The Planning Inspectorate

Appeal Decision

Site visit made on 25 July 2017

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th August 2017

Appeal Ref: APP/X3405/D/17/3173894
11 Farm Close, Littleworth, Cannock WS12 2BX

- 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 Mrs Becky Noble against the decision of Cannock Chase District Council.
- The application Ref CH/17/007, dated 17 December 2016, was refused by notice dated 8 February 2017.
- The development proposed is a 2 storey side extension.

Decision

1. The appeal is allowed and planning permission is granted for a 2 storey side extension at 11 Farm Close, Littleworth, Cannock WS12 2BX in accordance with the terms of the application, Ref CH/17/007, dated 17 December 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan dated 17/12/2016; Block/Site Plan dated 17/12/2016; 003 Existing Plans; 004 Existing Elevations; 005 Proposed Ground & First Floor Plan; and 006 Proposed Elevations.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The appellant submitted an amended plan with the appeal (005A) showing an off street car parking layout in front of the appeal property. I consider the plan shows a material change to the original proposal. The Council and other parties have not had the opportunity to comment on the amended plan. Therefore, in the interests of fairness and natural justice I have considered the proposal as determined by the Council.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, and the effect of the proposed car parking arrangements on highway safety.

Reasons

Character and Appearance

4. The property is a two storey semi-detached house which is set off the boundary with 10 Farm Close by the width of its driveway. No 10's garage abuts this boundary with the house set back by with width of the garage. Farm Close mainly comprises of semi-detached properties of similar design sited on narrow plots, the majority of which have garages to their side. There is also a short row of terraced properties at the entrance to Farm Close, the end side elevation of which faces the appeal site. Whilst there is a degree of space between the properties, this has nevertheless been significantly eroded as the majority of properties have garages to the side. This substantially reduces the contribution of the space between the properties to the tightly knit character of the area.

5. The Council's Design Supplementary Planning Document (2016) (SPD) seeks to avoid neighbouring properties joining up to create a terracing effect through controls over side extensions. The proposal would be substantially set back from the front elevation, so its massing would be towards the rear of the property and would avoid a continual building line with the front of the property. As the proposal would be substantially set down in height from the property, the associated break in the roofline would also prevent a continual roof ridge forming.

6. The proposal would extend up to the boundary with No. 10's garage, although when combined with the set back from the front elevation and the set down in height from the main roofline, this would not unduly reduce the spacing with No 10. As a result the proposal would not create a continuous effect that would result in the potential for terracing, and this would enable the property and No 10 to maintain their character and appearance.

7. With its siting well back from the site frontage, the proposal would not appear prominent in Farm Close. Whilst properties on Farm Close are located in close proximity to one another, including where there are garages to side and with the terraced properties, this proximity forms part of its character. The proposal would not therefore significantly erode the existing pattern of development, and it would be largely in keeping with its surroundings.

8. I conclude therefore the proposal would have an acceptable effect on the character and appearance of the area. As such, it would comply with Policy CP3 of the Cannock Chase Council Cannock Chase Local Plan (Part 1) (2014) which sets out the key requirements of high quality design which proposals need to address, including complimenting and enhancing the character of the local area, reinforcing local distinctiveness and being well related to existing buildings and their surroundings. As the proposal would not give rise to the potential for terracing, it would also comply, as a whole, with the SPD.

Highway Safety

9. The property currently provides one off street car parking space, and this would be maintained under the proposal. With the proposed increased in the

number of bedrooms, there would be a shortfall of one space against the Council's parking standards[1].

10. The property is however located approximately 300m from bus stops that offer regular services to Cannock and Lichfield centres, and a similar distance from local services, including a convenience store. It therefore lies in a location which is easily accessible using transport modes other than the car.

11. Furthermore, at the time of my site visit, there appeared to be no particular local issues with on-street car parking which is unrestricted on Farm Close. Whilst I appreciate my observations were a snapshot at a particular time of day, I have no substantive evidence that they were not representative of regular highway conditions. As such, it seems to me that the additional space which the proposal would give rise to could be accommodated on street, without causing unacceptable congestion. Moreover, I see no reason why the proposed parking arrangements would be harmful to the living conditions of future occupiers or result in a poor standard of design.

12. Whilst I am aware of comments that have been made about how the fence across the driveway may impact on off street car parking, I have only attached limited weight to this matter in light of my views on the lack of significant effects arising from the parking provision.

13. I conclude, therefore, that the proposed parking arrangements would not have a harmful effect on highway safety. Whilst it would conflict with the guidance set out in the Council's parking standards, it would nevertheless accord with paragraph 17 of the National Planning Policy Framework (Framework) which states that planning should actively manage patterns of growth to make the fullest use possible of public transport, walking and cycling. It would also accord with paragraph 39 of the Framework which states that local parking standards should take account the accessibility of the development and paragraph 32 of the Framework which states that development should only be refused on transport grounds where the residual cumulative impact is severe. Finally, it would accord with paragraph 17 of the Framework in respect of design and a good standard of amenity for all future occupiers.

Other Matters

14. As the proposal is well set back from the front elevation of the property, it would be largely screened from Cross Keys Farmhouse, a grade II listed building which lies to the north east of Farm Close. It would therefore preserve the setting of the listed building and accord with the statutory duty under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. The side elevation of No 10 contains a small single landing window at a first floor level that would be orientated towards the side of the proposal. Daylight would not be lost to habitable living space, and the window would also continue to receive daylight from the front of the property, with the massing of the proposal extending towards the rear. The orientation of the proposal to the window would also not unduly block sunlight. The effect on the occupiers of the living conditions of No 10 by way of day and sunlight would, therefore, be acceptable.

[1] Cannock Chase Council, Cannock Chase Local Development Framework Parking Standards, Travel Plans & Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

Conditions

16. In addition to the standard time limit condition (1), I have imposed conditions in the interest of certainty (2) and to safeguard the character and appearance of the building and area through the use of matching materials to the existing building (3).

Conclusion

17. For the reasons given above, I conclude the appeal should be allowed.

Darren Hendley

INSPECTOR