
Appeal Decision

Site visit made on 9 May 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2023

Appeal Ref: APP/V4630/D/23/3315114
98 Sutton Road, Walsall, WS1 2PN

- 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 Billy Gill against the decision of Walsall Metropolitan Borough Council.
 - The application Ref 22/1434, dated 18 October 2022, was refused by notice dated 29 November 2022.
 - The development proposed is two storey side and rear extensions.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and the surrounding area.

Reasons

3. The appeal property is a detached two-storey dwelling. It is within a row of detached houses which are generally of individual designs but many share some features in common such as front gables and hipped roof forms. The dwellings are located relatively close together with only limited gaps between them.
4. I am aware that the site has been the subject of previous planning applications, including several which have been dismissed at appeal, most recently in 2018¹. Whilst each application is determined on its merits, the previous appeal decisions on the site are an important material consideration. However, I have not been provided with the plans which the previous appeal decisions were based on although the Council's officer report highlights some similarities to the current appeal scheme. I also note that since the most recent appeal decision, planning permission has been granted under LPA ref. 22/0300 for two storey side and rear extensions to the dwelling which I also consider to be of relevance.
5. The proposed two storey rear extension is the same as that already approved under LPA ref. 22/0300. This extension would extend to the side boundary of the site and would effectively close the gap which currently exists above the

¹ Appeal ref: APP/V4630/D/17/3192455

existing garage. However, the distinctive front section of the sloping roof above the garage would be retained under this previous consent. The main difference is that the current appeal proposal would involve a larger two storey side extension with a hipped roof front gable in place of the sloping roof over the garage.

6. The proposal side and rear extensions would reduce the gap between the appeal property and 100 Sutton Road. However, whilst the proposed side extension would be more visually prominent in the street scene than the previously approved extensions, the rear extension as already approved would also have a similar effect in closing the small gap at first floor level between the two dwellings. Therefore, the effect on spaciousness compared to the scheme already consented would be minimal.
7. The proposed two storey side extension would be forward of the previously approved extension and accordingly, would be more prominent in the street scene than the consented scheme. In my view, the proposed extension with its prominent front gable and siting level with the existing secondary gable, would not appear subservient to the existing dwelling and would, as a result, compete visually with the existing main features of the dwelling. This would result in a cluttered and overly complex front façade which, together with the loss of the distinctive sloping roof above the garage, would be harmful to the character and appearance of the dwelling and the area. Furthermore, I find that the hipped roof form of the gable would be at odds with the existing front gables on the dwelling and would appear unbalanced and awkward as a consequence.
8. My attention has been to extensions carried out at 82 Sutton Road. Whilst these extensions have also resulted in the loss of the sloping roof, I consider that the approved hipped roof gable matches the appearance of an existing gable on the front elevation and results in a simple, well-balanced façade. The approved extensions at 218 Broadway whilst large, are of a different design and appearance to the appeal proposal. I therefore place only limited weight on these local examples.
9. In conclusion, I find that the proposal would have a harmful effect on the character and appearance of the existing dwelling and the surrounding area. It would be contrary to Policies CSP4 and ENV2 of the Black Country Core Strategy (February 2011), Saved Policies GP2 and ENV32 of the Walsall Unitary Development Plan (March 2005) and the National Planning Policy Framework (2021) which collectively require development proposals to take account of the context and surroundings, to protect local distinctiveness and to preserve or enhance local character. The proposal would also fail to accord with the Designing Walsall Supplementary Planning Document (revised July 2013) which amongst other matters, states that all new development must be designed to respect and enhance local identity.

Other Matters

10. I am satisfied that the Council's refusal reasons are sufficiently clear and precise and that the officer's report clearly substantiates the reason for refusal. Any future amendments to the proposal would be for the Council to consider.
11. I acknowledge that the appeal proposal would result in improved living accommodation for the appellant and his family. I also concur that the proposal would not be harmful to the living conditions of neighbouring occupiers and

would provide for sufficient on-site parking. However, these positive aspects of the proposal do not override the harm that I have identified above.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR