrast within the street scene and would present as a prominent feature which would be uncharacteristic of the area. As a result of this I find the proposal would have an unacceptable impact on the character and appearance of the site and the surrounding area/street scene.
9. Overall, whilst I acknowledge the presence of the garage at no. 24, I find that the overall street scene is characterised by modest terraced dwellings which

share similar design features and fenestration. There are material differences between the appeal proposal before me and no. 24. The proposal would be contrary to The Plan for Stafford Borough 2014 Policy N1, which requires designs to have regard to local context and preserve and enhance the character of the area and Stone Neighbourhood Plan (2016 – 2031) Policy H2, which requires high quality design.

Other Matters

10. Comments regarding the handling of the application, in terms of general lack of communication, are noted but they are unfortunately outside the scope of this appeal. A lack of objection from local residents, service providers or any consultees is a neutral consideration.
11. I note that the appellant states that it is their view that the previous garage was uncharacteristic of the area as a result of likely construction prior to current planning policies. Any proposals to reconstruct the now dismantled, original, garage would be subject to a consideration of that case on its own merits at the point any planning application was made. It is not within the scope of this appeal to comment on whether or not the previous garage was uncharacteristic, as I can only consider the proposal before me, as submitted, taking into account the appeal site as it stands at the point of my inspection and writing of this decision letter.
12. I acknowledge comments in relation to control of rainwater and general drainage and the potential benefits of such system to avoid risk of water damage to house structures either side, however, the structural stability of the appeal site and adjoining structures are not a material planning consideration and are therefore outside the scope of this appeal.

Conclusion

13. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR