



Appeal Decision

Site visit made on 15 January 2023

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/V4630/D/22/3308562

1 Northside Drive, Sutton Coldfield, B74 3QG

- 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 Hannah Noon against the decision of Walsall Council.
 - The application Ref 22/0738, dated 26 May 2022, was refused by notice dated 12 August 2022.
 - The development proposed is described as '*Currently front/rear access lies between house and garage. Existing garage, WC and workshop is to be demolished and rebuilt to a similar design, but higher specification, attached directly to house and moving front/rear access to an open alley adjacent to number three. Pitched roof then extended over garage and loft conversion undertaken with Velux lights (no dormers). Access to loft conversion via enlarged hall (removing one internal wall)*'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The Council's decision notice refers to the proposed development as 'Proposed demolition and rebuild of existing garage, WC and workshop with hipped roof extension to accommodate loft conversion with front, side and rear rooflights'. As this describes the proposal more clearly than the description given in the application, I have used this as the basis for my consideration of this appeal.

Reasons

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The development plan includes policies CPS4, ENV2 and ENV3 of the Black Country Core Strategy (CS) (2011) and policies GP2 and ENV32 of the Walsall Unitary Development Plan (UDP) (2005) which together seek to ensure a high quality of design in all new development, reflecting a similar objective in the National Planning Policy Framework.
4. The appeal dwelling is a detached, hipped roof bungalow which is located within a suburban area of mainly hipped roof bungalows and semi-detached houses. It is located at one end of Northside Drive, adjacent to the junction with Blackwood Drive. The appeal dwelling has a larger gap between its main roof and that of its neighbour at no 3 than most of the other dwellings in the road. Those are mainly semi-detached dwellings which are separated from one another by single, flat roof garages. The appeal dwelling has a double garage block with two single doors and a passageway. It extends up to the side

boundary and adjoins the single garage of the neighbouring bungalow. The dwelling opposite has a similar sized gap and relationship with its neighbour. These wider gaps contribute significantly to the openness of the street scene at this end of the road.

5. The proposed development would demolish the existing flat roof garage, replacing it with a hipped roof extension which would be 1m from the side boundary with no 3. It would provide a new, integral garage/workshop and together with the proposed loft conversion would provide a larger third bedroom with ensuite and a study in the roof. The gap between the main hipped roof of the appeal dwelling and that of its neighbour would be reduced by some 6.5m with a remaining gap of some 3m.
6. The side wall of the new garage would be further from the side boundary than that of the existing garage. However, the extension of the existing ridge to form an extended hipped roof would introduce a substantially greater roof mass which would significantly decrease the gap between the dwellings, leaving only the 1m path and the single garage of no 3 in the gap. It would significantly reduce the sense of space around the dwelling and in the street scene.
7. The size and scale of the proposal would result in a bulk and mass that would be disproportionate in relation to the existing dwelling and the more modestly sized surrounding dwellings. This would be exacerbated by the wide double garage door which would emphasise the scale and width of the extension.
8. I have noted that many dwellings in the area have replaced previous flat roof garages with extensions. Those that the appellant has referred to and that I saw during my visit are generally where the previous gap would have been smaller and made a less significant contribution to the openness of the street scene than is the case here. In addition, most of those extensions have a lower ridge height than that of the main roof and are subservient to the existing dwelling. That is not the case here and those examples do not set a precedent for this proposal.
9. The Council's guidance in its 'Designing Walsall' supplementary planning document for urban design, requires in Appendix D that first floor extensions are set back by a minimum of 1m to avoid a terracing effect. Although the gap here would be significantly reduced it would not result in a terracing effect. However, the principle of a subservient extension is still applicable because that would overcome my concerns regarding the bulk and mass of this proposal.
10. The appellant's wish to improve the property and her decision to omit dormer windows and use rooflights to lessen the impact on neighbours is to be welcomed, as is the re-use of existing roofing materials. However, that does not outweigh the harm I have identified.
11. I am unable to comment on the alternative proposal for a smaller, gabled roof with a lower ridge height over the garage which would be for the Council to determine in a future application. Even if the appellant was able to change the existing main roof to a gable end roof and build a new flat roof garage as permitted development, that would have a much lesser impact than the current proposal on the gap and in terms of bulk and mass.

12. By reason of its siting, size and scale and design, the proposal would significantly harm the character and appearance of the dwelling and the street scene, contrary to the development plan policies referred to earlier.

Conclusion

13. For the reasons given above, I conclude that the proposed development would be contrary to the development plan and there are no material considerations that would outweigh this. The appeal should be dismissed.

Sarah Colebourne

Inspector