
Appeal Decision

Site visit made on 18 December 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 5th January 2018

Appeal Ref: APP/D4635/D/17/3181669

39 Soberton Close, Wolverhampton WV11 2QX

- 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 James Everitt against the decision of Wolverhampton City Council.
 - The application Ref 17/00391/FUL, dated 28 March 2017, was refused by notice dated 23 May 2017.
 - The development proposed is double storey extension to side of property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of No 37 Soberton Close with specific reference to outlook and light.

Reasons

3. No 39 Soberton Close is a semi-detached dwelling in a residential cul de sac of semi-detached and detached properties. Dwellings are separated by garages and driveways to the side of the properties creating an open and spacious character. No 39 sits on a staggered building line and stands slightly further back from the neighbouring property No 37.
4. The proposal would appear prominent and visually intrusive when viewed from the side of No 37 given the reduction in the gap between the properties and the close proximity to the boundary of No 37 that would occur. The proximity and overall scale and mass of the proposed extension would result in the proposal appearing overbearing. This would harm the outlook of the occupants of the neighbouring property.
5. The proposal would also lead to a harmful loss of light to the side kitchen window. Whilst there is a second window in the kitchen on the rear elevation of the property which faces onto a conservatory, the affected window provides light into the part of the kitchen used for cooking from what I witnessed on my site visit. The ability to naturally light the area used for the primary function of the kitchen would be harmed as a consequence.
6. The proposal would harm the living conditions of the occupants of No 37 with regards outlook and light. It would therefore conflict with saved Policies D7, D8

and H6 of the Wolverhampton Unitary Development Plan 2001-2011. The applicable parts of these policies seek to ensure that new development does not appear overbearing, that it has a massing that does not adversely affect immediate outlook and loss of light/ sunlight and that new development protects the amenity of neighbouring residents.

Other Matters

7. The appellant has referenced other properties in the vicinity which it is claimed have similar extensions to that proposed. On the limited information provided the circumstances in which the extensions were granted is unclear and there is insufficient detail to enable me to draw clear comparisons with the case before me. In any event, each case is determined on its own merits and I have based my assessment on the information available.
8. I note that the appellant identifies that comments of interested parties are not on the Council website. This is a separate matter for the Council. Nonetheless I am aware of the concerns raised by the proposal and have considered them in my assessment of the case.

Conclusion

9. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR