



Appeal Decision

Site visit made on 12 December 2024

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

Appeal Ref: APP/Y3425/D/24/3347608

18 Lapwing Place, Stafford, ST16 1FX

- 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 Ragobar against the decision of Stafford Borough Council.
 - The application Ref is 24/38984/HOU.
 - The development proposed is the erection of garden frames for climbing plants.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of garden frames for climbing plants at 18 Lapwing Place, Stafford, ST16 1FX, in accordance with the terms of the application, Ref 24/38984/HOU, and the plans submitted with it.

Application for costs

2. An application for costs was made by Mr Brian Ragobar against Stafford Borough Council and this will be the subject of a separate Decision.

Procedural Matter

3. The garden frames are already in place and this appeal therefore relates to an application for permission retrospectively.

Main Issue

4. The main issue in this case is the effect of the garden frames on the character and appearance of the area around Lapwing Place.

Reasons

5. No 18 is a brick-built detached house situated at the southern end of Lapwing Place. Lapwing Place is a cul-de-sac within a large modern residential estate. The property has a moderate-sized rear garden in which has been erected four wooden garden frames. Each frame is 3.5 metres high with a top beam stretching across almost the entire width of the rear garden. At the base of each of the support posts there is a large container housing a climbing plant that extends up to the top of the frame and partially across the top beam. At the time of my visit, the plants were bare but I have photographic evidence of leaves and fruit presumably from earlier in the year.
6. The Council's decision letter contends that the height and solid structure of the frames result in an unacceptable impact to the character and visual amenities of the local area. However, the frames are lower than the ridge heights of

adjacent garages at both the host property on one side and at the neighbouring No 16. Moreover, the four frames are individual slim structures that do not present as a solid structure from any perspective.

7. The frames are only readily visible from the public realm along Lapwing Place, across the rear garden of No 16, some distance from the road. As such, they are not conspicuous or prominent and, in any case, only the end posts are presented to view and are seen against a backdrop of garages and houses. There are no clear long-distance views across the rear of the properties around the appeal site, such that the frames do not obstruct any such views. During winter months the slim frames are of limited visibility, and when in leaf the climbing plants would effectively screen the posts, appearing similar to other forms of mature planting commonly found in residential gardens, and effectively softening the visual appearance of the area, to its benefit.
8. From the officer's report it would appear that the Council accepts that the development is largely unviewable from the street scene, and that it would not be considered to result in a prominent and incongruous addition to the street scene. I concur with that view. On this basis, and given that the overall structure does not present as 'solid' and is not enclosed in any way, including by way of a roof, I find that the garden frames, as constructed, are not harmful to the character or appearance of the area around Lapwing Place.
9. In the light of the above, I find that the garden frames do not conflict with Policy N1 of the Plan for Stafford Borough, which requires designs to have regard to the local context and to preserve and enhance the character of the area. Similarly, they do not conflict with Policy on design quality in the National Planning Policy Framework as outlined in Paragraph 135 a), b) and c). Accordingly, I allow this appeal.

Conditions

10. Since the frames are already in place and have been erected in accordance with the submitted plans, there is no need for any conditions to be imposed in this case.

J D Westbrook

INSPECTOR