



Appeal Decision

Site Visit made on 2 December 2020

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/D4635/D/20/3258258

46 Wrottesley Road, Wolverhampton WV6 8SF

- 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 Kulbinder Douley against the decision of Wolverhampton City Council.
 - The application Ref 20/00613/FUL, dated 16 June 2020, was refused by notice dated 16 July 2020.
 - The development proposed is extension to front of house to provide a triple garage with associated modifications to remaining car park from former use as a care home.
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Decision

1. The appeal is allowed and planning permission is granted for extension to front of house to provide a triple garage with associated modifications to remaining car park from former use as a care home at 46 Wrottesley Road, Wolverhampton WV6 8SF in accordance with the terms of the application, Ref 20/00613/FUL, dated 16 June 2020, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 000 (1:1250 Site Location Plan), 101 (Proposed Elevations), 002 (Proposed Plans) and 004 (Proposed Site Plan).
 - (3) Prior to the garage first being brought into use, precise details of the new planting towards the front boundary of the site as indicated on drawing No 004 (Proposed Site Plan) including species, plant supply sizes and proposed numbers shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing the approved planting shall be implemented in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Main Issue

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and

- living conditions for neighbouring occupiers.

Reasons

Character and appearance

3. Wrottesley Road is predominantly characterised by often substantial two-storey detached and semi-detached dwellings. Dwellings are of a mix of architectural styles and are more often set well back in their plots giving the area a spacious and low-density character. No 46 is consistent with this prevailing character, being a large detached dwelling with a substantial forecourt. Mature tree planting exists towards the front boundaries of the site.
4. The proposed garage would be deeper in depth than the front projecting garages on the neighbouring dwellings at Nos 46A, 44A and 44 Wrottesley Road. However, the footprint and single storey scale of the garage would sit comfortably within the large forecourt at No 46. The materials would match those of the host dwelling. The front elevation of the garage would be closely aligned with neighbouring building lines in terms of the forwardmost elevations of the dwelling at no 48 and the garages at Nos 44A and 44 and this would assist in assimilating the garage into its surroundings. Consequently, the design of the garage and these site-specific factors would ensure that the development would not appear incongruous or be harmful to the established characteristics of the area in this particular instance.
5. At the time of my site visit I noted one mature tree close to the boundary with No 46 that would be likely to require felling to facilitate the development. There is no evidence before me to suggest that the tree is protected and given its position set away from the planting to the front boundary, I do not consider the removal of this tree would on its own result in such detriment to the character and appearance of the area to warrant refusal of planning permission.
6. I conclude that the development would have an acceptable effect on the character and appearance of the area. In that particular regard, the development would comply with those parts which seek to ensure that development respects, reinforces and makes a positive contribution to established character in Policy TNP12 (New Development to Respect Existing Local Character) of the Neighbourhood Plan for the Tettenhall Wards (made 2014) (NP) and Policies D4 (Urban Grain), D6 (Townscape and Landscape) and D8 (Massing) of the Wolverhampton Unitary Development Plan (2006) (UDP).

Living conditions for neighbouring occupiers

7. The side elevation of the garage would sit close to and parallel with the boundary with No 46A Wrottesley Road. It would also project significantly forward of the ground floor bay window to the front elevation of No 46A. Even so, I am mindful of the height of the existing boundary fence, particularly where it sits closest to the neighbouring window. The eaves height of the garage would sit just above this section of fence. In addition, the width of the neighbouring window and its position set in from the boundary means it would retain an open aspect to the front and would continue to receive adequate levels of daylight. For these reasons, I am not persuaded that the single storey garage would be overbearing nor that it would be likely to materially impact on levels of light for occupiers of this neighbouring dwelling.

8. No windows are proposed to the side elevation facing No 46A. Concerns have been raised that the development would necessitate removal of trees which protect neighbouring privacy. I am not persuaded that the removal of the single tree that would sit within the footprint of the development would materially impact on levels of privacy for occupiers of this neighbouring property. This is particularly the case given the proposed building with a blank elevation facing the shared boundary would sit in its place.
9. The neighbouring dwelling at No 48 Wrottesley Road has windows facing the appeal site. However, given the degree to which the garage would be set away from the boundary with this neighbour, I am satisfied that it would not result in any material harm to living conditions for occupiers of this neighbouring dwelling.
10. Interested parties have raised a concern that the cars likely to be parked in the garage would result in noise nuisance. However, there is no substantive evidence to suggest levels of noise associated with the parking of vehicles at the dwelling would be likely to be significantly above those levels usually experienced within a residential area.
11. I conclude that the development would not result in any material harm to living conditions for occupiers of neighbouring dwellings. In that particular regard, the development would comply with the parts that seek to ensure that development is of a compatible scale and use and protects neighbouring amenity in Policy TNP12 of the NP and Policies D4, D6 and D8 of the UDP.

Conditions

12. I attach the standard timescales for implementation and a condition confirming the approved drawing numbers in the interests of certainty. The approved drawings confirm materials to match the host dwelling would be utilised and a separate materials condition is therefore not required.
13. The submitted drawings indicate that there would be new planting to supplement the existing mature planting towards the front boundary. Third parties have raised concerns in respect of the potential removal of this planting. Whilst the existence of planting towards the front boundary has not been decisive in me finding the development would be acceptable, I consider it reasonable to attach a condition requiring precise details of the supplementary planting and its subsequent implementation in the interests of good design.

Conclusion

14. For the reasons given I conclude that the appeal should succeed.

M Russell

INSPECTOR