



Appeal Decision

Site visit made on 2 May 2025

by **S. Hartley BA (Hons) Dist.TP (Manc), DMS, MRTPI, MRICS**

an Inspector appointed by the Secretary of State

Decision date: 06 May 2025

Appeal Ref: APP/D4635/W/25/3360543

Land adjoining the rear of 182 and 184 Pinfold Lane, Penn, Wolverhampton, WV4 4HB

- 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 Bhupinder Singh Phagura against the decision of Wolverhampton City Council.
 - The application reference is 24/01102/FUL.
 - The development proposed is a one bedroom detached bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The National Planning Policy Framework was revised in December 2024 and amended on 7 February 2025 to correct cross references from footnotes 7 and 8, and to amend the end of the first sentence of paragraph 155 to make its intent clear. The 2025 Framework (the Framework) has not materially changed in terms of the identified main issues below and therefore, it has not been necessary for me to seek comments from the main parties.

Main Issues

3. The main issue is the effect of the development upon (i) the character and appearance of the area and (ii) the living conditions of the occupiers of neighbouring residential properties in respect of privacy, daylight and outlook.

Reasons

Character and appearance

4. The proposed one-bedroom dwelling would be located on land between 1 Brookdale Drive, which is a detached dwelling, and the rear of Nos.182 and 184 Pinfold Lane, which are terraced dwellings. One car parking space is proposed.
5. The land currently includes single storey buildings set back from Brookdale Drive and a hardstanding/access. While there is some variety in terms of the style/design of dwellings in this area, there is nonetheless an order to the pattern of development in the locality in terms of two storey dwellings set within spacious plots. Furthermore, there is a general linear consistency to the position of the properties and building lines in the various street-scenes.
6. While there is some single storey development to the side of host dwellings in the area, such development is generally ancillary in scale and appearance to the host

properties. The position and height of such development preserves the regularity of open spaces around and between properties, particularly in Brookside Drive. Overall, these attributes add positively and distinctively to the character and appearance of the area in the vicinity of the appeal site.

7. In the context of the above, the proposed dwelling would sit within a very tight residential plot. Unlike other properties in the area, the proposed dwelling would be cramped within its plot and therefore materially at odds with the otherwise spacious character to the dwellings within the area and particularly along Brookdale Drive. I accept that the appeal site currently includes some development. However, this is ancillary in scale to the neighbouring dwellings and, in relative terms, is set back from the road so as give passers-by a feeling of spaciousness between the detached dwelling and the terraced dwellings on Pinfold Lane.
8. The proposed dwelling would project beyond the building line of the properties on Brookside Drive and very little open/undeveloped garden space would be associated with it. This harm would be compounded in so far that a single storey dwelling is proposed when those that surround it are two-storey. Overall, the development would be a cramped, incongruous addition in the street-scene that fails to assimilate well with the spacious and consistent pattern of development that prevails within the locality.
9. For the above reasons, I conclude that the proposal would not accord with the design, character and appearance requirements of policies D4, D6, D9 and H6 of the adopted Wolverhampton Unitary Development Plan 2006, policies SCP4 and ENV 3 of the Black Country Core Strategy 2011, and Chapter 12 of the Framework.

Living conditions

10. Given the single storey height and position of the proposed dwelling, and location of windows relative to existing boundary treatment, I do not find that the proposal would cause material harm to the living conditions enjoyed by the occupiers of neighbouring residential properties in respect of daylight and privacy.
11. Notwithstanding the above, part of the side wall and roof of the proposed dwelling would be noticeable from the rear windows and outside amenity spaces of Nos.182 and 184 Pinfold Lane. This would be to a greater extent than the existing development on the land. Given the very close proximity of the proposed dwelling to the rear of these neighbouring properties, it would have an adversely dominating and enclosing effect, thereby harming the outlook of the occupiers of No's.182 and 184 Pinfold Lane.
12. Therefore, I conclude that the proposal would not accord with the amenity requirements of the Council's 1996 Residential Development' Supplementary Planning Guidance, and paragraph 135(f) of the Framework.

Other Considerations

13. The proposal would lead to some social and economic benefits in terms of construction employment, supporting existing facilities and services in the area, and the provision of a one-bedroom dwelling. However, these would not be very significant benefits in the context of the provision of one dwelling on the land and I do not consider that such benefits outweigh the harm which I have identified in the main issues.

Conclusion

14. While the proposal would not have a materially adverse impact upon the living conditions of the occupiers of neighbouring residential properties in respect of daylight and privacy, significant harm would nonetheless be caused in terms of the outlook enjoyed by the occupiers of Nos. 182 and 184 Pinfold Lane. Moreover, significant harm would be caused to the character and appearance of the area. These adverse matters are not outweighed by other considerations. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR