

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: 14 October 2024

Appeal Ref: APP/D4635/D/24/3343638

66 Uplands Road, Willenhall, Wolverhampton, WV13 3PD

- 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 Gursimran Singh Kler against the decision of the City of Wolverhampton Council.
 - The application Ref is 24/00001/FUL.
 - The development proposed is a shower room, utility, spice kitchen, kitchen and dining room extension with double storey bedroom above.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development is taken from the application form. In the decision letter, the Council refer to the proposed development as a "double storey side extension and single storey rear extension."
3. One of the Council's reasons for refusal related to outdoor amenity space. Further to my site visit, I am satisfied that the appeal property comprises a large plot with private outdoor space to the front and rear and there is no substantive evidence before me to demonstrate that any significant harm would arise from the proposal with regards the availability of sufficient private amenity space. Consequently, the main issues in this case are those set out below.

Main Issues

4. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of the occupiers of Number 64 Uplands Road, with regards to outlook.

Reasons

Character and appearance

5. The appeal property is a brick-built two storey semi-detached dwelling with a pitched tile roof. The dwelling is set back from the road behind a large parking area and garden. To the rear, there is a patio and garden area and a large outbuilding, which stretches across much of the width of the back of the rear garden.
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6. The appeal property is located in a residential area characterised by the presence of mostly two storey semi-detached dwellings, similar in appearance and set back behind gardens and/or parking areas, with gardens to the rear.
7. During my site visit, I noted that the presence of public green space combines with that of gardens and the setting back of dwellings to provide for a pleasant green and spacious character. This sense of spaciousness is enhanced by the presence of notable gaps at first floor level between pairs of dwellings.
8. I also observed that whilst many dwellings have been extended and/or altered, such changes tend to appear in keeping with the host dwelling and the character of the area; and that the similarity of the appearance of dwellings results in an attractive sense of uniformity.
9. The appeal property is located such that it sits well behind Number 64 Uplands Road. As a consequence of this juxtaposition of the dwellings, the side elevation of the appeal dwelling is located directly alongside No 64's rear garden.
10. The proposed side extension's roof form would fail to correspond with and would appear starkly different to, that of the host dwelling. Consequently, the proposal would result in the introduction of an incongruous form of development out of keeping with its surroundings.
11. The visual harm arising from this would be exacerbated as a result of the introduction of a window which would appear out of alignment with the existing fenestration and further, by the forward projection of the extension, such that it would appear awkward and unduly prominent when seen alongside the existing porchway.
12. The addition of a front door would further unbalance the appearance of the host dwelling's front elevation and would, together with the two-storey side projection, result in a form of development that would introduce a terracing effect to an area otherwise notable for its spacious qualities.
13. The proposal would also introduce a cramped form of development, appearing "squeezed into" its surroundings and out of character with the surrounding area's identified attributes.
14. Taking all of this into account, I find that the proposal would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Black Country Core Strategy (2011) Policies CSP4 and ENV3; to saved Wolverhampton Unitary Development Plan (2006) (UDP) Policies D4, D6, D8 and D9; and to the Council's Extensions to Houses Supplementary Planning Guidance (1996) (SPG), which together amongst other things, seek to protect local character.

Living Conditions

15. The proposed development would extend the appeal dwelling to the side and rear. This would result in the introduction of a tall first floor extension immediately alongside that part of No 64's rear garden closest to its rear elevation and also, in a single storey extension that would project immediately alongside No 64's rear garden for some considerable distance.

16. I consider that the scale, height and rearwards projection of the proposed development would, when combined with the appeal property's existing large outbuilding visible from the rear of No 64, result in the outlook from that dwelling being unduly dominated by built development of such scale and proximity as to appear obtrusive and overbearing.

17. Consequently, I find that the proposed development would harm the living conditions of the occupiers of Number 64 Uplands Road with regards to outlook, contrary to the National Planning Policy Framework; to UDP Policy D8; and to the Council's Extensions to Houses SPG, which together amongst other things, seek to protect residential amenity.

Other Matters

18. In support of their case, the appellant refer to various other developments in the wider vicinity. However, none of these comprise developments and circumstances so similar to the proposal before me as to provide for direct comparison. 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 other developments elsewhere.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR