

Appeal Decision

Site visit made on 2 August 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2024

Appeal Ref: APP/C3430/D/24/3337217

44 Suckling Green Lane, Codsall, Staffordshire, WV8 2BT

- 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 and Mrs Bramall against the decision of South Staffordshire Council.
 - The application Ref is 23/00803/FULHH.
 - The development proposed is construction of pitched roof over existing flat roof garage with reduced pitch and hip across the rear (resubmission of application 23/00559/FULHH).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposed development provided on the application form refers to a previously refused application for a dual pitched roof above the garage the subject of this appeal.
3. The applicants state that the proposed development the subject of this appeal involves a lower hipped roof design that addresses issues raised by the previous refusal and which aligns more closely with the character of the area.
4. The appellants consider that the Council's decision should have been made at a full Council meeting. This is a matter between the appellants and the Council. I note that it is not uncommon for household applications to be determined via delegated powers.
5. The appellants make reference to the proposed development falling under permitted development rights. The appellants appealed the refusal of a planning application for development which was submitted to the Local Planning Authority. This decision notice sets out the decision arising from this planning appeal, together with the reasons for this decision.

Main Issues

6. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect of the living conditions of the occupiers of Number 46 Suckling Green Lane, with regards to outlook.
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Reasons

Character and appearance

7. The appeal property is a detached brick-built bungalow with a detached flat-roofed garage constructed to the side of the dwelling. The dwelling is located on a prominent corner, where Suckling Green Lane turns a relatively sharp bend.
8. The appeal property is set well back from the road behind a wide grass verge and footpath. The dwelling and garage sit behind a brick wall and are reached via an access point which crosses the wide grass verge and footpath.
9. The appeal property is located in a residential area largely characterised by the presence of one and two storey detached dwellings, set back from the road behind grass verges, low boundary walls and/or planting and front gardens and/or parking areas.
10. During my site visit, I observed that the presence of grass verges, pavements, footpaths, low boundary walls, hedges, planting, front gardens and mature trees all combine to provide for a notably green, open and spacious character. Buildings generally appear nestled into their surroundings, within which they do not tend to appear unduly obtrusive.
11. The garage the subject of this appeal appears somewhat unusual in that, whilst it sits to the side of the appeal dwelling, due to the bend along Suckling Green Lane, it is positioned well-forward of the front elevation of Number 46 Suckling Green Lane, next door to the appeal property.
12. As such, the garage, whilst fairly low in height, appears prominently and draws attention to itself as a building located out of kilter with the general build line along this side of Suckling Green Lane, as one approaches the appeal property from the west.
13. Given this and the area's attributes, I consider that the garage is located in a very sensitive position and that any increase in its height or scale would be keenly felt, such that it would impact significantly upon its surroundings.
14. It is proposed to replace the flat roof of the garage with a dual-pitched and hipped roof design. I find that this would result in the roof of the garage appearing well above the appeal property's boundary wall, such that it would appear as an unduly dominant feature in a prominent corner location.
15. The harm arising from the above would be exacerbated as a result of the proposed design of the roof which, with its lower dual-pitch at the front, increasing to a taller dual-pitch and then transitioning to a hipped roof, would draw undue attention to itself as an awkward and somewhat contrived feature.
16. Consequently, the proposed development would appear incongruous and obtrusive. I find that it would detract significantly from the area's green, open and spacious qualities.
17. Taking all of this into account, I find that the proposed development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to South Staffordshire Core Strategy (2012) Policy EQ11; and to the Council's Design Guide Supplementary Planning

Document (2018), which together amongst other things, seek to protect local character.

Living conditions

- 18.A noted above, the garage the subject of this appeal is sited well-forward of No 46's front elevation.
- 19.Whilst its flat roof means that it only rises a little above the boundary wall separating Nos 44 and 46 to the front, the very close proximity of the garage to the neighbouring boundary, forward of No 46's front elevation, results in it being situated in an extremely sensitive position, such that any changes to its scale would almost inevitably impact upon the outlook to the front of this neighbouring dwelling.
- 20.I find that, due to the siting, scale and very close proximity of the garage, the increase in its height arising from the proposed development would result in it appearing to loom above the front of No 46 and draw attention to itself to an overbearing degree.
- 21.This would result in undue harm to the outlook from this neighbouring property, most notably from the front-facing ground floor window situated close to the shared front boundary.
- 22.Given this, I find that the proposed development would harm the living conditions of the neighbouring occupiers with regards to outlook, contrary to the National Planning Policy Framework; to South Staffordshire Core Strategy (2012) Policy EQ9; and to the Council's Design Guide Supplementary Planning Document (2018), which together amongst other things, seek to protect residential amenity.

Other Matters

- 23.In support of their case, the appellants refer to the absence of objections to the proposed development. However, an absence of objection could be for any reason and does not in itself equate to support for a proposal. I have found that the proposed development would result in harm and this is not something that is altered by the absence of objections.
- 24.Also in support of their case, the appellants refer to another development elsewhere. However, there is nothing before me to demonstrate that the circumstances relating to this building are so similar to those of the proposal before me as to provide for direct comparison. Notwithstanding this and in any case, I have found that the proposal would result in significant harm and this is not something that is mitigated by the presence of another development elsewhere.

Conclusion

- 25.For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR