



Appeal Decision

Site visit made on 25 April 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 May 2023

Appeal Ref: APP/V4630/D/22/3311988

33 Stanhope Way, Great Barr, Walsall B43 7UB

- 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 Misbaur Rahman against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 22/0815, dated 10 June 2022, was refused by notice dated 25 November 2022.
 - The development proposed is a side two-storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon highway safety.

Reasons

Character and appearance

3. The appeal site consists of a semi-detached dwelling located in a predominantly residential area. The appeal site, and the surrounding area is therefore characterised by the presence of regularly proportioned dwellings that exhibit a great degree of symmetry between the various buildings. The appeal site is located near to a junction between Stanhope Way and Chantrey Crescent.
4. Although the proposed development features a set back of the front elevation of the proposed extension, with a proportionate reduction in the overall ridge height of the proposed development, the degree of change is relatively small. Therefore, when viewed from the front, or side, of the appeal site, the proposed development would not appear to be a subordinate addition to the building.
5. This is a concern given that it would therefore result in the creation of an elongated dwelling as the proposed development and existing dwelling would be readily viewed alongside one another. In result, the proposed development would disrupt the character of the existing area given that the amount of space to the side of the dwelling would be reduced.

6. In addition, the proposed development would disrupt the sense of symmetry that exists between the appellant's dwelling and the adjoining dwelling. Given that the proposed extension would project further forward of the neighbouring property, the loss of a defining feature of the area's character would be particularly notable and adverse.
7. This causes a concern given the general prominence of the appeal site. In addition to views from neighbouring properties, the proposed development would be clearly visible from the street owing to its proximity to the road junction.
8. In addition, the topography of the surrounding area, which when combined with the fact that the proposed development would project further forward of many of the existing buildings in Stanhope Way, is such that the proposed development would be readily noticeable from large parts of the street. Therefore, the incongruous form of development would appear strident given that it would be experienced by a greater number of people.
9. On my site visit, I noted a development in Chantrey Way. I do not have full information regarding the planning circumstances of this, which means that I can only give it a limited amount of weight. Nonetheless, I note that buildings in Chantrey Way are constructed to a variety of designs. Furthermore, buildings are located closer together. This means that the area does not have the same character as Stanhope Way.
10. The appellant, in their Statement of Case, has suggested that there are other similar developments in the surrounding area. I have not been provided with the addresses of these, or information regarding their planning circumstances. Therefore, I can not give this suggestion a significant amount of weight in my assessment. Nonetheless, on my site visit, I noted that existing extensions in the surrounding area were generally subordinate to the original dwelling. For the preceding reasons, this has not been achieved in the appeal scheme.
11. In result, the existing extensions do not have the same effects on the character of the area as the appeal proposal would have. Therefore, the presence of this development elsewhere does not allow me to disregard my previous concerns.
12. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with the requirements of Policies ENV2 and ENV3 of the Black Country Core Strategy (2011); Policies GP2 and ENV32 of the Walsall Unitary Development Plan (2005) (the Development Plan) and the Designing Walsall Supplementary Planning Document (2013). Amongst other matters, these seek to ensure that new developments make a positive contribution to the quality of the area; take account of the context; promote local distinctiveness; and be of a high-quality design.

Highway Safety

13. The appeal site includes a driveway to the side of the property. The submitted plans illustrate that the proposed development would increase the number of bedrooms at the appeal site from three to four. In result, it can be reasonably assumed that the proposed development would result in an increase in the overall number of people occupying the development. Therefore, there would be an increase in the overall level of cars entering and leaving the site.

14. This is a concern given that the surrounding area features a relatively limited number of car parking spaces. This is due to the presence of dropped kerb and visibility splays for vehicular access and junctions. In result, should parked vehicles be displaced onto the surrounding area, it is likely to result in increased demand for parking spaces and, in consequence, parking in inopportune locations.
15. Should this scenario occur, it would result in an erosion of the overall level of highway safety as it would result in diminished visibility between the drivers of different vehicles and pedestrians. Therefore, this has the potential to erode highway safety due to the potential for increased risk of collisions.
16. I note that the appellant has suggested that three vehicles could park on the site's driveway. However, the proposal does not include alterations to the size or layout of the driveway. However, even if I were to conclude that the drive, as currently constructed, could be used for the parking of three vehicles, I would still hold concerns.
17. This is because the narrow width of the driveway is such that a vehicle parked near the site's entrance would need to be moved in order to allow another vehicle to enter or leave the site. This lack of convenience is likely to result in a displacement of vehicles on to the highway, which would give rise to the previously described adverse effects.
18. I therefore conclude that the proposed development would have an adverse effect upon highway safety. The development, in this regard, would conflict with the requirements of Policies T7 and T13 of the Development Plan. Amongst other matters, these seek to ensure that parking provision is well-designed; and that an adequate level of car parking is provided.

Conclusion

19. The proposed development would have an adverse effect upon the character and appearance of the surrounding area and would erode highway safety. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, which indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR