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## Appeal Decision

Site visit made on 12 November 2025

**by E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18 December 2025**

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**Appeal Ref: APP/X3405/W/25/3364510**

**21 Stafford Road, Cannock, Staffordshire WS11 4AF**

- 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 Jassy Sidhu against the decision of Cannock Chase District Council.
  - The application Ref is CH/25/0032.
  - The development proposed is change of use of a former British Legion Club to a large 14-bedroom HMO.
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### Decision

1. The appeal is allowed, and planning permission is granted for change of use of a former British Legion Club to a 14-bedroom HMO at 21 Stafford Road, Cannock, Staffordshire WS11 4AF in accordance with the terms of the application, Ref CH/25/0032, and the plans submitted with it, subject to the conditions in the attached schedule.

### Application for costs

2. An application for costs has been made by Jassy Sidhu against Cannock Chase District Council. This is the subject of a separate decision.

### Preliminary Matters

3. The appeal site lies within the Zone of Influence (ZOI) of the Cannock Chase Special Area of Conservation (SAC). Although not included as a reason for refusal by the Council, I am required to consider whether the proposed development would be likely to have a significant effect on the site, and if so, as the competent authority, assess the implications of the effect of the proposal on the site's conservation objectives under an appropriate assessment.
4. A revised 'proposed floor plans' plan (PL-004 Rev A) has been submitted with the appeal. There is no evidence that this was considered or consulted upon by the Council and as such I have dealt with the appeal on the basis of the proposed floor plan referenced by the Council (PL-004).

### Main Issues

5. The main issues are:
  - whether the proposal would provide suitable living conditions for future occupiers;
  - the effect of the proposal on the living conditions of the occupiers of neighbouring properties;

- the effect of the proposal on the potential for anti-social behaviour in the surrounding area; and
- the effect of the proposed development on the integrity of protected species.

## Reasons

### *Living conditions – future occupiers*

6. The appeal site comprises a former British Legion Club located prominently adjacent to Park Road (the B5012) and Stafford Road (the A34). It is proposed to convert the existing building into a House in Multiple Occupation (HMO), comprising 14 bedrooms with ensuites on the ground and first floors, with shared kitchen and living space on the ground floor.
7. The Council state that there would be no designated lounge space provided. However, the communal, open plan living room and kitchen would be spacious enough to accommodate sufficient furniture such as sofas, tables and chairs to allow it to function well as a place for future residents to relax and socialise with one another as well as prepare food and eat. Furthermore, full height glazed doors would be installed in the west elevation which would give access from this room to the shared amenity space at the rear of the building. I see no reason why this area would not be a well-used inviting area for residents.
8. No kitchen or living rooms would be located on the first floor of the building. However, the staircase would be located centrally within the building and as such it would not be onerous for the occupiers of the first-floor bedrooms to go downstairs to access these facilities. Appendix B of the Design Supplementary Planning Document (April 2016) sets out guidelines in respect of residential development. However, I have not been referred to any policy or guidelines which suggest that it is necessary for kitchen and living rooms to be provided on all floors of a HMO. The reference to amenity space within the document refers to garden sizes for dwellings and as such is not directly applicable to the appeal proposal.
9. Overall, the bedrooms and shared space which would be provided within the HMO would be well laid out and of sufficient size. As such the proposal would provide suitable living conditions for future occupiers. It therefore accords with Policy CP3 of the Cannock Chase Local Plan (Part 1) (Adopted 2014) (LP) which seeks to ensure that developments are of a high-quality design and are well laid out.

### *Living conditions – neighbouring occupiers*

10. It is proposed to provide a communal external amenity area to the west of the appeal building which would be accessed via the shared living area. This would be adjacent to the existing garden of the property to the north. Although the two garden areas would be in close proximity to one another this is not uncommon in relatively urban areas.
11. Whilst the proposed number of residents mean that a relatively high number of people would have access to the space, its modest size means that the number of people using it at any one time would be limited. Given the proposed residential use of the appeal site, the noise associated with the use of the garden would be those associated with domestic activities. I have no reason to consider that the proposed garden space would be used intensively during unsocial hours.

12. Any noise associated with the use of the proposed garden area would occur against an existing back drop of noise from the road and commercial uses to the east and west of the appeal site. In this context any increase in noise and disturbance which would be experienced by neighbouring occupiers as a result of the use of this space would not be sufficient to result in a significant degree of harm to their living conditions.
13. I therefore conclude that the proposal would have an acceptable effect on the living conditions of neighbouring occupiers. It would therefore accord with Policy CP3 of the LP which amongst other things seeks to protect the amenity of existing properties.

#### *Potential for anti-social behaviour*

14. The Council in its reason for refusal contend that the proposal would exacerbate incidents of anti-social behaviour. I have been provided with limited evidence which explains how it is anticipated that the proposed use would result in an increase in any such incidents. It is unjustified to assume that the occupiers of a HMO would be inherently undesirable or would engage in anti-social behaviour.
15. In its statement the Council state that in respect of this reason for refusal, it is concerned that the proposal is in an inappropriate location and is near to another HMO which would intensify HMOs in the area having a detrimental effect on the character of the town centre. However, I have not been directed towards any policy which seeks to limit HMOs in this location.
16. In the absence of any convincing evidence to the contrary I conclude that the proposal would not result in increased potential for anti-social behaviour in the surrounding area. As such the proposal would accord with Policy CP3 of the LP which seeks to ensure that opportunities are taken to avoid anti-social behaviour.

#### *Habitats site*

17. Cannock Chase SAC is designated due to its qualifying features which comprise European dry heaths and North Atlantic wet heaths. The conservation objectives for the SAC are to ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the favourable conservation status of its qualifying features by maintaining or restoring the extent, distribution, structure and function of qualifying natural habitats along with supporting processes on which they rely.
18. The appeal site lies within the 15km ZOI of the SAC. In this area it has been established that proposals involving a net increase of one or more dwellings would, in combination with other proposals in the area, have an adverse effect on the integrity of the SAC through increased visitor numbers and recreation pressure on the site. The effects of this include the creation and widening of paths, erosion and nutrient enrichment. Together with other developments in the area, there would therefore be a likely significant effect on the SAC.
19. The Cannock Chase Special Area of Conservation (SAC) Guidance to Mitigate the Impact of New Residential Development (1<sup>st</sup> April 2022) document sets out a strategy to mitigate any potential effects of increasing recreational pressure on the SAC. The strategy includes a variety of mitigation measures including a programme of capital works, public awareness, engagement and education

projects. Contributions towards the costs of these activities are made via a charge on any net dwelling which are collected via the Community Infrastructure Levy (CIL).

20. To ensure that the requirements of the Habitats Regulations are met, these charges are 'top sliced' from the overall CIL liability and paid before development commences. In this instance it is proposed to secure the necessary mitigation through a CIL payment. Natural England has confirmed it is satisfied that this would be effective in avoiding harmful impacts arising from recreational pressure. I am satisfied that with the planned mitigation measures in place, funded through the CIL, that the development would not have an adverse impact upon the Cannock Chase SAC.

### **Other Matters**

21. The appeal site is near to the Congregational Chapel and the associated Manse which are Grade II listed buildings. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving their setting. Although of limited architectural merit, the appeal building is of some age and forms part of the backdrop of the listed buildings, albeit they are on the opposite side of Park Road. Nevertheless, given the location of the proposed development and the limited changes which would occur to the exterior of the building, the proposal would preserve the setting of these listed buildings and the contribution it makes to their significance. For these reasons I also find that the proposal would not result in harm to the setting of the adjacent Conservation Area. I note the Council had no concerns in this regard either.
22. Interested parties have raised concerns in respect of the lack of on-site parking, however it has been established through previous appeals that the site is in a location which is well served by public transport and in close proximity to services and facilities and as such residents and visitors would not be reliant on car usage.

### **Conditions**

23. I have undertaken some minor editing and rationalisation of the conditions suggested by the Council in the interests of clarity and precision. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans in the interests of certainty.
24. Glazing which meets the specification of the acoustic report is required in the interests of the living conditions of future occupiers in respect of noise. Details of refuse, recycling and bicycle storage are required to ensure that these facilities are provided for future residents in an appropriate manner.

### **Conclusion**

25. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

*E Pickernell*

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 PL-001, PL-003, PL-004 and PL005.
- 3) Prior to the first occupation of the development hereby approved, glazing which meets the specification contained in the Noise Impact Assessment (P8113-R1-V1) dated 28 January 2025 shall be installed throughout the building and maintained in perpetuity thereafter.
- 4) Prior to the first occupation of the development hereby approved, a scheme for the storage and collection of refuse and recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development and shall be retained in perpetuity thereafter.
- 5) Prior to the first occupation of the development hereby approved, space shall be laid out for 14 bicycles to be parked, in accordance with a scheme which shall first have been submitted to and approved in writing by the local planning authority. Thereafter the space shall be kept available for the parking of bicycles in perpetuity.

### **End of Schedule**