



Appeal Decision

Site visit made on 28 August 2024

by K Winnard Solicitor LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 13 September 2024

Appeal Ref: APP/B3410/D/24/3346985

Yew Tree Cottage, Wood Lane, Yoxall, Staffordshire DE13 8PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Bailey against the decision of East Staffordshire Borough Council.
 - The application Ref is P/2024/00249.
 - The development proposed is the erection of a detached double garage with first floor to be used as a home office.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council changed the description of the development and I note that this description has been used by the agent for the appellant in the appeal form. I have used this description of the development as it is more succinct.
3. Revised plans were received during the course of the application and I have accordingly had regard to these plans in making my decision.

Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal property, Yew Tree Cottage, (Yew Tree Cottage) is a relatively modern detached house situated within a row of linear development which fronts the A515, to the north of the village of Yoxall. In this location, and notwithstanding the presence of a limited amount of commercial development, dwellings, most of a traditional style and design, are set in spacious plots amongst surrounding countryside. As such, and notwithstanding the level of traffic along the A515, the area retains a rural character with a feeling of openness.
6. The proposed garage incorporating a first floor would be sited close to the dwelling, set back from its front elevation and the boundary with the highway. Due to its substantial height and width, it would be a sizeable building. Notwithstanding the generous size of the plot and the difference in land levels

such that it would sit lower than the adjacent highway, the building would be of a significant height and massing. It would add significant bulk to this side of the dwelling and would not appear modest in relation to Yew Tree Cottage, a consideration in determining planning applications for ancillary buildings to a dwelling.

7. Whilst there is a level of screening afforded by existing boundary hedgerows, gaps in the front boundary hedge would open up views of the building from the highway. Specifically, its height would draw the eye and would appear dominant within the street scene detracting from the distinctive character and appearance of the area.
8. My attention has been drawn to a number of other garages located within the area. Whilst I saw these developments on my site visit, I am not aware of the full circumstances surrounding any of these developments. I accept that detached double garages are a common feature within the area but the ones I saw on my site visit are of a smaller scale than the proposal before me. Nor do they dominate the curtilage plot in which they are situated. My attention has specifically been drawn to a permission approved at a neighbouring property for a garage with a playroom/gym in the roof space. This permission has not been implemented and appears to be now time expired. Be that as it may, whilst I do not have the specific details before me as to how that decision was made I note that the proposed siting of the garage would be set well back within the curtilage of the plot, which is as noted on my site visit, well screened by a brick boundary wall. Views of this building would accordingly be limited. As such, I am unable to make direct parallels with the scheme before me. Accordingly, the developments to which I have been referred only merit limited weight and do not lead me to a different view in this case.
9. I accept too that a garage could be erected under permitted development allowances and that the appellant has a clear wish to construct a garage/home office. However, any such building, whilst sited closer to the highway and notwithstanding the difference in land levels, would be of a much smaller scale than that proposed. Therefore, it would have less of a harmful impact on the prevailing character than the proposal before me. Accordingly, I give this matter limited weight and it does not alter my conclusions.
10. I therefore conclude that the development would result in unacceptable harm to the character and appearance of the area. As such the development is contrary to Policies SP1, SP8, SP24, DP1 and DP3 of the East Staffordshire Local Plan (adopted 2015). Together these policies seek to ensure that development reinforces local character and identity and is appropriately designed having regard to the dwelling and its curtilage and to be modest for ancillary uses. It would also conflict with the East Staffordshire Design Guide Supplementary Planning Document which overall aims for development to be appropriate to context and with the National Planning Policy Framework which seeks to provide for development sympathetic to local character.

Conclusion

11. For the reasons given I hereby dismiss the appeal.

K Winnard INSPECTOR