

Appeal Decision

Site visit made on 22 March 2017

by K E Down MA (Oxon) MSc MRTPI MRSB

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

Decision date: 29 March 2017

Appeal Ref: APP/D4635/D/17/3168602

7 Rookwood Drive, Wolverhampton, WV6 8DG

- 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 P Corbelli against the decision of Wolverhampton City Council.
 - The application Ref 16/00366/FUL, dated 8 April 2016, was refused by notice dated 16 November 2016.
 - The development proposed is erection of a first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a first floor rear extension at 7 Rookwood Drive, Wolverhampton, WV6 8DG in accordance with the terms of the application, Ref 16/00366/FUL, dated 8 April 2016, subject to the following 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 the following approved plans: 24615/LP, 24615/BP, 24615/101, 24615/102.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, replacing or re-enacting that Order, with or without modification) no windows or other openings shall be introduced into the side elevation of the extension hereby permitted facing 8 Rookwood Drive.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area; and secondly, the effect on the living conditions of occupiers of 8 Rookwood Drive with respect to outlook.
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Reasons

3. The appeal dwelling is a large, modern, detached house set at the end of a cul-de-sac and adjoining open parkland which lies within the Wightwick Bank Conservation Area (CA). The Council does not suggest that the proposed extension would have any material effect on the character or appearance of the CA and I agree it would not.
4. The extension would not be visible from the street. It would be above an extensive single storey rear addition and would be about 3m in depth and 4.2m in width. It would have a hipped, pitched roof that would tie in with the main roof but with a noticeably lower ridge height. The extension would be set towards the centre of the wide rear elevation of the dwelling. It would be of modest proportions compared with the large original house and extensive single storey additions. Moreover, the design would be sympathetic to the original dwelling.
5. It is therefore concluded on the first main issue that the proposed extension would have no materially detrimental effect on the character or appearance of the host dwelling or the surrounding area. In consequence it would comply with Policies D4, D9 and H6 of the Wolverhampton Unitary Development Plan 2001-2011 (UDP), adopted 2006, and Policies ENV2 and CSP4 of the Black Country Core Strategy (CS), 2011, which taken together expect housing development to be of a high standard of design such that it creates development of appropriate scale that responds positively to the established pattern of building, protects local distinctiveness and makes a positive contribution to the locality.
6. Turning to the effect of the proposed extension on the living conditions of occupiers of 8 Rookwood Drive, the extension would be almost 6m from the shared boundary. It would be visible from the rear garden of and, at an oblique angle, from rear windows in No 8. However, it would be seen against and behind the original dwelling and the existing single storey additions respectively. Overall, the limited size and rearward projection of the proposed extension, together with the distance of separation from the shared boundary would ensure that it was not overbearing or visually intrusive when seen from No 8.
7. It is concluded on the second main issue that the proposed extension would have no materially harmful effect on the living conditions of occupiers of 8 Rookwood Drive with respect to outlook. It would therefore comply with UDP Policies D8 and H6 and CS Policies ENV2 and CSP4 insofar as they expect new development to be of an appropriate scale, compatible with adjacent uses and protect the amenity of neighbouring residents.
8. Occupiers in Quail Green, to the rear of and down slope from the appeal property, have expressed concerns about possible flooding from run off. However, it is understood that roof run-off would be directed to the mains drainage and there would thus be no additional surface water reaching the gardens in Quail Green.
9. The Council suggests three conditions in addition to the statutory commencement condition. I agree that a condition requiring the extension to be built in accordance with the approved plans is necessary in order to provide certainty and the development should be carried out using materials which

match those in the existing dwelling in order to protect the character and appearance of the host dwelling and the surrounding area. Finally, I agree that a condition restricting openings in the flank wall facing 8 Rookwood Drive is necessary to ensure that privacy at No 8 is maintained.

10. For the reasons set out above and having regard to all other matters raised I conclude that the appeal should be allowed.

KE Down
INSPECTOR