



Appeal Decision

Site visit made on 9 July 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th August 2024

Appeal Ref: APP/C3430/W/24/3338966

29 Wood Lane, Wedges Mills, Cannock, WS11 1SZ

- 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 Ms T Clarson against the decision of South Staffordshire District Council.
 - The application Ref is 23/00444/FUL.
 - The development proposed is Demolition of existing bungalow and construction of new 4 bed detached house and detached annex.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form uses the following address '29 Wood Lane, Staffordshire, Wedges Mill, WS11 1SZ' which fails to include the town name. Therefore, I have used the address contained within the decision notice in the banner heading above.

Main Issues

3. The main issues are:
 - The effect of the development on the character and appearance of the surrounding area.
 - The effect of the development on the living conditions of the neighbouring occupiers at No.27 Wood Lane (No.27) and No.31 Wood Lane (No.31), with particular regard to outlook.

Reasons

Character and appearance

4. The appeal property is a bungalow located in an established residential area. It contributes to the uniformity of the row of bungalows located on Wood Lane with its hipped roof, front bay window and regular spaces between the properties. Opposite the appeal site are predominantly two storey detached dwellings and therefore there is a clear pattern of design on Wood Lane which consists of bungalows opposite the two storey dwellings. Consequently, the separation between the bungalows and the two storey dwellings results in an open character

to Wood Lane. The resulting spaciousness contributes to an attractive and pleasant residential environment.

5. The proposed rear element of the development incorporates both pitched and flat roofed elements. This would equate to the scale of a two-storey dwelling which would be seen from Wood Lane. The development would result in a prominent rear projection that would be incongruous with both the pattern of development in the street scene and the character of the row of bungalows. Nos 27 and 31 have hipped roofs which would further exacerbate the prominence of the development.
6. The open character of Wood Lane is not solely reliant upon the roof height and the spaces between the bungalows. It also derives from the overall design of the bungalows, their subservience to the two storey dwellings opposite and the open character of the rear of the properties that can be viewed from the street. Therefore, the addition of an extension that is tantamount to a two-storey development would result in a prominent feature within the street scene. The development would be an incongruous feature at odds with the rhythm of the street. The bulk of the rear projection would result in the reduction of the space around the appeal site and as a consequence would be harmful to the spacious character of Wood Lane.
7. The appellant has drawn my attention to similar development that has taken place at Nos 21, 23 and 25 Wood Lane. I do not know the detailed circumstances which resulted in these developments. However, their existence does not provide justification for a further development that, as I have identified above, results in harm to the character and appearance of the surrounding area.
8. The appellant argues that the footprint of the appeal scheme would be similar to that of the extended bungalows in close proximity to the appeal site and that there would be little harm to the character and appearance of the surrounding area. This does not mitigate the harm I have identified above in regard to the bulky roof form and the rear projection of the development.
9. In conclusion, the appeal proposal would cause significant harm to the open character and appearance of the surrounding area. Therefore, it would be contrary to Policy EQ11 of the South Staffordshire Core Strategy 2012 which seeks to ensure developments are of a high quality of design that assimilates with the surrounding area. Additionally, the development does not accord with the South Staffordshire Design Guide 2018 which states that new development should '*fit in with the general pattern of the surrounding environment, taking account of the subtle variations in scale and form, and contribute to a sense of cohesion and unity*'. The development would also conflict with the National Planning Policy Framework which seeks to achieve well-designed places.

Living Conditions

10. The significant projection and massing of the two-storey rear elevation and its close proximity to the neighbouring properties would result in a prominent rear development. This would increase the sense of enclosure and result in a loss of outlook for the occupants at No.27 and No.31.
11. The existing detached garage at No.31 and the conservatory adjoined to the rear elevation of No.27 already results in a reduced level of daylight and sunlight to the habitable room windows of the neighbouring properties. The proposed appeal

scheme would not result in a further reduction of daylight/sunlight. However, although the garage and conservatory lessen the effect of the development regarding outlook, the development would still increase a sense of enclosure and result in harm to the living conditions of the occupants of No.31 and No.27.

12. In conclusion, the proposed development would result in harm to the living conditions of the occupants of Nos.27 and 31 with regard to outlook. Therefore, the development would conflict with Policy EQ9 of the South Staffordshire Core Strategy 2012 which seeks to ensure that any development does not harm the living conditions of the occupants of neighbouring properties.

Other Matters

13. The appellant argues that an additional storey or hip to gable extension could be achieved by the exercising of permitted development rights in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015. This is not a matter for me to determine in the context of an appeal made under section 78 of the Act. It is open to the appellant to apply to have the matter determined under section 191/192 of the Act. Any such application would be unaffected by my determination of this appeal.
14. The proposed development would constitute a self/custom build. The National Planning Policy Framework and the Housing and Planning Act 2016 supports the granting of permission in relation to suitable small sites for self/custom builds. This attracts some limited weight in favour of the appeal, but would not outweigh, the harm I have identified above in relation to character and appearance as well as living conditions.

Conclusion

15. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
16. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR