
Appeal Decision

Site visit made on 29 June 2021 by A J Sutton BA (Hons) DipTP MRTPI

by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2021

Appeal Ref: APP/V4630/D/21/3272748

41 Manor Road, Streetly, B74 3NG

- 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 Amy Cunningham against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 20/1429, dated 12 November 2020, was refused by notice dated 26 March 2021.
 - The development proposed is two storey side extension, single storey rear extension, loft conversion with dormer and changes to porch.
-

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.

Preliminary Matters

3. The description in the header above is taken from the application form. However, the Council's decision notice describes the proposal as, 'First floor side extension, single storey and two storey rear extensions, single storey front and porch extension and loft conversion with rear dormer'. It is apparent from the submitted plans that the proposal is for a part single-storey and part two-storey rear extension, and both a porch and front extension to the garage. I therefore consider that the Council's description of the proposal is more accurate and have considered the appeal on that basis.
4. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. The main parties have been provided with a further opportunity to make submissions in respect of the publication. Neither the appellant nor the Council has made any further submissions regarding the revised Framework, however, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for Recommendation

6. The appeal property is one of a pair of dwellings on a hill, set back from Manor Road. It is in a suburban area characterised by similar paired dwellings in a linear layout facing the road along a generally consistent building line. The wide street and gaps between dwellings give the area a clear rhythm and an open, spacious character. Although many dwellings have been extended to the side, they generally still retain gaps between them at first-floor level, and these contribute to the spacious character of the area.
7. The appeal property and No 39 both have side extensions built close to the shared boundary. However, the garage at No 41 and the catslide roof of No 39 are small in scale in relation to the host dwellings, and their design maintains a sense of space between the dwellings at first floor level. As such, the properties continue to contribute to the open, spacious character of the street despite these alterations.
8. The proposed two-storey side extension would fill the existing space between the side of the No 41 and the boundary and would erode the space between it and No 39, to the detriment of the spacious character of the area. The resulting terracing effect would be relatively small, given the change in levels between the two properties and the remaining small gap above the catslide roof of No 39, and I am advised that the neighbour does not have permission to extend at first-floor level. Nevertheless, even without a similar extension to No 39, the reduction in the gap between the properties would harm the character of the area. The difference in ground levels between the respective dwellings would not sufficiently minimise the mass of the proposed form or the resultant significant loss of space, particularly as No 41 is at the higher level.
9. There are various other examples of extensions along Manor Road which extend to the boundary at first-floor level, such as at No 45 and opposite at Nos 48 – 54. The lack of gap above ground floor level has diminished the original character of these parts of the street. However, these are balanced by a significant number of dwellings which have not been harmfully altered. As such, the less sympathetic examples have not significantly diluted the character of the area. Limited detail has been provided of the circumstances by which these came to be built, therefore I cannot be certain that they were approved under the same local and national policies and guidance. Indeed, they are examples of the type of extension which the Council's Designing Walsall Supplementary Planning Document (2013) (SPD) now seeks to avoid. In any event, they do not justify allowing more development of poor design which would further harm the character and appearance of the area.
10. Therefore, the proposed two-storey side extension would harm the character and appearance of the area. It would be contrary to Policies CSP4 and ENV2 of the Black Country Core Strategy 2011 and Policies GP2 and ENV32 of the Walsall Unitary Development Plan 2005, which seek to achieve high quality design; preserve or enhance local character and make a positive contribution to the quality of the environment; and do not permit poorly designed development or proposals which fail to properly take account of the context or surroundings.
11. It would also be inconsistent with guidance set out in SPD Policy DW3 and Appendix D which, amongst other matters, seek to avoid the creation of terracing to existing developments as a result of side extensions where this is

not characteristic of the area. Furthermore, it would conflict with Framework policies which seek to achieve well-designed places sympathetic to local character.

12. The proposed rear extensions and the roof lights and dormer associated with the loft conversion would have a limited visual impact from Manor Road and would be sympathetic in scale to the host property. While the proposed porch and front extension would project slightly forward of the dwelling, due to their limited scale they would appear subservient to it and would not significantly alter the consistent building line. As such, these elements would not harm the character and appearance of the area and I find no conflict with the above Policies in relation to these parts of the proposal. However, this does not justify the harm identified above from the proposed side extension.

Other Matters

13. While it is unfortunate that the Council's decision to refuse permission was different to the initial view expressed during the application process, it has substantiated its reason for refusal with robust evidence, having regard to relevant national and local policy. I have assessed this proposal on its individual merits and have reached a similar conclusion.
14. The enhancement of living conditions through provision of additional accommodation would principally be of private benefit to current and future occupants. This small benefit carries limited weight and would not outweigh the harm identified.
15. The appellant has drawn my attention to six examples of extensions on Bridle Lane, some of which were approved after adoption of the SPD. Whilst this may be a continuation of Manor Road, with properties of a similar character, it is some distance from the appeal property and visually and physically separated from it by the A452. Therefore, the context is different to that of the appeal site. Moreover, I have not been provided with the details of what these properties looked like before they were extended, or how the extensions came to be permitted. Therefore, I cannot be certain that the situation was comparable to the appeal site, and can give these examples very little weight.

Conclusion and Recommendation

16. There are no material considerations, including the Framework, that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore dismissed.

L McKay

INSPECTOR