The Planning Inspectorate

Appeal Decision

Site Visit made on 27 July 2021

by Samuel Watson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2021

Appeal Ref: APP/D4635/D/21/3274440
62B Bhylls Lane, Wolverhampton WV3 8DR

- 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 & Mrs S & S Kumar against the decision of Wolverhampton City Council.
- The application Ref 21/00222/FUL, dated 18 February 2021, was refused by notice dated 29 March 2021.
- The development proposed is a two storey side extension and single storey rear extension.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description above has been taken from the appellants' appeal form as it is clearer and more precise than that used in the application form. I note this description was also used by the Council in their decision notice.

3. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I have determined this appeal in the context of the revised Framework, on which the parties have been given the opportunity to comment.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site is at the junction between Bhylls Lane and Bhylls Crescent, it contains a semi-detached dwelling with a garden which wraps around the front, side and rear of the property. The properties in the surrounding area are predominantly uniform and set back from the road within spacious plots. As such, the street scene is characterised by its openness, strong building lines and sense of consistency. The building line along Bhylls Lane continues along Bhylls Crescent. While I note it is somewhat weakened around a bend on Bhylls Crescent this does not significantly harm the building line's overall visual effect within the street scene.

6. The host dwelling is in a prominent position in views along both Bhylls Crescent and Bhylls Lane by way of its position at the junction. Given the current position of the side elevation of the host dwelling it contributes towards the openness of the junction and the building line along Bhylls Crescent. The

proposed side extension would project significantly at two-storeys and would therefore be a prominent and intrusive feature which breaches the building line and would, as such, be incongruous with the character of the surrounding area. By reducing the spaciousness of one side of the junction it would also unbalance it, affecting views in to and out of the junction.

7. The proposal would be proportionate to the host dwelling, and the set back of the front elevation and set down of the roof would ensure it appears subservient. Likewise, the design and matching materials would also be sympathetic to the host dwelling and neighbouring properties. Whilst I find these matters would protect the character and appearance of the host dwelling, they would not be sufficient to, individually or collectively, outweigh the identified harm.

8. Although I note there is an existing mature hedgerow around the appeal site and that the plans show it being extended, the details are limited, and it has not been demonstrated that the resultant planting would screen the proposal. Moreover, the hedgerow could easily die, be reduced or removed, in which case any screening would be lost. I therefore find it would not mitigate the harm to the street scene.

9. The appellants have brought to my attention other two-storey side extensions, including specific examples at No 62a Bhylls Lane and 242 Trysull Road. However, all proposals must be considered on their own merits and while the examples share some similarities none are so similar to the proposal as to materially affect my determination. In particular while No 242 Trysull Road is also at a junction I find the character of that area to be significantly different to that before me, including having a much weaker building line.

10. In light of the above I find the proposal would, given its scale and siting, be a prominent and intrusive feature within the street scene detrimental to the character and appearance of the surrounding area. As such it would be contrary to Policies D6, D7 and D8 of the Wolverhampton Unitary Development Plan and Policy ENV3 of the Black Country Core Strategy. Amongst other matters these policies require that development is of a high quality design which is of an appropriate height and reinforces local distinctiveness and a sense of place. The proposal would also conflict with the design guidance contained within Extension to Houses Supplementary Planning Guidance No. 4 and the overarching aims of the Framework.

Other Matters

11. I note the appellants' desire to provide additional rooms to accommodate their growing family. Whilst I have no doubt that the additional accommodation would be of benefit to the appellants and their family, it is likely that the development would be permanent and remain long after the current personal circumstances cease to exist. I also note the appellants' intention to improve the energy efficiency of the dwelling as a part of the proposal. While such an improvement would be of some benefit, given the scale of the development I find this would be very limited. As such, I therefore find that neither matter would outweigh the harm identified above.

12. Although the appeal site may be within a sustainable location with a good level of access to shops and services, these matters do not outweigh the harm identified above. Furthermore, while the proposal may not result in any

adverse impacts to highway safety or the living conditions of neighbouring occupiers, these are matters that do not add further harm and so I attach them neutral weight. Likewise, the appellants have referred to a previous store which has been demolished, however, I can only consider the site as it is before me and so I have given this matter limited weight.

Conclusion

13. As such, in the circumstances of this appeal, the material considerations above do not justify making a decision other than in accordance with the development plan as a whole. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR