
Appeal Decision

Site visit made on 26 March 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025.

Appeal Ref: APP/X3405/W/24/3358060

10 Falcon Close, Cannock, Staffordshire WS11 1JE

- 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 Kyle Goodwin against the decision of Cannock Chase District Council.
 - The application Ref is CH/24/136.
 - The development proposed is a two bedroom dormer style detached bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant discusses a pre-application advice response for a single storey dwelling. They appear to suggest that the plans submitted under this should be considered in this appeal. However, no further details such as plans, or a written response have been submitted. In any instance, I can only consider the plans submitted under the original application to the Council. I have determined the appeal based on the plans as originally submitted.

Main Issue

3. The main issue is the effect of the proposed dwelling on the character and appearance of the area.

Reasons

4. Falcon Close is a cul-de-sac located in a residential area in Cannock. Dwellings consist of a variety of bungalows and two-storey properties. These are generally recessed a generous distance from the highway within an open-plan estate. The open character of the area is especially prevalent around the appeal site with pockets of green space found to the side of several local corner plots. As such, the pattern of development forms buildings that are mostly set away from corners, creating a spacious and open public realm. The appeal site is to the side of 10 Falcon Close, which is located on a corner plot at the junction of Falcon Close and Orchard Avenue. The property is well set back from the highway, and although the garden is enclosed by a boundary fence and wall, this maintains an open character that contributes positively to the sense of spaciousness in the area.
5. The proposal would result in the creation of a dormer bungalow situated in the side garden of No.10. The siting of the dwelling would result in the loss of open space which, as outlined above, contributes to the sense of spaciousness in the area. The proposed dwelling would be particularly prominent due to its corner location, close to the highway. Its prominence would be further exacerbated by virtue that

Orchard Avenue curves around the site. The proposed dwelling would also enclose views along Orchard Avenue and encroach into the currently open views of the area when approaching the appeal site.

6. The proposed detached dwelling would have a narrower frontage in comparison to surrounding properties which typically consist of semi-detached dwellings. This narrower frontage would appear off balance in the context of the street scene and would not relate well to the established development pattern in the area. This would also further reduce the sense of spaciousness in the area.
7. Despite the reduction in height and change in layout from that previously proposed under an earlier dismissed appeal (reference: APP/X3405/W/23/3324045), the proposed dwelling would still erode the spacious and open character of the area due to its prominent positioning.
8. On my site visit it was evident that 13 Orchard Avenue to the rear of the site features a two-storey side extension. However, this extension is not situated at a junction and is instead located at the end of the cul-de-sac. It is therefore not as visually prominent as the appeal proposal. In addition, in my view, an extension reads differently in the street scene in comparison to a new detached dwelling. I am therefore not satisfied that the two schemes are directly comparable. The appellant has not provided me with any other details of two storey extensions in the area.
9. The ridge of the proposed dwelling would be almost as high as that of No. 10, so it would not be a discreet addition to the street scene. It would also be significantly taller than the existing boundary wall, which although large is a lower and less prominent presence in the street scene than the appeal proposal would be.
10. The impact of a wall opposite No.10 has been compared to the proposed dwelling. However, this wall is set well back from the highway, thereby minimising its visual impact on the street scene and maintaining openness. In any instance, I do not consider a wall and a new dwelling to be directly comparable and I have afforded this limited weight in favour of the appeal.
11. The harm that I have identified above could not be overcome by a suitably worded condition to ensure that materials match the surrounding area.
12. Accordingly, the proposed dwelling would not relate well to the existing pattern of development, detrimentally impacting the character and appearance of the area. As such, the proposal would conflict with Policy CP3 of the Cannock Chase Local Plan in this regard. This policy, amongst other matters, outlines how development should complement the character and appearance of a local area. It would also be contrary to the aims and objectives of the Framework in this regard.

Other Matters

13. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.
14. The appellant discusses various amendments they could make such as changes to the roof and more landscaping. However, the appeal process should not be used to evolve a scheme. I have considered the appeal on the plans before me.

15. They also outline how the removal of the existing garage, driveway and wall would improve the openness of the area. For the reasons outlined above, I however consider that the proposed scheme would be detrimental to the open character of the area, even allowing for these changes.
16. The site is in an accessible location with sufficient parking provision. Living conditions of neighbours and future occupiers would not be harmed and the scheme would comply with space standards and building regulations relating to energy efficiency. However, these points are neutral factors and do not weigh in favour of the appeal.
17. The proposed scheme would provide an additional property in a sought-after area and would add to the housing mix within the area. It is also suggested that the permission would be delivered quickly. However, any associated economic benefits would be relatively minor and short lived. Any social benefits would similarly be minor. None of these benefits would outweigh the harm that I have identified.
18. The appellant discusses the impact of front dormers within the area with regards to privacy and openness. No further information such as addresses have been provided. However, due to the nature of dormers, they are not directly comparable to a new detached dwelling. The Council have not raised any concerns regarding loss of privacy associated with the proposed dwelling.
19. Payment of the Cannock Chase Special Area of Conservation mitigation fee would not overcome the harm that I have identified above.

Conclusion

20. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Burch

INSPECTOR