



Appeal Decision

Site visit made on 15 July 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/D4635/D/19/3226530

32 Foley Drive, Tettenhall, Wolverhampton WV6 8LU

- 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 Mrs Nikki Dhaliwal against the decision of City of Wolverhampton Council.
 - The application Ref: 19/00135/FUL, dated 6 February 2019, was refused by notice dated 1 March 2019.
 - The development proposed is proposed single and two storey extensions.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. These are as follows: 1) The effect of the proposed development on the character and appearance of the street scene. 2) The impact of the proposed development on the living conditions of the occupiers of no.12 and 14 Wood Road with regard to overlooking.

Reasons for the Recommendation - *First main issue*

4. The description of the development is for single and two storey extensions, but the plans submitted show that the development comprises a first-floor side extension, alteration to the roof, including change from gable to hipped roof, installation of three dormers on the front and one dormer to the rear. Whilst there are gaps maintained between some properties in the street this is not a feature maintained by all the properties. Where there are gaps between the properties, they are created by the single-storey side garages. For example, the garage for no.30 is on the western side of the building and, as such, whilst the site would be built up to the boundary, the retention of the single-storey garage ensures that a gap would be maintained.
5. Nonetheless, whilst the roof height of the proposed dwelling is like no.30, the hipped-roof narrows considerably compared to the proposed development. The proposed roofline would be considerably bulkier than the adjacent property. The proposed dormer windows would also be overly dominant in the roofline. This again does not reflect the surrounding properties which generally do not have dormer windows, or where they do, they do not dominate the roofline. Therefore, the development would appear bulkier and out-of-scale with the external appearance of the host dwelling.

6. In addition to all of that, the appeal dwelling is noticeable within the street. The proposed first floor side extension combined with the new gable frontage and bulkier roofline would appear as an out-of-keeping alteration to the host dwelling. The development would have an incongruous effect and it would be inconsistent with the character of dwellings within the area.
7. The proposed development would not be subordinate to the host dwelling and it would cause significant adverse visual harm to the character and appearance of the street scene. Accordingly, the proposed development would be contrary to Policy H6, D4, D7, D8 and D9 of the Wolverhampton Unitary Development Plan (UDP). The proposed development would also be contrary to Policy ENV3 of the Black Country Core Strategy; Policy TP12a of the Tettenhall Neighbourhood Plan and The Extensions to Houses Supplementary Planning Guidance No. 4 (SPG4).

Second main issue

8. SPG4 notes that a separation distance of at least 22 metres should normally be maintained between habitable rooms at the front and rear of houses. The SPG does not provide clarification of the necessary separation distance for buildings taller than 2 storeys or with rooms in the roof. The appellants note that distance between the proposed rear dormer windows, which are connected to a bedroom, and both no.12 and 14 Wood Road would exceed 22 m.
9. The height of the proposed building is such that the proposed dormers would look directly into the gardens and the rear rooms of both dwellings. Whilst the proposed development may meet the required separation distances set out in SPG4, based on the height of the proposed dormer windows and the distance between the properties, the living conditions of the occupiers of no.12 and 14 would be harmed by virtue of overlooking, and result in loss of privacy.
10. The proposed development, especially the dormer windows on the rear elevation, would harm the living conditions of the occupiers of no.12 and 14 Wood Road. As such, the proposed development would be contrary to Policy H6, D7 and D8 of the UDP and The Extensions to Houses Supplementary Planning Guidance No. 4 (SPG4).

Other Matters

11. Personal circumstances of the appellant have been presented. There is a need for larger accommodation and kitchen space. However, these circumstances seldom outweigh more general planning considerations, and it is likely that the proposed development would remain long after circumstances change.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR