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## Appeal Decision

Site visit made on 30 July 2019

**by S Hanson BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 September 2019**

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**Appeal Ref: APP/X3405/W/19/3225132**

**23 Ironstone Road, Cannock, Staffordshire WS12 0QB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr D Geobey against the decision of Cannock Chase District Council.
  - The application Ref CH/18/348, dated 26 September 2018, was refused by notice dated 16 January 2019.
  - The development proposed is the erection of a pair of semi-detached bungalows.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The planning application has been submitted in outline with some detailed matters reserved apart from access, appearance and layout. I have determined the appeal on this basis, having regard to the site location plan.
3. The National Planning Policy Framework was revised in February 2019 (the Framework). I have taken the Framework into account as part of the determination of this appeal and the revisions do not alter the policies upon which this appeal turns.

### Main Issues

4. The main issues are i) whether the appeal site would constitute a small infill site and ii) the effect of the proposal on the character and appearance of the area, with particular reference to the local pattern of development.

### Reasons

#### *Small infill site*

5. The site is located within the defined Prospect Village Settlement Boundary within the Cannock Chase Local Plan (Part 1) 2014 (LP), wherein Policy CP6 of the LP is permissive of housing proposals limited to small infill sites which accord with LP policies and sustainable development principles identified in the National Planning Policy Framework (the Framework). The strategic approach to development is defined in Policy CP1 of the LP which directs proportionate development to existing settlements where it is also supported by other Local Plan policies. Although there is no formal definition of what constitutes small infill sites within the LP, it would be reasonable to take the view that this

constitutes the infilling of a small gap within an otherwise built up frontage or group of houses.

6. The appeal site is a corner plot and formed from part of the front gardens formerly belonging to 23 Ironstone Road (No 23) and 25 Ironstone Road (No 25). The proposed layout plan shows that the site would be accessed from Longstaff Avenue. To the rear, the appeal site would share a boundary with the main garden area to the front of 27 Ironstone Road. Ironstone Road would adjoin the side boundary to the south and beyond this would be countryside.
7. I note the appellant's use of the Oxford English Dictionary definition of infill, "to fill or block up a space or hole". However, in this instance, I would judge that the site, by virtue of its location on the edge of the settlement bounded by two roads, opposite open countryside and within undeveloped front gardens would not constitute infill development. Therefore, I conclude that the proposal would not comply with Policy CP6 of the LP which limits housing proposals within a defined village settlement boundary to small infill sites.

#### *Character and appearance*

8. Prospect Village is an area of medium-low density residential housing with well-defined boundaries that border the surrounding countryside. The character of this part of Ironstone Road is derived from two-storey and single-storey dwellings positioned side-by-side, to the back of their plots and with extensive private gardens to the front. Some have a shared vehicular access to the rear of the houses and others form individual openings onto Ironstone Road. The single-storey dwellings are more discreetly positioned with mature landscaped gardens with trees which limit views from the road. However, the appeal site is in a prominent corner position alongside a further pair of semi-detached two-storey properties both of which have long and open gardens to the front.
9. Although surrounded by a mature hedge along its boundaries with Ironstone Road and Longstaff Avenue, the site is open with views allowable towards the houses set within the rear of the plots and with the long gardens to the front. Despite being detached from the two dwellings which the land previously served, the appeal site still contributes to this prevailing pattern of development and the regularity of the layout and form.
10. The proposed pair of semi-detached bungalows, although they would provide smaller dwellings with on-site parking, would extend the built form into an otherwise undeveloped space that bounds other undeveloped areas. The proposal would not reflect the character of the immediate surrounding area which is of a strong linear pattern to the back of the plots. Development of this space would significantly interrupt the openness of the locality and the development would look materially out of place in the street scene. It would remove an important green gap that provides a soft and open buffer to the edge of the built development of this village. Consequently, the proposal would be harmful to the character and appearance of the area.
11. Although the appeal site is located within the settlement boundary, Policy CP1 of the LP requires development proposals to comply with the Framework and other relevant policies of the development plan. Policy CP3 of the LP requires, among other things, new development to relate well to existing buildings and their surroundings in terms of, for instance, layout, density, access and appearance reflecting local identity and complementing the character and

appearance of the local area. For the above reasons, I conclude that the proposal would not accord with all of the requirements of Policy CP3 of the LP and hence there would be conflict with Policy CP1 of the LP.

### **Other Matters**

12. Whilst I accept that there is built development towards the front of some gardens fronting Ironstone Road to the west, this row of housing is physically and visually separated from the appeal site by Longstaff Avenue and mature landscaping to the frontage of sites. Furthermore, these buildings are outbuildings which are subservient in scale and function to the main domestic use of the plots in which they are situated. In terms of their appearance, they are generally smaller scale buildings with low roof heights and flat or shallow pitched roofs. In contrast, the proposed development of the site with two bungalows would be considerably bulkier than the outbuildings and would have more dominant and imposing roofs.
13. In support of the appeal, I have been referred to other developments on land in similar situations within the District. However, I do not have full details of the circumstances that led to these developments being constructed and/or allowed and so cannot be sure that the circumstances are the same as the appeal proposal. Additionally, I have been referred to an appeal within South Staffordshire. However, the outcome has limited direct comparison to the appeal before me because an on-balance decision was reached taking into account housing land supply on land within another Council's jurisdiction. In any case, I have determined this appeal on its individual planning merits.

### **Conclusion**

14. For the reasons outlined above, and having regard to other matters raised, I conclude that the appeal should be dismissed.

*S Hanson*

INSPECTOR