



Appeal Decision

Site visit made on 21 May 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2024

Appeal Ref: APP/D4635/D/24/3341858

15 Firsway, Wolverhampton, WV6 8BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Burrell against the decision of Wolverhampton City Council.
 - The application Ref is 23/01362/FUL.
 - The development proposed is first floor side & single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for proposed first floor side & single storey rear extension at 15 Firsway, Wolverhampton, WV6 8BJ in accordance with the terms of the application, Ref 23/01362/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1314132/102B and 134123/105.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The effect of the development upon the character and appearance of 15 Firsway and the surrounding area.

Reasons

3. The appeal site is in an established residential area. Firsway consists of a mix of detached houses and bungalows. The appeal property is detached and set back from the pavement. The development would create a bedroom and bathroom to adjoin the existing side elevation at first floor level.
4. The appeal scheme was amended before the Council made its decision to provide a set back from the front elevation and set down from the original roof height of the property. The plans demonstrate that the development is also set in from the boundary with 14 Firsway resulting in a proportionate and subservient design to the host property. It does not detract from the character of 15 Firsway nor the surrounding area.

5. The open character of the street scene is maintained due to the set back of the properties from the pavement. The natural incline of the road, the orientation and relationship of properties also ensures that the street does not feel enclosed. There is little uniformity on Firsway and the surrounding area due to the variation of design of the properties. Consequently, the development would not detract from the character and appearance of the surrounding area.
6. In conclusion, the development would not harm the character and appearance of the surrounding area nor 15 Firsway. Accordingly, I find no conflict with policies ENV3 and CSP4 of the Black Country Core Strategy, Policies D4, D7, D8 and D9 of the Wolverhampton Unitary Development Plan and policy TNP12 Parts A-B of the Tettenhall Neighbourhood Plan 2014-2016. These policies require a high level of design that assimilates with and respects the existing character of the surrounding area. For the same reasons the development accords with the Extension to Houses Supplementary Planning Guidance No 4 which seeks to ensure that domestic extensions are well designed.

Other Matters

7. The Council has indicated that the site is adjacent to Wightwick Bank Conservation Area (the CA) in the Questionnaire and has provided a plan showing the extent of the CA. The appeal site is some distance from the boundary of the CA and there is intervening development such that the appeal site does not contribute to the significance of this heritage asset. Consequently, the development itself would not harm the significance of the CA as a designated heritage asset.
8. Objections to the appeal development have been made by an interested party. These include concerns about the effect of the appeal scheme on the appearance of the area which I have already dealt with. With regard to restrictions on the design of development at Firsway, including gaps between buildings for maintenance purposes, there is no evidence to demonstrate that these are subject to planning control. I also have limited information about the planning history of the garage at the appeal site. There is also no evidence to show that rainwater discharge cannot be properly contained within the appeal site. The devaluation of properties is not considered to be a material consideration and cannot be considered in the determination of this appeal.

Conditions

9. A condition relating to materials, as set out in the application form, is necessary to ensure the development will assimilate with the host property.

Conclusion

10. The material considerations do not indicate that a decision should be made other than in accordance with the development plan.

B Astley-Serougi

INSPECTOR