
Appeal Decision

Site visit made on 23 September 2025

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 December 2025

Appeal Ref: APP/C3430/W/25/3369485

Stadacona, Stafford Road, Coven, Staffordshire WV10 7BN

- 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 Mr Gerald Bailey of Highview CSL against the decision of South Staffordshire District Council.
 - The application Ref is 23/01039/FUL.
 - The development proposed is erection of new build residential home facility.
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Decision

1. The appeal is allowed and planning permission is granted for erection of new build residential home facility at Stadacona, Stafford Road, Coven, Staffordshire WV10 7BN in accordance with the terms of the application, Ref 23/01039/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. During the determination of the application revised plans were submitted to alter the scale and design of the proposed building as well as move the proposed junction and include the closing off of the vehicular crossing over the central reserve. Whilst the Council refused the application based upon the originally submitted plans, the revised plans were before the Council when it made its decision. Furthermore, interested parties including National Highways have had the opportunity to comment on the revised plans. Consequently, the parties would not be prejudiced if the scheme were determined based on the revised plans.
3. The site is located within the Zone of Influence (Zol) of the Cannock Chase Special Area of Conservation (SAC). Whilst not forming part of the Council's reasons for refusal, as the competent authority I need to consider whether there would be adverse effects on the integrity of the habitats site in accordance with The Conservation of Habitats and Species Regulations 2017.

Background and Main Issues

4. The appeal site is in the Green Belt; however, it is agreed between the main parties that the development would be not inappropriate development in the Green Belt. Based on the evidence before me I find no reason to disagree.
5. In light of the above, the main issues relevant to this appeal are:
 - the effect of the proposal upon highway safety
 - the effect of the proposal upon the character and appearance of the area; and

- the effect of the proposal upon nearby trees.

Reasons

Highway Safety

6. The appeal site lies on Stafford Road, part of the Strategic Road Network (SRN). The wider site accommodates Stadacona, a residential care facility, and the proposal seeks permission for an additional building in the same use. Vehicular access is currently provided via an existing junction off Stafford Road, which also serves a nearby field. Opposite this junction is a crossing over the central reserve.
7. The proposed development involves closing the existing junction and creating a new junction. The scheme also includes the closure of an adjacent vehicle crossover and the provision of access to the adjoining field via the new junction, while the secondary access from School Lane to this field would remain unaffected.
8. The Design Manual for Roads and Bridges (DMRB) advises that the number of priority junctions providing access to all-purpose trunk roads should be minimised to preserve safety and network efficiency. However, this guidance does not preclude the provision of new or relocated junctions, provided that such proposals do not result in unacceptable intensification of use and incorporate improvements in design and operational performance. In this context, the closure of an existing access and its replacement with a suitably designed junction may be considered acceptable under DMRB principles.
9. A Stage 1 Road Safety Audit concluded that no safety issues would arise from relocating the junction. National Highways also confirmed that, given the proposed use, the development would not generate traffic volumes that trigger capacity concerns on the SRN at peak times. As such, based on the submitted evidence, the development would not result in an unacceptable intensification of use.
10. Concerns were raised regarding the retention of the central reserve crossing, as this could allow right-turn movements into or out of the field access, posing a safety risk. The revised plans removed this crossing and close the existing junction including the existing access to the neighbouring field, eliminating such manoeuvres. The removal of the crossing would improve highway safety and provide improvements compared to the existing arrangements and its removal would accord with DMRB standards which states that central reserves on dual carriageways for direct accesses should not be provided.
11. As the existing junction to the north of the proposed junction would be removed, it would not be within the visibility splay of that closed off junction. To the south of the proposed junction is the junction between Light Ash Lane and Stafford Road which also includes a central reserve to access Light Ash on the opposite side. This junction would be within the visibility splay of the proposed junction. However, vehicles exiting Light Ash Lane or crossing over from Light Ash would do so at low speeds, and the generally level road surface would contribute to ensuring suitable visibility.
12. The submitted plans demonstrate that a stopping sight distance of 215 metres would be achieved from the proposed junction, consistent with DMRB standards for roads with a 60-mph limit. Whilst there are trees along Stafford Road, these

were found to have a limited obstructive effect and based on what I saw on site and the evidence before me, I concur. As the development would comply with this and given the distance between the appeal site and the Light Ash Lane junction, including the low speeds at which vehicles would be travelling if exiting that junction, the visibility from the proposed junction would be appropriate. The Road Safety Audit confirmed that this arrangement would not present highway safety concerns and based on the information before me I find no substantive evidence to lead me to conclude otherwise.

13. The Road Safety Audit determined that vehicles expected to access/egress the development site could safely carry out their turning movements without overrunning the adjacent kerbed areas. The submitted revised plans show that refuse vehicles could both enter and exit the proposed junction without overrunning the opposite running lane. Consequently, based on the submitted evidence, there would be sufficient room to allow two-way movement when in use by larger vehicles.
14. Although detailed horizontal and vertical alignment drawings have not been provided, based on the submitted evidence, for the length of the visibility splay the level of the carriageway falls consistently just over 2 metres at a grade of less than 1%. This is consistent with the standards set out in the DMRB. Consequently, the road is mostly level and based on the information before me and what I saw on site drivers would generally have an unhindered view of oncoming vehicles from the proposed junction.
15. Whilst there are residential uses nearby, they are located a considerable distance from the proposed development which would limit the effect the development, including its construction, would have on nearby receptors. The proposed occupancy levels would be modest, and the annual average daily traffic and heavy-duty vehicle flow would not likely be substantially increased due to this scheme. Given that the proposal seeks to replace an existing junction, changes in speed already occur and whilst they would take place in a different location, the effect of this would remain similar to what already occurs associated with the wider site. Even when considered alongside the existing use at Stadacona, there is no substantive evidence that the development, or the associated traffic, would generate significant noise or adversely affect air quality on the SRN.
16. While cross-section details have not been submitted, no substantive evidence has been provided to demonstrate harm. At this stage, the purpose is to establish that the preliminary design is appropriate, with detailed matters to be addressed at the design stage. Based on the evidence, the preliminary design would be appropriate.
17. The proposed junction would comply with DMRB standards, facilitate two-way movements, and improve access for larger vehicles. The relocation would remove conflicting movements and reduce collision risk compared to the existing access arrangement and is therefore justified in terms of safety and operational efficiency. As such, based on the submitted evidence it is not evident that a departure from standards would be required.
18. Therefore, for the reasons given above the proposal would not harm highway safety. Consequently, the development would accord with paragraphs 115 and 116 of the National Planning Policy Framework (the Framework) insofar as they

expect developments to ensure a safe and suitable access to the site can be achieved for all users.

Character and Appearance

19. The appeal site comprises an open field associated with Stadacona, a substantial two-storey detached building currently operating as a residential home facility. The proposal seeks permission for the erection of a second building for the same use. The site is enclosed by trees and hedgerows along three boundaries, with a small copse of trees adjacent to the internal access road that separates the appeal site from the land surrounding Stadacona. Stadacona itself is a large two-storey building finished in white render, featuring a central two-storey gable projection and a hipped roof with slate-effect tiles. The appeal site lies within the countryside, where surrounding development is typically sporadically located, comprising large, detached buildings of varied design set within generously sized plots. Stafford Road is generally lined with trees and hedgerows, which contribute positively to the rural character beyond the road, although the road itself has a degree of urbanising influence. Overall, the area is characterised by substantially sized, widely spaced buildings within landscaped grounds and open fields.
20. The settlement of Coven lies to the west of the appeal site and is predominantly composed of smaller dwellings within notably smaller plots than those along Stafford Road. The appeal site is separated from Coven by the large, landscaped grounds around Stadacona and is more visually associated with development along Stafford Road than with the settlement itself. This distinction is reinforced by the fact that the appeal site would take access from Stafford Road, whereas development within Coven is primarily served by School Lane and adjacent roads. Consequently, the appeal site and the development along Stafford Road form a distinct character separate from that of Coven.
21. The proposed building would be positioned opposite Stadacona but oriented towards Stafford Road, whereas Stadacona is set perpendicular to it. A new vehicular access is proposed, which would be shared between the two buildings. This, together with the open space surrounding and between the buildings, would result in the two structures being perceived as a cohesive grouping. The proposed building would be two storeys in height, finished in white render, and incorporate a central two-storey gable projection and a hipped roof with slate-effect tiles, reflecting the design and scale of Stadacona. Given the site's visual separation from the nearby dwellings, the consistency in design between the two buildings would be a notable feature that would positively contribute to the character and appearance of the site. While there is a building to the south of the proposed development, this is also a large, detached structure, and the appeal building would not appear substantially larger than it. When viewed in this context, the scale, siting and design of the proposal would not appear discordant.
22. The development would not necessarily be consistent with the guidance set out in the Council's Design Guide (Village Summary) for Coven. However, for the reasons given above, the appeal site and the proposed development are visually separate from the development within the village and is appropriate with regard to the context it would be viewed as part of.
23. The generous grounds and significant spacing between the proposed building, Stadacona, and other nearby properties would ensure that the presence of two

substantial buildings in this location would not appear out of character with the sporadic pattern of development along Stafford Road.

24. The proposed relocation of the junction would necessitate the removal of a section of hedgerow along Stafford Road. However, the extent of hedgerow loss would be limited when considered against the substantial length of hedgerow that bounds the wider site. As such, the proposal would not materially diminish the positive contribution that this feature makes to the rural character of the area.
25. Therefore, for the reasons given above, I conclude that the proposed development would not harm the character or appearance of the area. Consequently, the development would comply with Policies EQ4 and EQ11 of the South Staffordshire Council Core Strategy (CS). These seek, amongst other matters, for development to respect local character and distinctiveness, including that of the surrounding development and landscape.

Trees

26. The originally proposed junction would have necessitated the removal of an ash tree. However, the revised access arrangements mean the junction would be repositioned, and as a result, this tree would be retained.
27. The proposal would involve the removal of a section of the hedgerow bounding the site. The submitted Preliminary Ecological Appraisal concludes that the development is unlikely to result in adverse effects on protected species. The Council's ecologist reached a similar conclusion, subject to the imposition of appropriate conditions. Based on the evidence before me, I find no compelling reason to reach a different view.
28. As noted earlier in this decision, the loss of a small section of hedgerow to accommodate the access and visibility splays would not cause significant harm to the character or appearance of the area. Furthermore, there is no substantive evidence to indicate that the formation of the access would require extensive pruning of nearby trees and hedges to a degree that would compromise their health.
29. Accordingly, the proposed development would not result in the loss of the nearby ash tree, nor would it cause substantial harm to the trees and hedges to be retained. The scheme therefore accords with Policy EQ1 of the Core Strategy, which seeks, among other objectives, to ensure that development does not cause significant harm to habitats of nature conservation value, including trees and hedgerows, or to species that are protected or under threat.

Other Matters

30. The appeal site is within the Zol of the SAC which is a European site afforded protection under the Conservation of Habitats and Species Regulations 2017 (the Regulations). The Regulations require that the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of European sites. This requires consideration of whether the proposal would have an effect on the qualifying features of the site, either alone or in combination with other plans and projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of whether the plan would affect the integrity of a European site must be undertaken.

31. The qualifying reasons of the SAC and its primary reasons for selection as an SAC are its European dry heaths and North Atlantic wet heaths with cross-leaved heath. The conservation objectives of the SAC include ensuring that the integrity of the site is maintained or restored as appropriate, including its structure and function, supporting processes on which the qualifying natural habitats rely.
32. Given the distance between the appeal site and the SAC it would not directly result in the loss of habitats associated with the SAC. The Cannock Chase SAC Partnership project provides advice for developments within the ZOI of the SAC. It acknowledges that as C2 use classes¹ provide for residents with appreciably less ability than the average resident to make use of recreation opportunities at a site like the Cannock Chase SAC. As such, developments will generally tend to provide on-site, tailored outdoor space for their residents as an integral part of the development scheme. It therefore recommends that no developer contributions are required for C2 use class schemes.
33. In light of the above and because the scheme before me seeks permission to provide a residential home facility, I concur with the Council's conclusion that even in combination with other developments, the proposal would not have a likely significant effect on the SAC.
34. Therefore, the proposal would not undermine the conservation objectives of the identified habitats site, and an appropriate assessment is not required. Consequently, the proposal accords with the policies in the Framework that seek to protect areas of particular importance relating to habitats sites.
35. The appeal site is also located within a Great Crested Newt (GCN) Green Impact Risk Zone and GCNs are a protected species. The submitted Preliminary Ecological Appraisal confirms that there are no ponds or standing water bodies within the appeal site to support breeding amphibians, nor were any ponds identified within 500 metres of the site. It concludes that, given the absence of suitable habitats locally, there is only a small chance of encountering common amphibians such as toads. The Council's ecologist did not dispute these findings, and based on the evidence before me, I find no reason to disagree.
36. The separation distance between the proposed building and nearby properties, together with its staggered siting, would ensure that the development would not result in a significant loss of privacy to nearby occupiers.
37. The proposed building would provide sufficient internal space to house four children and their carers, and the garden area is of an appropriate size given the number of intended occupants.
38. A building in C2 use remains a residential use, and its day-to-day operation would be broadly comparable to that of a dwelling within Use Class C3, where children with specialist needs may also reside. The nature of activity associated with the proposed use would not differ materially from that which could occur in a typical dwelling. Any noise or disturbance arising from the presence of children could occur in any residential setting. The concerns raised are not inherently linked to the C2 use class but rather to individual behaviour.

¹ The Town and Country Planning (Use Classes) Order 1987

39. While children in care may have varied needs, there is no substantive evidence before me to suggest that their presence would result in significant harm to the living conditions of neighbouring occupiers. I therefore consider the proposed use to be compatible with surrounding residential uses.
40. Furthermore, given that the proposal relates to only four children, with staff on site, I do not consider there to be any substantive evidence to conclude that the development would compromise the safety of nearby residents.
41. Matters related to rights of access can be dealt with between the parties outside of the appeals process.

Conditions

42. Further to the statutory commencement condition a condition requiring the development is carried out in accordance with the submitted plans is necessary in the interests of certainty.
43. Condition 3 is necessary in the interests of ensuring the proposal would not increase the risk of flooding elsewhere.
44. Conditions 4 and 8 are necessary in the interests of safeguarding protected species. I have revised condition 8 to remove reference to the fact the appraisal had been submitted and agreed to by the Council during the determination of the application, as this information is not necessary. I have also reworded the condition to remove reference to other legislation concerning reptiles. Condition should be relevant to planning and as those matters would be covered by other legislation it would not be necessary to require compliance as part of this condition.
45. It is necessary for conditions 3 and 4 to be pre-commencement as it is fundamental to have these matters secured prior to any development commencing on site which could affect flood risk and protected species prior to the works approved by these conditions being implemented.
46. Condition 5 is necessary in the interests of the character and appearance of the area.
47. Conditions 6 and 7 are necessary in the interests of highway safety.
48. Condition 9 is necessary in the interests of protecting the living conditions of nearby occupiers. I have revised the Council's suggested conditions and combined them into a single condition in the interests of clarity and certainty.
49. Condition 10 limiting the number of young persons aged under 18 that could be housed within the property is necessary in the interests of the living conditions of the neighbouring occupiers as well as the future occupiers of the building itself. It is also necessary in the interests of certainty.

Conclusion

50. The proposed development would be in accordance with the development plan, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Location Plan; CA-258-101 Rev D; CA-258-100 Rev A; and 805_004.
- 3) The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and retained as such thereafter.
- 4) The development hereby permitted shall not commence, including demolition, groundworks or any necessary vegetation clearance until a method statement for reptiles has been submitted to and approved in writing by the local planning authority. The method statement shall include (as a minimum):
 - i. a risk assessment in relation to site activities that may impact reptiles
 - ii. details of all reasonable avoidance measures to ensure reptiles are not adversely affected by works
 - iii. identification sheets for native amphibians (to be kept on site); and
 - iv. details of the toolbox talk and signed register for attendees.The development shall be carried out in accordance with the approved method statement.
- 5) No works shall take place above ground level until details of all external materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details and retained as such thereafter.
- 6) The development hereby permitted shall not be brought into use until the access drive, parking, servicing and turning areas have been provided in accordance with drawing no 805_004 and shall thereafter be retained and maintained for the life of the development.
- 7) The visibility splays shown on drawing no 805_004 shall be provided prior to the first use of the building hereby permitted and shall thereafter be kept free of any obstruction exceeding 0.6m in height and shall be retained as such thereafter.
- 8) All works shall be carried out in accordance with the details contained on pages 15 and 16 of the Preliminary Ecological Appraisal report prepared by Katie Warren dated 30 January 2024 (reference: LAS-KW-XX-XX-RP-E-001_PEA v2).

- 9) All site works including site deliveries shall be restricted to between the hours of 08:00 and 18:00 on Mondays to Fridays inclusive and between 08:00 and 14:00 on Saturdays with no work on Sundays or Bank and other Public Holidays. In addition, there shall be no burning on site during development and any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
- 10) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall only be used as a residential home facility for up to 4 children under the age of 18 and for no other purpose (including any other use falling within Class C2 of the Order).

End of Schedule