



Appeal Decision

Site visit made on 8 April 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2024

Appeal Ref: APP/C3430/W/23/3328926

69 Chapel Lane, Codsall, South Staffordshire WV8 2EJ

- 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 Adrian Hilton against the decision of South Staffordshire District Council.
 - The application Ref is 23/00213 FUL.
 - The development proposed is the redevelopment of existing dormer bungalow to form replacement dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the redevelopment of existing dormer bungalow to form replacement dwelling at 69 Chapel Lane, Codsall, WV8 2EJ in accordance with the terms of the application, Ref 23/00213 FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 33920 02 Rev D and 22 920 03 Rev C
 - 2) The development hereby permitted shall not be occupied 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.

Preliminary Matters

2. At the time of my visit the development described in the appellant's submissions had already commenced. The appeal therefore seeks retrospective permission for the development, and I have determined the appeal accordingly. Although the description in the header above refers to a 'replacement dwelling', it is clear from the submissions before me that the scheme does not include the removal of the existing dwelling and the rebuilding of a new dwelling.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the street scene.

Reasons

4. The appeal site is located on Chapel Lane, a residential street characterised by fairly closely set dwellings in a strong linear pattern of development. However, the dwellings vary widely with regard to their architectural styles, sizes and ages. The appeal dwelling is a small, square bungalow set between a

two-storey dwelling and a single-storey dwelling with additional accommodation in the roof. As is typical of the street scene more broadly, these three properties are markedly different from each other. In all I consider the street scene to demonstrate the organic development of the area over time to the tastes and needs of those developers at the time.

5. At the time of my site visit building works were being carried out at the site. Briefly, these included the beginnings of a side and rear extension, the removal of the bay windows to the front of the property and the near complete stripping back of the interior of the dwelling. Although I note the Council's reference to Arts and Crafts detailing on the property, none were present at the time of my visit. From the information available to me I cannot ascertain whether the dwelling had any features which were of particular interest.
6. Although cumulatively the proposed alterations would significantly alter the appearance of the host dwelling, I find that this primarily stems from the alterations to the roof. The proposed roof would increase the bulk of the dwelling above the ground floor, visually increasing its height. The front facing gable with window would further increase this sense of bulk and height. However, I do not find that the massing, bulk or height of the building would be out of keeping with neighbouring buildings or the wider street scene. Moreover, the side and rear extensions would not be so significant or prominent as to erode legible square footprint of the existing dwelling.
7. The proposal includes the provision of some detailing to the front elevation, such as the bay windows and areas of brickwork, that would add an element of interest to the building. Interest would also be provided through the pitched roof over the garage, and the side windows on the ground and first floors. Overall, there would be a level of features and detailing commensurate with the scale and status of the building. In this regard the dwelling would be of a similar quality to its neighbours and would not be overly stark, or detrimental to the character and appearance of the street scene.
8. From the information before me I understand that the appeal site and host building are not covered by any protections or designations regarding interest in their heritage or design. Given the above, and that character of the street reflects development over time, I do not find the modest changes to the wider street scene to be unacceptable.
9. The proposal, with regard to its scale, design and detailing, would not unacceptably affect the character and appearance of the street scene. It would, therefore, comply with Policy EQ11 of the Core Strategy which, amongst other matters, requires developments to be of a high quality that takes account of, and respects, the character and distinctiveness of the local area. This includes with regard to the scale, massing, materials, design and form. The proposal would also comply with the guidance on design set out within the South Staffordshire Design Guide, as well as that contained within the National Planning Policy Framework (The Framework) with particular regard to Paragraph 135 which requires developments to be sympathetic to the local character and maintain a strong sense of place.

Conditions

10. The Council have not suggested any conditions, but consultees have put forward some conditions and these have been considered below. I have had

regard to the advice on planning conditions set out by the Framework and the Planning Practice Guidance.

11. As development has already commenced, it would not be necessary to impose a condition outlining the timescale for the commencement of works. However, a condition is necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans. As this is a standard condition, I have not consulted the parties as its inclusion would not prejudice them.
12. The development has enlarged the footprint of the host building and includes alterations to the location of rooms likely to be served by plumbing. As such there is a potential for increased flood risk and details would be necessary to demonstrate the suitable drainage of surface and foul water. Given the nature of the development it would be appropriate to require these details, and the provision of the scheme, prior to the first occupation of the development.
13. The development is only a relatively small scheme and the Council's Senior Ecologist has confirmed that there would likely have a negligible effect on any protected species, including bats. In light of the above the requirement for the submission of an Ecological Enhancement Plan and subsequent statement of conformity would not be commensurate with the scale of the development and overly onerous. I have not, therefore, imposed these conditions.

Conclusion

14. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR