The Planning Inspectorate

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/22/3307857
42 Wood Lane, Streetly, Sutton Coldfield, B74 3LR

- 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 P Morrisey against the decision of Walsall Council.
- The application Ref 22/1015, dated 21 July 2022, was refused by notice dated 7 September 2022.
- The development proposed is a double-storey side extension and single storey rear extension.

Decision

1. The appeal is dismissed.

Reasons

2. 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 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.

3. Wood Lane is a long, suburban road on a gentle gradient of mainly detached dwellings of varying ages, styles and size which are set well back from the road. Many have been extended. Whilst there are some more tightly spaced dwellings elsewhere in the road and opposite the side, the appeal dwelling is sited within a row of dwellings set on a broadly similar building line with modest sized gaps of generally the width of a single garage between the main roofs. It comprises a dormer bungalow with a pitched roof that has half-hipped sides and an attached garage with a lower hipped roof. The neighbouring dwelling on this side at no 40 also has a similar attached garage. On the other side, the neighbouring dwelling at no 44 also has a single, flat roof garage which provides a similar gap with the appeal dwelling. The spaces above the garages at first floor level in this row of dwellings provide some openness which contributes positively to the character of this part of the street scene.

4. The proposed development includes a two storey side extension and a single storey rear extension. The Council has not objected to the rear extension and I have no reason to disagree with that view. In regards to the side extension, three similar proposals were refused by the Council in 2011, 2021 and 2022 for a similar reason.

5. 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. I have noted that no 40 is of a different design with a pitch roof and gable ends. It is also sited on slightly lower ground and even if both properties were extended in this way, it would not result in a terracing effect because the ridge and eaves heights would not be aligned.

6. However, as the side extension would not be set back from the main front wall of the dwelling and would not have a lower ridge height than the main roof, it would not be subservient to the existing dwelling. Whilst it would leave a very small gap with the side boundary, it would fill in most of the gap and would make it difficult for the Council to refuse any future similar application at the neighbouring property. Most of the gap would be lost, unlike the relationship with no 44 in which a gap above the flat roof garage remains. This would have negative impact on the street scene.

7. The existing dwelling has a pleasingly balanced appearance with the three existing gabled dormers spaced evenly apart and the central dormer positioned above the central front door. The fourth dormer would be of the same size and design and positioned in line with those but would be closer to the gable end of the dwelling than the dormer at the opposite end. Although there is a house on the opposite side of the road with four dormers, in this case the addition of the fourth dormer would have an unbalancing effect and its proximity to the gable end would give it a cramped appearance.

8. By reason of its siting, size, scale and design then, 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

9. 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