



Appeal Decision

Site visit made on 11 September 2023

by L Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 October 2023

Appeal Ref: APP/C3430/W/23/3316572

64 Croydon Drive, Penkridge, Staffordshire ST19 5DW

- 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 Mrs Claudia Allerton against the decision of South Staffordshire District Council.
 - The application Ref 22/00948/COU, dated 7 October 2022, was refused by notice dated 20 December 2022.
 - The development proposed is to change the use of council owned land from open land to domestic garden on purchase of the land. To grow a hedge for the boundary of the land, with a sheep net fence with 2 strands of wire hidden within the hedge for security to such as keeping dogs off the garden.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The extent of the proposed change of use of land was originally approximately 170m². Amended plans were submitted reducing this to approximately 120m² to correspond correctly with the application site red boundary. I have determined the appeal on the amended plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site is a small parcel of land that lies adjacent to 64 Croydon Drive. The site is part of a far larger area of public open space, which forms a green corridor through Penkridge and which in the immediate vicinity includes a watercourse, seating and public footpaths. From my site visit I noted that the wider open space is attractive, functional and well used.
5. The appeal site is currently overgrown and is not used as recreational space. However, the supporting text of Policy HWB2 of the South Staffordshire Core Strategy 2012 makes it clear that green spaces can perform many different roles, including having an aesthetic value. The appeal site is well vegetated, and its foliage and greenery contributes aesthetically to the open, natural green character of the area.
6. The site is in a fairly prominent corner position, and is visible from Croydon Drive and to users of the footpaths that pass through the open space. Although only a small section of the larger open space, the appeal site's prominent

location and its proximity to footpaths ensures that it makes a positive contribution to the open space as a whole.

7. The proposal would see a new hedge being planted which would provide wildlife habitat and retain an element of greenery. My attention has been drawn to a hedge that has been planted at the nearby residential home, and the fact that the proposed hedge would be in keeping with the surrounding area and could enhance the green corridor. However, the hedge at the residential home is slightly at variance with the less formal open space that characterises the surrounding area. I consider that planting a hedge at the appeal site would unacceptably enclose the green space, which would be at odds with the open and natural character of the surrounding landscape.
8. The appellant has further drawn my attention to another property which enclosed open space in the vicinity. However, I am not aware of the exact circumstances or the policy background that led to this change of use being permitted nor the fence being erected, nor of the details of the surrounding landscape characteristics of the property. I have determined this appeal on its individual planning merits and under the current policy context, and the example of other developments in the locality does not lead me to find that this proposal would be acceptable.
9. On the issue of character and appearance, I therefore conclude that the proposed change of use would be contrary to Policy HWB2 of the South Staffordshire Core Strategy 2012 which states that the Council will support the protection, maintenance and enhancement of a network of open space, natural and semi natural greenspace; Policy EQ4 which states that new development should take account of the characteristics and sensitivity of the landscape and its surroundings; Policy EQ11 which highlights that development proposals should respect local character including that of the surrounding landscape; and the National Planning Policy Framework which states that development must be sympathetic to local character including the landscape setting.

Other Matters

10. Whilst I sympathise with the appellant that the open space is not currently well maintained which can lead to problems with litter and overhanging branches, this is something that can be addressed outside of the planning system, and it is not a sufficient reason to outweigh my decision on the main issue.

Conclusion

11. I find that the proposal would conflict with the development plan taken as a whole and there are no reasons to indicate a decision other than in accordance with the development plan.
12. For the reasons given above I conclude that the appeal should be dismissed.

L Hughes

INSPECTOR