



Appeal Decision

Site visit made on 21 February 2022

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH April 2022

Appeal Ref: APP/D4635/D/21/3288719

14 Wincote Drive, Wolverhampton, WV6 8LR

- 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 and Mrs Gammon against the decision of Wolverhampton City Council.
 - The application Ref: 21/00505/FUL, dated 9 April 2021, was refused by notice dated 17 September 2021.
 - The development proposed is demolition of existing garage and kitchen/utility before constructing new single storey extension to provide extended single storey habitable accommodation with garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. No.14 Wincote Drive is a modern single storey dwelling located within a residential area. Dwellings in Wincote Drive vary in form and design. There are single storey and two-storey dwellings, some of which have been extended.
4. The application was recommended for approval by officers but refused by the Council's Planning Committee on 14 September 2021 because, according to the minute of the meeting, it was considered to be overdevelopment having a negative impact on the character and appearance of the area.
5. The proposal would result in a significant enlargement of the existing bungalow, reducing the amount of garden space to the rear and next to No.12 Wincote Drive. However, the number of bedrooms and parking spaces would remain the same. The frontage of the bungalow to Wincote Drive contributes towards the relatively larger plot size of No.14. This frontage would remain primarily as a grassed area, maintaining the open plan layout of Wincote Drive. There is a protected tree within this land. I am satisfied that, subject to conditions, this could be protected during construction works and its value to the streetscene and amenity of the area would be retained.
6. The dwellings on the opposite side of Wincote Drive from No.14 are mostly large two storey buildings which have an open frontage. The dwellings are

sited close to each other with minimal gaps between them. In contrast the dwellings around the appeal site include the extended bungalow at No.12 Wincote Drive and two storey dwellings in a more random layout, with significant spaces between them.

7. The proposal would result in the flank elevation of the new garage being close to the side boundary with No.12. I note that the application was amended by reducing the garage footprint by around 1.1 m to increase the distance from the driveway and garage belonging to No.12. Nevertheless, I consider that the proposal would significantly reduce the gap between the appeal building and No.12, thereby harming the more open character and appearance of dwellings at this side of Wincote Drive. It would also result in a relatively high proportion of built development in relation to rear garden space.
8. I find that the proposal would have a harmful effect on the character and appearance of the area. It would conflict with policy D8 of the Wolverhampton Unitary Development Plan (UDP) which requires that the scale of a building should relate positively to and be appropriate to its context. It would also fail to comply with UDP policy D9 because its form in respect of proximity to No.12 Wincote Drive, reduced gap and garden space would significantly and detrimentally affect the character and quality of the area.

Other Matters

9. The appellants have referred to other material considerations, including a 'potential fall-back' position, UDP policy D4, the Tettenhall Neighbourhood Plan, Supplementary Planning Guidance Note No.3 Residential Development and The National Planning Policy Framework (the Framework).
10. The appellants suggest that under Schedule 2 Part1 Class E of the GPDO a detached garage with a larger footprint could be built up to the common boundary with No.12 rather than the proposed 3 m separation distance. Despite this the appellants advise that such a scenario would result in a contrived design rather than an architect designed scheme. Whilst I note the appellants' reference to a 'fallback position' I have determined this appeal on the individual merits of the proposal refused by the Council and its particular site circumstances, having regard to relevant development plan policies and all other relevant material considerations.
11. The Black Country Core Strategy covers strategic issues, with policy ENV3 seeking to ensure development reflects overall character and local distinctiveness. UDP policy D4 indicates that proposals should relate positively to the established pattern of streets and buildings, including plot size, spatial character and building lines of which they form part. The proposed development would respect building lines; however, it would be detrimental to the spatial character of this part of Wincote Drive.
12. The appellants refer to policy TNP12 Part A of the Neighbourhood Plan. This relates to the established character as detailed in the Character Studies (Appendix F). Nevertheless, I find that the proposal would fail to reinforce and respect the spacing between buildings and proportion of rear garden area to the building.

13. The Council's supplementary planning guidance refers to a minimum length of rear garden of 11 m and that the size of garden should relate to the size of dwelling and to meet the likely needs of the occupant. In the case of this appeal the building footprint would be larger than the area of rear garden to be retained. The proposal would not be sympathetic to local character, contrary to design considerations set out in paragraph 130 of the Framework.

Conclusion

14. I have taken all other matters raised into account. For the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR