



Appeal Decision

Site visit made on 24 February 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th March 2025

Appeal Ref: APP/B3438/D/24/3357716

13 Long Valley Road, Biddulph, Staffordshire ST8 6RA

- 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 and Mrs Cannon against the decision of Staffordshire Moorlands District Council.
 - The application Ref is SMD/2024/0376.
 - The development proposed is described as 'excavation works to form timber retaining walls for new parking area at highway level and works to form raised patio area (retrospective). Extension of existing dropped kerb to serve new parking area/driveway'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellants have clarified that the 'existing fence line circa 1400mm high', as shown on drawing ref P376-200 Rev A, is not part of the appeal scheme. Notwithstanding the Council's reference in the Planning Officer's report to a 'long close boarded fence', I have considered the development as outlined in the original description of development above, which was taken from the application form.
3. The appeal scheme is partially retrospective, as part of the development has been completed. Namely, the works for the new parking area, although I noted at my site visit that the extension to the dropped kerb has not taken place. I have considered the development on this basis.
4. The appellants have submitted an additional plan at the appeal stage. This plan ref P376-201 Rev B presents similar information to that showed on plan ref P376-201 Rev A, which was part of the application plans. I have considered the appeal scheme based on the plans that were before the Council at the time of their decision in the interests of fairness and precision.
5. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issues

6. The main issues are the effect of the development on the character and appearance of the area and whether appropriate arrangements are made for drainage.

Reasons

Character and appearance

7. The appeal site relates to a semi-detached bungalow located on a corner plot, at the junction of Long Valley Road with Nursery Drive, in a residential area. The appeal bungalow is set back from the road, has a long private driveway to its side/front and a large garden to the side. Neighbouring dwellings are also set back from the road, have off-street parking in various forms, and gardens to the front. The front boundary treatments within the immediate area are generally low and verdant. The front and side gardens of the corner plots along with the greenery contribute to the open and verdant character of the area. The appeal site, through its original large side garden, has a particularly important contribution to the openness close to the junction.
8. Although some nearby properties have a larger amount of on plot parking, they tend to be the exception rather than the rule. Hence, notwithstanding the photographs provided by the appellant, my wider observations were that they do not reflect the general character and appearance of the area. Furthermore, in some cases these allow the presence of parked vehicles to dominate the frontage and thereby detract from the otherwise pleasant spacious and verdant qualities of the area.
9. The Council's reasons for refusal relate specifically to the works related to the new parking area; no concerns have been expressed regarding the raised patio area. The Council has referred to a long close boarded fence in their assessment, however, as outlined above, this element is not part of the development. Thus, I have focussed on the disputed element of the appeal scheme.
10. The introduction of an additional parking area, which is enclosed to its rear and sides with timber post and rail guarding, and has a hard surface, occupies a considerable part of the side garden in a highly prominent location. Thus, the development, through a combination of its form, materials, and size has reduced the amount of greenery and the openness of the plot to a detrimental degree. Any change in the colour of the wood would not soften the hard appearance of the solid structure, nor would it reduce its prominence. Furthermore, the extent of the appeal site available to accommodate parked vehicles exacerbated a negative element of the street scene rather than positively contributing to it.
11. Accordingly, the enclosed parking area appears as an incongruous, prominent feature which is harmful to the character and appearance of the area. This is irrespective of the location of the appeal site away from heritage assets. It follows that the development fails to achieve the aims of paragraph 131 of the Framework which confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

12. A hedgerow has been planted along the corner of the site, which may provide some screening for the enclosed parking area when matured. However, the parking area would still be fully visible from the road, particularly within the street scene of Long Valley Road. Furthermore, whilst the hedgerow would provide additional greenery, even if combined with other additional planting, it would not be sufficient to mitigate the loss of spaciousness.
13. I acknowledge the appellants' reasoning for the additional parking area. However, it is not shown that the appeal proposal is the only solution to provide parking for their motorhome. As such, preferable alternatives that avoid the harmful effect identified cannot be ruled out. Therefore, this matter carries little weight.
14. Consequently, I find that the enclosed parking area has a significant harmful effect on the character and appearance of the area. Thus, it is contrary to Policy DC 1 of the Staffordshire Moorlands Local Plan 2020 and Policy DES 1 of the Biddulph Neighbourhood Plan (BNP), which collectively require that new development must complement the local context. The development also fails to comply with Policy DES 2 of the BNP, which seeks to ensure that the number of parking spaces provided within the curtilage of each dwelling is proportionate to the size of the property.

Drainage

15. The Council raises concerns that the proposed parking area allows surface water to run onto the highway.
16. Policy DES 1 of the BNP requires, amongst other things, that development provides sustainable drainage and permeable surfaces in hard landscaped areas.
17. The submitted plan (P376-201 Rev A) indicates a surface water interceptor located to the side of the enclosed parking area, to take surface run-off to a soakaway. The soakaway is located within the side garden. Whilst the concrete parking area does not have permeable surface, given the evidence before me, there would be a mechanism in place to avoid water running off onto the highway. Thus, the development does not conflict with this part of Policy DES 1 of the BNP.
18. Moreover, I am satisfied that the approach to drainage is proportionate to the modest scale and nature of the development and so broadly aligns with the advice contained in paragraph 182 of the Framework.
19. No other drainage concerns are raised in relation to the remainder of the proposal. Hence, overall, I find that the proposal does make appropriate drainage arrangements and would avoid harmful conflict with policy DES 1 of the BNP.

Other Matters

20. The appeal scheme has been supported by several residents and there were no objections from Biddulph Town Council. However, whilst I have taken the third parties' comments into account, these do not alter my findings above regarding the harmful impact of the development on the character and appearance of the area.
21. The appellants indicate that the development, through the new hedgerow, provides for biodiversity. Be that as it may, such benefits would be limited and do not outweigh the harm identified in relation to the first main issue.

Conclusion

22. For the reasons set out above the appeal should be dismissed.

Andreea Spataru

INSPECTOR