
Appeal Decision

Site visit made on 25 September 2017

by Rachel Walmsley BSc MSc MA MRTPI

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

Decision date: 3rd November 2017

Appeal Ref: APP/V4630/D/17/3179429

48 Knights Hill, Aldridge, Walsall, West Midlands WS9 0TG

- 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 & Mrs R Singh against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 17/0148, dated 27 January 2017, was refused by notice dated 21 April 2017.
 - The development proposed is detached front garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is within a row of properties that front the street. The architectural style and scale of the properties vary but the frontages are spacious and together with existing trees and other forms of soft landscaping, create a pleasant and open character to the street. The frontage to the appeal site is equally open in character, raised above the adjoining pavement and with a hedge along its front boundary.
4. Whilst the garage would be moderate in scale compared with that of the existing house and plot, it would extend above the nearby hedge. Along with its elevated position and the absence of other buildings or structures within proximity of the appeal site, the development would be notable within the street, appearing overly dominant and incongruous. This, in turn, would be harmful to the open character of the area.
5. The appellant suggests that the bus stop adjoining the site would be more prominent than the garage proposed. The bus stop sits within the confines of the existing hedge and on ground lower than the appeal site. It is therefore subservient to the street scene and as a result does not compare with the garage proposed.
6. I recognise that the Council raised no objection to the design of the proposal and on the basis of the evidence before me I find no reason to disagree.

Nevertheless, the harm found relates to the scale and position of the development which any benefits of design would not overcome.

7. In all, in light of the harm found, the development would be contrary to policy ENV2 of the Core Strategy¹ and policies GP2 and ENV32 of the development plan² which seek development that preserves, and where appropriate, enhances local character and therefore has no adverse impact on the local environment.

Other matters

8. I note the appellant's concern regarding the Council's handling of the planning application however this is not a matter for me to consider or comment upon as part of an appeal under Section 78 of the above Act.

Conclusion

9. For the reasons given and having had regard to all other matters raised, the development would be contrary to the development plan and therefore the appeal is dismissed.

R Walmsley

INSPECTOR

¹ Black Country Core Strategy, Adopted February 2011

² Walsall Unitary Development Plan, Adopted 7 March 2005