



Appeal Decision

Site visit made on 28 July 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2023

Appeal Ref: APP/C3430/W/22/3313988

Sycamore Coppice Close, Cheslyn Hay, Walsall, Staffordshire WS6 7EZ

- 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 Mr George Massey against the decision of South Staffordshire Council.
 - The application Ref 22/00363/FUL, dated 28 March 2022, was refused by notice dated 4 July 2022.
 - The development proposed is one bed and study one and a half storey dwelling – new build – residential.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the character and appearance of the area.
 - The effect on highway access.
 - The effect on the integrity of Cannock Chase Special Area of Conservation (SAC).

Reasons

Character and Appearance

3. The appeal site is rear garden land of a detached 2 storey dwelling that backs onto the garden land that accommodates a single storey outbuilding associated with the bungalow of 51 Coppice Lane. The proposal would front onto the part of Coppice Close that is characterised by the sides of properties and garden fencing on one side of the road and fencing associated with an employment use on the other. There are no properties that front onto the road in the immediate area. Coppice Close is a narrow road with some parked cars at the time of my site visit.
4. The proposed 1.5 storey dwelling would appear very small and cramped for a house, sandwiched between the 2 gardens. It would be the only residential dwelling on this part of the road and as such would appear as an alien incongruous addition that would not reflect the pattern of development in the immediate surroundings. Attempts to mimic a garage conversion through the design fail to make it acceptable. It exacerbates the incongruity as a result of

the appearance of the front façade with the choice of materials and inclusion of a dormer window.

5. The development would harm the character and appearance of the area. As such it would conflict with Policy EQ11 of the South Staffordshire Core Strategy (Core Strategy) which amongst other things requires new development to be of high quality design with particular attention given to appropriately designed elements. New development should also contribute positively to the street scene and surrounding buildings whilst respecting the scale of spaces and buildings in the local area.

Highways

6. The proposal would make provision for 2 off street car parking spaces, in compliance with the Council's requirements. The Council has raised issue with the ability to access the parking spaces but the size of the spaces meet the size requirements and the Highways Authority has not raised any objection to the proposed provision. I note the narrow width of the road and that people park in the road but there is little before me to indicate that the proposed provision would be inadequate. The development would not therefore conflict with the part of Policy EQ11 of the Core Strategy that requires the provision of a high standard of access for all.

Cannock Chase Special Area of Conservation

7. The Cannock Chase Special Area of Conservation (SAC) is designated for the nature value of its heathland habitat. The appeal site is within 15km of the SAC and as such it is considered that it is likely that the development would cause significant adverse impacts on the integrity of the SAC as a result of increased visitor pressure. Consequently it is necessary to conduct an appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (as amended) on the effect of the development on the integrity of the SAC.
8. Policy EQ2 of the Core Strategy only permits development where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect on the integrity of the Cannock Chase SAC having regard to avoidance or mitigation measures. The Council identified a need for a contribution towards mitigation measures to avoid an adverse effect on the integrity of the protected site.
9. A Unilateral Undertaking has not been submitted to secure a contribution to mitigate against any adverse impact on the SAC as a result of the development. I cannot therefore be satisfied that there would not be any harm to the integrity of the SAC. The development would therefore conflict with Policy EQ2 of the Core Strategy.

Other Matters

10. I note the reasons for the application, identified by the appellant. However, these are outweighed by the harm I have identified.

Conclusion

11. The development would not generate harm in terms of access. However, the development would harm the character and appearance of the area and the integrity of the SAC. I therefore conclude that the appeal should be dismissed.

K Ford

INSPECTOR