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# Appeal Decision

Site visit made on 12 December 2022

**by Gareth Wildgoose BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 December 2022**

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**Appeal Ref: APP/C3430/D/22/3306586**

**10 Castle Street, Kinver, Stourbridge DY7 6EL**

- 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 Mr and Mrs Tromans against the decision of South Staffordshire District Council.
  - The application Ref 22/00457/FUL, dated 3 May 2022, was refused by notice dated 24 June 2022.
  - The development proposed is a detached carport and storage.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect on the character and appearance of the area.

## Reasons

3. The appeal property is a detached two storey dwelling within the built-up area of Kinver which is located at the end of a cul-de-sac with associated land at the front adjoining the turning head. The group of properties of which No 10 Castle Street (No 10) forms part are predominantly detached and semi-detached houses and bungalows, including some with dormers. This group of properties forms part of a clear transition in character from the denser groupings of predominantly terraced properties that lie closer to the highway edge on each side of the road when approaching the junction with Foley Street. There is a resultant sense of increased spaciousness when approaching No 10 influenced by the progressive stepping back of front building lines of properties on the eastern side of Castle Street. This is further influenced by available views of school playing fields to the north and the visual contrast with the different form, proportions, scale and layout of school buildings to the west that sit behind railings and intermittent hedging.
4. The proposed detached two-bay carport would be sited beyond the front building line of No 10 and other properties on the eastern side of Castle Street. The carport of 6.2m by 6.2m with a front gable roof height of 5.1m to its ridge would have a perpendicular orientation when compared with the main house and would consist of two open bays at the front and timber cladding to the side and rear walls, and brown concrete roof tiles. It would be located on existing hardstanding adjoining the turning head of the cul-de-sac and would lie adjacent to railings along the boundary with the school where some existing tall hedging sits immediately behind.

5. Core Policy 4 of the South Staffordshire Council Core Strategy (CS), adopted December 2012, expects all development proposals to achieve a high-quality design of buildings which, amongst other things, includes to respect and enhance the local character and distinctiveness of the natural and built environment including opportunities to improve the character and quality of the area and the way it functions. Alongside those requirements, Core Policy 4 indicates that support for proposals will be given to those that are consistent with the detailed design policy set out in Policy EQ11 of the CS and associated guidance which includes the South Staffordshire Design Guide 2018 that is referred to in the Council's officer report as amplifying the policy principles.
6. Policy EQ11 seeks that the design of all developments must be of the highest quality and reflect the principles it sets out. The listed principles, amongst other things, include the form of development insofar as proposals should respect local character and distinctiveness including that of surrounding development. Furthermore, the policy indicates in terms of scale, volume, massing and materials that development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area.
7. The aforementioned circumstances apply to this appeal proposal as there is a distinguishable front building line, albeit not uniform, along the surrounding group of residential properties. As such the proposed detached carport would be viewed as a conspicuous addition to the street scene when approaching along Castle Street. From those public vantage points, the addition of the built form of the carport and its associated scale and massing would appear incongruous in a prominent location well beyond the front building lines of properties on the eastern side of Castle Street and would be at odds with the pattern and form of development nearby. The resultant effect would be a harmful intrusion upon and thereby erosion of the sense of space and existing absence of built form in that location which otherwise assists the assimilation and visual transition from school buildings and playing fields to the residential character of properties to the east of the turning head of the cul-de-sac. Consequently, the siting and proportions of the proposed carport would appear incompatible with its surroundings with a detrimental impact upon the character and appearance of the street scene.
8. In reaching the above findings, I have taken into account that the importance of existing visual separation of built form prevails despite some variations in the character of individual properties along Castle Street. This includes No 10 which appears to have been recently rendered and extended with a front gable design and at the time of my visit also had an existing storage unit beyond the front building line, together with parking areas and domestic and other paraphernalia where the proposal would be located. In addition, whilst the external appearance of the carport of itself would be somewhat moderated by timber walls viewed against existing hedging within the school grounds, the landscaping lies outside of the appeal site and I cannot be certain that it would remain in perpetuity. In any case, to my mind, the mitigating effect of a landscaping backdrop would not be sufficient to overcome the harm otherwise identified upon the character and appearance of the area.
9. Examples of carport style developments have been drawn to my attention along Castle Street closer to the junction with Foley Street and at No 30 Church View Gardens in Kinver, together with others approved by the Council

elsewhere in South Staffordshire. However, I observed that the examples within Castle Street and Church View Gardens have different designs, locational circumstances and relationships to their surroundings and therefore, do not replicate the circumstances of the proposal or the harm identified.

Furthermore, the other examples outside of Kinver have little influence on the character of the locality or the immediate surroundings of the proposal.

Previous refusals of planning permission at this site in 2011 and 1983, including a dismissed appeal relating to the latter, have also been drawn to my attention. However, the full detail of those decisions and the developments proposed are not before me. In such circumstances, I necessarily determine this appeal based upon its own individual merits and as such find that the examples of developments drawn to my attention do not justify the harm that would arise from the proposal.

10. The benefits suggested by the appellant are that the carport would protect parked vehicles from adverse weather conditions, provide greater security in the absence of an existing garage or other car storage space and would be an efficient use of land. There is also potential for use of environmentally sourced materials, energy efficiency of a carport not reliant on lighting and short term local economic benefits arising from the purchase of the carport and during its construction. I also take into account that a number of letters of support for the proposal from residents of Castle Street and Kinver Parish Council are also before me and are afforded positive weight. However, the weight is limited by the fact that the carport would be a permanent feature to which I have found harm and that has the potential to remain beyond the occupation of surrounding properties by their existing occupiers. The possibility of energy generation through the potential future addition of solar panels can be afforded little weight as solar panels do not form part of the proposal before me. The absence of objection from ward councillors or harm arising from the proposal in terms of the living conditions of occupiers of neighbouring properties, given the separation distances involved, and highway safety are neutral factors.
11. Having regard to all of the above, I conclude that the proposed carport would have an unacceptably harmful effect on the character and appearance of the area. The proposal, thereby, conflicts with Core Policy 4 and Policy EQ11 of the CS and associated guidance in the South Staffordshire Design Guide, insofar as its siting, orientation, scale, and massing would fail to contribute positively to the street scene or respect the scale of spaces and pattern of buildings in the local area. The policies are consistent with the National Planning Policy Framework insofar as it seeks well-designed places and, amongst other things, requires developments to add to the overall quality of the area, be sympathetic to local character and maintain a strong sense of place including arrangement of streets and spaces. In reaching this conclusion I also find that the cumulative benefits identified as arising from the proposal would be limited by its intended purpose as an addition to an existing property and do not outweigh the harm or associated conflict with the development plan.

## **Conclusion**

12. For the reasons given above, I conclude that the appeal should be dismissed.

*Gareth Wildgoose*

INSPECTOR