



Appeal Decision

Site Visit made on 1 June 2021 by Mr Gareth Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021

Appeal Ref: APP/D4635/D/21/3270515

79 Yew Tree Lane, Wolverhampton WV6 8UQ

- 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 Richard Williams against the decision of Wolverhampton City Council.
 - The application Ref 20/01283/FUL, dated 28 October 2020, was refused by notice dated 9 February 2021.
 - The development proposed is first floor extension and loft conversion.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 05 July 2021

Decision

1. The appeal is allowed and planning permission is granted for first floor extension and loft conversion at 79 Yew Tree Lane, Wolverhampton WV6 8UQ in accordance with the terms of the application, Ref 20/01283/FUL, dated 28 October 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 approved plan: Proposed Drawings (DWG No 1274 – P – 002 Rev A).
 - 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 dwelling.

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 Issue

3. The effect of the proposed development upon the character and appearance of the street scene.

Reasons for the Recommendation

4. No 79 is a large two storey detached dwelling with a single storey side extension and encompasses almost the full width of the plot and has been built at an oblique angle to the road. The Historic Landscape Character Study (2013)

identifies that the irregular frontage line is a common characteristic of Yew Tree Lane; Woodthorne Road South and Environs, as is the wide plots. Given the oblique angle of the dwellings along the road, the buildings are typically built forward of their neighbouring dwelling. Because of this, the gaps between the dwellings are not overly apparent when approaching the dwelling in either direction, where the view is either of the flank wall of the neighbouring dwelling or of the front elevation of the dwelling itself. Standing directly in line with the front elevation of the property would be the only time when the gaps between the properties are overly apparent. Furthermore, given the variation in the scale and appearance of the dwellings, there is little consistency in the size of the gaps between the properties.

5. The oblique angle of the dwellings helps to maintain the spaciousness around them, and the proposed side extension would not affect this. Given that there would only be a fleeting view of the gap between No 79 and No 77 when passing the site and because the extension has been set in from the flank wall and down from the ridge height with a hipped roof, the proposed first floor extension would retain an appropriately sized gap between the two properties at first floor level. This would maintain the open spaciousness between the dwellings. Furthermore, the reduced ridge height and set back of the proposed first-floor extension would also avoid a feeling of excessive development of the site.
6. Additionally, the scale of the extension would be subservient to the host dwelling and the materials proposed, as well as the hipped roof would create an appropriately designed extension that would be subservient to the host dwelling.
7. Therefore, the proposed development would not cause harm to the character and appearance of the street scene and accordingly, would comply with Policies D4, D6, D7, D8 and D9 of the Wolverhampton Unitary Development Plan 2001 – 2011 (adopted 2006) as well as Policies CSP4, ENV2 and ENV3 of the Black Country Core Strategy (adopted 2011) which combined looks to ensure development takes into account the established patterns of development in terms of the scale and appearance of development as well as utilising appropriate form and materials in the design. Furthermore, the proposal would comply with Policy TNP12 of the Tettenhall Neighbourhood Plan 2014 – 2026 (made 2014) which expects new development to take into account the spacing between buildings and to respect its context.

Conditions

8. In addition to the statutory commencement condition, in the interests of certainty as well as the character and appearance of the area, it is also necessary to ensure that the development is completed in accordance with the approved plans and for the materials used to match those used in the existing dwelling.

Conclusion and Recommendation

9. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal, subject to the conditions set out above.

L McKay

INSPECTOR