

Appeal Decision

Site visit made on 24 September 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2024

Appeal Ref: APP/C3430/D/24/3348404

24 Brindley Brae, Kinver, Staffordshire, DY7 6LR

- 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 Martin Williams against the decision of South Staffordshire Council.
 - The application Ref is 24/00076/FULHH.
 - The development proposed is a new detached triple garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant raises a number of points in respect of communications with the Council. These are matters between the appellant and the Council.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property comprises a detached brick-built one and a half storey dwelling located on an L-shaped plot within a residential area characterised by the presence of one, one and a half and two storey dwellings.
 5. The appeal property is situated in a prominent corner location. One side of the end of the property's front garden is adjacent to where Hampton Grove meets Dunsley Road and the other side is adjacent to where Hampton Grove meets Brindley Brae. The appeal property is accessed directly from Brindley Brae.
 6. The appeal property is set back from its access area behind garden land and the boundaries of the property include thick and tall hedgerows, trees and fences. The juxtaposition of the appeal property and its neighbour, Number 23 Brindley Brae, is such that the access and front garden area of the appeal property is adjacent to the end of No 23's main garden area, which is denoted by a relatively low fence and a small garden shed.
 7. During my site visit, I observed the area around the appeal site to be notably green and spacious. In particular, that area closest to Hampton Grove's
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junctions with Dunsley Road and Brindley Brae is distinguished by the presence of substantial grass verges, hedgerows, trees and garden areas. Whilst low walls, fences and as above, a small garden shed, are present, the absence of large buildings – with dwellings being well-separated by gardens – provides for an attractive, green and spacious entrance into Hampton Grove from Dunsley Road.

8. The proposed development would comprise a large, tall, detached three bay garage. It would be sited at the end of the appeal property's garden, close to the access to Brindley Brae and adjacent to Hampton Grove, between its junctions with Dunsley Road and Brindley Brae.
9. Its height and overall scale would lead the proposed development to appear to loom above garden fences and hedgerows. I find that this would result in the proposal drawing attention to itself as a large and bulky structure. As such, it would appear out of keeping with and detract significantly from, the area's spacious attributes.
10. The harm arising from this would be exacerbated as a result of the proposed use of timber cladding, which would be out of character with larger buildings in the area, which tend to be brick-built and would result in the proposal drawing attention to itself as an incongruous feature.
11. Further, the proposed development would be sited in a prominent location, close to two junctions, resulting in being widely visible from a range of locations. Thus, whilst the lower parts of the proposal would be hidden from view behind boundary features including surrounding greenery, its prominence, size and incongruous appearance would lead it to draw undue attention to itself from a range of locations.
12. Consequently, I find that the proposed development would appear as an obtrusive feature that would detract significantly from the area's spacious qualities.
13. Taking all of this into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to South Staffordshire Core Strategy (2012) Policy EQ11; and to the Council's Design Guide Supplementary Planning Document (2018), which together amongst other things, seek to protect local character.

Other Matters

14. In support of his case, the appellant refers to other developments elsewhere. However, there is nothing before me to demonstrate that the circumstances relating to these are so similar to those of the proposal before me as to provide for direct comparison. Notwithstanding this and in any case, I have found that the proposal would result in significant harm and this is not something that is mitigated by the presence of other developments elsewhere.

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR