



Appeal Decision

Site visit made on 10 February 2025

by D R Kay BA Dip.Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 20th February 2025

Appeal Ref: APP/C3430/D/24/3357401

304 Walsall Road, Great Wyrley, Walsall, Staffordshire, WS6 6DN

- 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 Keith Barber against the decision of South Staffordshire Council.
 - The application Ref 24/00578/FULHH, dated 2 July 2024, was refused by notice dated 24 September 2024.
 - The development proposed is 'Two storey front extension and first floor side-facing bedroom window'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The information provided shows that the appellant accepted a revised description of development from that on the planning application form. I have used the agreed revised description in my heading above.

Main Issues

3. The main issues are the effect of the proposed extension on i) the living conditions of existing and future occupiers, having regard to outlook and ii) the character and appearance of the existing property and street scene.

Reasons

Living Conditions

4. The introduction of the extension to the front of the property would result in the requirement to re-locate a window for the existing front bedroom to the side elevation of the property to provide natural daylight and ventilation to that room. It is proposed that this is to be obscure glazed and the height to the bottom of the opening light to be limited to a minimum of 1.7m above floor level.
5. Whilst such obscure glazing may be suitable for bathrooms which have only limited periods of use, and are normally considered as non-habitable rooms, bedrooms are generally classified as habitable rooms.
6. There is little evidence to support the appellant's assertion that bedrooms are not used during the day. It is often the case that, in addition to providing sleeping accommodation, they are also used for study or working from home. Therefore, I do not consider it acceptable for such habitable rooms to have such a restricted outlook, as it would have a confining effect that would compromise the living conditions of existing and future occupants.
7. The appellant has put forward an alternative layout proposal within the appeal statement (Figure 3 – p17), which removes the dividing wall between two existing bedrooms to create a single enlarged bedroom. Suggested wording for a condition for this change has been provided which I have considered.

8. However, neither the wording nor the proposed layout, which would retain two entrance doors, convinces me that it would prevent a dividing wall subsequently being reinstated. Indeed, it is probable that a simple reversion to two separate bedrooms would be carried out. I am therefore not persuaded that the suggested condition would address the harm identified.
9. Accordingly, I find that the proposed re-positioned principal window to the existing first floor front bedroom, because of its obscure glazing and the restricted level of the opening light, would not provide a satisfactory outlook. Therefore, it would cause unacceptable harm to the living conditions of existing and future occupants of the appeal property, contrary to the Council's 'Space About Dwellings Standard' set out in Appendix 6 of the South Staffordshire Council - Core Strategy Development Plan Document – 2012 (SSC-CSDPD 2012).

Character and Appearance

10. The appeal site is situated on the A34 Walsall Road. The properties in the immediate vicinity of the site consist of semi-detached properties to the south, many of which have been extended or modernised. To the north and opposite are a mix of terraced, semi-detached and detached properties, the majority being two-storey but with a small number of bungalows. There is a mix of materials consisting mainly of painted or dashed render and red brick, with isolated areas of painted horizontal timber cladding details. Roofs are a mix of natural slate, red clay tiles and smooth or profiled concrete tiles. The building lines of the front elevations of the properties along the appeal site side of the road varies, the appeal site and its adjoining neighbour being set back the most from the footpath along this section of road. Overall, this results in a mixed character and appearance to the area.
11. The appeal property is one half of a semi-detached block which is generally symmetrical in nature, with a hipped roof format and adjoining projecting gable features to the front elevation at the common boundary position. Single-storey entrance porches sit within the internal corner formed by the projecting gables and the main front elevation line. The material finishes of the walls and roof are common between the two properties which form the pair of semi-detached dwellings, which are part of a number of such properties in the area.
12. The proposal would introduce a gable fronted extension to the front elevation of the existing property, extending in front of the line of the existing projecting gables by approximately 2.2m, and creating a concentration of three conjoined gables at this location, though with some stepping in the elevational line. Whilst this form may result in a loss of symmetry in the pair of semi-detached dwellings, this change to symmetry is not uncommon in the immediate area, as previously approved extensions at 312 Walsall Road have also resulted in a non-symmetric effect.
13. I have considered the guidance in relation to extensions in the South Staffordshire Design Guide 2018, and the impact of the introduction of a gabled extension to the front of the property at this location. However, I find that the scale, form and massing of the front extension proposed would be acceptable in this case for the following reasons. Firstly, there is a lack of a consistent building line in the immediate locality, and the appeal property is set back some distance behind the front elevation of 302 Walsall Road to the north. Secondly, the extension would maintain the 'gapping' between properties that has been lost by other side extensions in the locality. Finally, the change to the symmetry of the pair of semi-detached dwellings is not uncommon within the immediate vicinity.
14. However, the proposals would introduce horizontal timber cladding to all elevations of both the existing and extended areas of the appeal dwelling at first floor level. It is not identified what type of timber this is, or whether it is painted, stained or left to weather naturally. Whilst there are examples of the use of horizontal painted timber cladding elsewhere within the local area, these are used in much smaller areas for individual material contrast, not in the large-scale manner of the proposal. I consider the extensive use of the timber cladding in the proposal to be alien to the area, and the adjoining semi-detached property. Nevertheless, I am satisfied that in the absence of other significant concerns, a planning condition to agree more suitable external materials could address this matter.
15. Therefore, on that basis, I do not find that the proposal would result in harm to the character and appearance of the property and the street scene. It follows that I find no conflict with policy EQ11 of the SSC-CSDPD 2012 which, among other things, seeks high quality design that respects local character and distinctiveness.

Conclusion

16. For the reasons set out above, owing to the harm in relation to the first main issue, I conclude that the appeal proposals would be contrary to the development plan as a whole, and that there are no material considerations that would justify making a determination other than in accordance with it. Therefore, the appeal should be dismissed.

D R Kay

INSPECTOR