

Appeal Decision

Site visit made on 25 October 2021

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH November 2021.

Appeal Ref: APP/D4635/D/21/3279460

19 Sandhurst Drive, Wolverhampton WV4 5RJ

- 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 L Singh against the decision of Wolverhampton City Council.
 - The application Ref 21/00652/FUL, dated 29 April 2021, was refused by notice dated 1 July 2021.
 - The development proposed is described as "2 storey side/rear, single side and rear extension".
-

Decision

1. The appeal is dismissed.

Background

2. A number of extensions have been granted at the appeal property. The 'first' application¹ granted a two-storey side/rear and single rear extension to create a 5-bedroom dwelling. The submitted plan 03A shows that this extension would be about 6.2 metres wide across the front elevation, not quite as wide as the host dwelling. At the rear, the two storey extension would have two hipped roofs. The roof of the two-storey side extension would be set down lower than the ridge height of the host dwelling.
3. A 'second' application² approved the same extensions but with a single storey side extension added to the side of the proposed two-storey side extension. The submitted plans No3 A, No4 A and No5 show that the second application would provide a ground floor breakfast room that would measure approximately 4m across the front and 7.2m deep front to back, which would be roughly in line with the depth of the previously approved two-storey extension, but set in a fraction back at both the front and rear. The single storey side extension would have a hipped roof.
4. This 'second' planning permission remains extant and is a 'fallback'. I saw on my visit that the two-storey side extension was well under construction and the carcass of the approved single storey side extension was in place. Therefore, in my view the fallback consent is a material consideration in my determination of this appeal.
5. The difference between the extant scheme and the appeal proposal before me is effectively the addition of a first-floor extension above the approved single storey breakfast room to provide a further bedroom and bathroom upstairs. From the evidence before me, the Council refused the proposed development

¹ LPA ref: 18/01442/FUL granted 27 March 2019

² LPA ref: 21/00422/FUL granted 27 April 2021

based on a location plan, a block plan and drawings No5, 01, 02, 2-03 and 2-04.

Main Issue

6. The Council has set out two reasons for refusal. However, they are similar in that they both refer to the effect of the proposed development on the street scene, although the second refusal reason refers mainly to the building line of the street. Both reasons refer to almost the same policies. To avoid unnecessary duplication, I have combined them into a single main issue.
7. It follows from above that the main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

8. The appeal site comprises a detached two-storey dwelling in a predominantly residential area. Sandhurst Drive is characterised by mainly detached two-storey dwellings of broadly similar design, appearance and age. They are generally set back from the road by varying distance, with garages and driveways. In the other nearby roads there are also bungalows, semi-detached dwellings and short terraces. I saw that a number of properties had been extended, some substantially.
9. The appeal site is on a gentle curve in Sandhurst Drive such that it occupies a wider plot than most. Consequently, there is a greater separation distance with the neighbouring property 23 Sandhurst Drive (No.23) and with the intervening front gardens there is a more spacious feel to this part of Sandhurst Drive. Due to the curve in the road, there is also a break in the building line. The appeal site is also opposite the junction with Dunsley Road. These factors combine such that the appeal site and property occupy a more open and prominent location within the street scene.
10. The first-floor extension would be in line with the front elevation of the approved two-storey extension, which is already set back a significant distance from the front elevation of the host dwelling. The roof of the first-floor extension would be stepped down and lower than the approved two-storey extension. At the side, the first-floor extension would be set in by about 1m, so that the wider part of the ground floor breakfast room would support a narrow hipped roof. At the rear, the first-floor roof would become hipped to reflect the existing hipped roofs on the other extensions.
11. It is the effect of the first-floor extension and resulting additional two-storey side extension that forms the crux of my deliberations. The fallback extant permission has already set parameters.
12. The Council refers to a 'significantly enlarged footprint'. In granting the previous extensions the Council has already approved the enlarged footprint, as well as extensions that more than double the width of the property across the front and rear. The overall floor area of the dwelling would be further increased by the additional bedroom and bathroom.
13. The proposed first-floor extension, being at an elevated level, would be more visible and hence draw attention to the overly wide frontage. Indeed, the approved extensions now form the larger part of the frontage and the property

such that the first-floor extension (and resulting two-storey extension) would no longer be subservient to the host dwelling despite being set back from the front and the roofs being stepped down. Design breaks, such as set-backs and roof set-downs, are fairly common mechanisms to try and ensure extensions remain visually subservient to the host dwelling, but how they are used and their effectiveness has to be considered on a site specific basis. There are no set dimensions or distances set out in the Council's policies, which apply city-wide and are used to assess a range of development proposals in different settings and contexts.

14. I find the cumulative effect of the height, bulk and width of the resulting additional two-storey extension, together with the already approved extensions would disrupt the proportions and scale of the host dwelling, such that the extensions would no longer be subservient. In addition, the resulting three vertical elements of the house and two extensions, each with stepped down roofs at the front and rear, gives the impression of a terrace of three properties. This is at odds with the prevailing character of detached dwellings along this part of Sandhurst Drive.
15. I am satisfied there would be no terracing effect with No.23 due to the significant separation distance that would remain between the properties. The extension would be built with materials to match the host dwelling and the other extensions, and would be of a similar design. I have no doubt that the development will be of a high quality. Nonetheless, these factors do not lessen the harm the extension would cause to the host dwelling and the character and appearance of the street scene.
16. I now turn to the relationship of the proposed extension with the building line of Sandhurst Drive. I saw on my visit that properties are set back from the road by differing distances. The properties also have faceted front elevations with some variety in detailing and design. As a result, there is a broadly stepped or staggered building line, but it is not uniform. I also saw that the largely built two-storey extension is set back further from the road than the host dwelling is, such that the proposed extension would not project beyond the host dwelling.
17. Due to the shallow but discernible curve of Sandhurst Drive, the appeal property and No.23 are set at a slight angle to each other. The wider than normal plot and intervening landscaped gardens between them also serve to disrupt any building line. Furthermore, from my observations, the appeal property and its building line are more associated with the line of dwellings from Mount Road up as far as the appeal site, and not with No.23 and the properties beyond. Hence the frontage of both properties are not on the same building line.
18. The proposed first-floor extension would follow the building line already established by the approved two-storey and single storey extensions. Whilst the first-floor extension and resulting two-storey extension would be forward of No.23, the Council has already allowed this relationship to occur by granting the second application. Therefore I do not find the proposal would significantly disrupt the building line as to make the appeal proposal unduly obtrusive or out of keeping in this regard.
19. Drawing all the above points together, the proposed development would not materially breach the building line of this part of Sandhurst Drive as to harm its

character and appearance. However, I find the proposed extensions and the cumulative effect of previously approved extensions would significantly harm the character and appearance of the property and the surrounding area. Having regard to all matters raised, I conclude that the appeal should be dismissed.

20. Accordingly the appeal proposal would conflict with Policies D1, D4, D6, D7, D8 and D9 of the Wolverhampton Unitary Development Plan and Policy ENV3 of the Black Country Core Strategy. These policies collectively seek to ensure that new development is of a high quality and responds positively to its surroundings, settings and other buildings and does not detract from the street scene. It would also conflict with general design guidance in the Council's Supplementary Planning Guidance No.4 'Extension to Houses', which also seeks to encourage extensions that complement the property and the surrounding area.
21. The appellant draws my attention to a number of extensions in the general vicinity. Some properties were bungalows, others were at the head of a cul-du-sacs and others were in the row of houses along Sandhurst Drive. I saw that the properties and extensions to them were designed differently and had different site contexts. As such, these extensions are not directly comparable to the appeal proposal before me, which I must consider on its own merits.

Conclusion

22. The proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

K. Stephens
INSPECTOR