

Appeal Decision

Site visit made on 18 January 2017

by Ian McHugh Dip TP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 January 2017

Appeal Ref: APP/V4630/D/16/3162351

68 Pelsall Road, Brownhills, Walsall, WS8 7DJ

- 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 I Foster against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 16/1342, dated 21 September 2016, was refused by notice dated 21 October 2016.
 - The development proposed is a front attached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposed development is described on the planning application form as a front attached garage. However, the proposal also includes an entrance lobby/cloakroom. I have considered the appeal on this basis and I have referred to the proposal throughout my decision as a front extension.

Main Issues

3. The main issues are the effect of the proposal on the appearance of the streetscene; and the effect on the living conditions of the occupiers of the neighbouring property at number 66a Pelsall Road (number 66a), with particular regard to outlook.

Reasons

Streetscene

4. The appeal property is a two-storey detached dwelling, which is situated in a residential area. Pelsall Road is a busy main road containing properties of varying ages, sizes and appearance. The appeal dwelling is positioned centrally in a row of six dwellings that are set back from the highway on a common building line.
 5. The proposal is to construct a single storey front extension to the property. The extension would create a garage and entrance lobby. It would project forward 6m from the main front wall of the existing dwelling and would be just less than 6m in width.
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6. Policy ENV32 of the adopted Walsall Unitary Development Plan 2005 (UDP) states (amongst other things) that poorly designed proposals which fail to take account of their surroundings will not be permitted. It goes on to state that proposals will be assessed with regard to their appearance, their visual relationship with the street and the character of the area. This policy is reflected in the Council's Supplementary Planning Document – Designing Walsall (SPD). In my opinion, the UDP and SPD are consistent with the provisions of the National Planning Policy Framework (the Framework), which requires planning to always seek to secure high quality design (paragraph 17), and to ensure that developments respond to local character and reflect the identity of local surroundings (paragraph 58).
7. In reaching my decision, I have given consideration to the distance that would be retained between the front of the proposed garage and the highway. I also noted during my site visit that some of the existing dwellings along Pelsall Road are positioned closer to the highway than the appeal property would be if the proposed garage was built. However, in my opinion, the common building line at the front of the appeal property and its neighbouring dwellings on this section of Pelsall Road is a distinctive characteristic of the streetscene. I consider that the proposed front extension would appear incongruous and at odds with the layout of the existing buildings because of its overall size and due to the extent of its forward projection. As a result, the proposal would be unacceptably harmful to the appearance of the streetscene and it would conflict with the UDP and the Framework, as referred to above.

Living Conditions

8. The Council contends that the proposal would have an adverse effect on the outlook from the neighbouring dwelling at number 66a, as it would extend beyond a 45 degree splay when measured from the nearest ground floor window of number 66a. Paragraph 17 of the Framework states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
9. Although the proposed front extension would be partly in advance of the 45 degree splay, in my view the extent of the projection would not be significant. In addition, the impact on the outlook from number 66a would be reduced because of the distance between the side elevation of the extension and the shared side boundary between the dwellings. Accordingly, I am not persuaded that the proposal would be unacceptably harmful to the living conditions of the occupiers of number 66a and I do not find against the proposal on this issue.

Conclusion

10. For the reasons given above in relation to the effect of the proposal on the streetscene, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR