



Appeal Decision

Site visit made on 26 June 2023

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th July 2023

Appeal Ref: APP/D4635/D/23/3319703

17 Elwells Close, Wolverhampton WV14 9YH

- 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 Paul against the decision of Wolverhampton City Council.
 - The application Ref 22/01316/FUL, dated 21 November 2022, was refused by notice dated 9 January 2023.
 - The development proposed is described as 'Proposed single storey and two storey front extension and loft conversion'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of 19 Elwells Close and the host dwelling, with regard to outlook and garden size; and
 - the effect of the proposal on highway safety, with regard to parking provision.

Reasons

3. The appeal site is located within a planned residential area. The estate contains predominantly two-storey detached houses, with broadly uniform building heights and design. The properties are constructed from brick with render/timber detailing. The broad uniformity of height and use of similar materials contribute to the character of the area. Number 17 (No 17) is an extended two-storey property finished in brick and is located on a prominent corner at the junction with Clapgate Gardens.

Character and appearance

4. I have carefully considered the appellant's representations in relation to the proposed development. As such, I appreciate that they have tried to develop a proposal that responds to the constraints of the site and its surroundings whilst seeking to provide accommodation for their future needs. However, the proposed two-storey extension, loft conversion/dormers and alterations to the roof form would increase the overall height, massing, and form of the property at the locally prominent junction of Elwells Close and Clapgate Gardens.

Meaning that the proposed development would result in the dwelling appearing overly dominant and incongruous in the street scene. Consequently, the proposal would result in significant material harm to the character and appearance of the area.

5. Having come to the conclusions above, it follows that the proposal would therefore conflict with Policies D4, D7, D8 and D9 of the Wolverhampton Unitary Development Plan (UDP). These seek amongst other things to ensure that development contributes to the character and appearance of an area by responding to the site's immediate and wider context.

Living conditions - Outlook

6. I have carefully considered the effect of the proposal on the living conditions of the occupiers of No 19 Elwells Close (No 19). The gable wall of the proposed front two-storey extension would project approximately 2m further forward from the existing front elevation. However, due to the separation between the host property and No 19 the extension would not be overbearing or dominant. Whilst I accept that the front extension would result in a limited change in outlook for the occupiers of No 19, it would not result in a significantly detrimental loss of amenity when compared to the existing relationship between No 17 and No 19. Furthermore, having regard to the separation distance, siting, and its orientation the proposed front extension would be unlikely to result in a discernible loss of light/sunlight to the occupiers of No 19.

Living Conditions – Garden space (No 17)

7. In considering the effect of the proposal on the living conditions of the occupiers of the host dwelling I accept that the proposed extension would increase overall living accommodation whilst reducing the rear garden area. However, based on the evidence before me and my on-site observations I consider that despite the limited reduction in the rear garden it would still leave a functional and adequate space to meet the needs of occupiers. Consequently, the proposal would not materially harm the living conditions of the occupiers of No 17.
8. Having reached the conclusions above the proposal would not materially harm the living conditions of the occupiers of No 19 nor those of the host dwelling (No 17). Therefore, in this regard the proposal would not conflict with Policies D4, D5, D7 and D8 of the UDP, that seek amongst other things to resist overdevelopment and ensure that development does not result in an unacceptable impact on the amenities of future occupiers.

Highway safety

9. Most of the existing driveway is block paved therefore it is already used for parking with space for several vehicles. Therefore, the appearance of the frontage would not be materially altered by the proposal, as such, it would not be dominated by parking when compared to the current situation.
10. I accept that the proposed extension would reduce the parking area, however, even if I had allowed the appeal there would still be adequate space to facilitate vehicles associated with the dwelling to park off the public highway. Furthermore, I consider that the proposal would still provide adequate space for vehicles to enter and exit the site safely.

11. Having reached the conclusions above the proposal would not result in material harm to highway safety and therefore would not conflict with Policies D5, AM12 and AM15 of the UDP that seek amongst other things to ensure that development makes adequate parking provision and does not impact on the safe and free flow of pedestrian and vehicular traffic.

Conclusion

12. I have found that the proposal would not result in harm to the living conditions of the occupiers of No 17 and No 19 Elwells Close, nor would it result in harm to highway safety. However, these matters individually or collectively do not outweigh the significant harm I have identified in relation to the character and appearance of the area.
13. For the above reasons and having carefully considered all other matters raised. I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR