
Appeal Decisions

Site visit made on 15 September 2025

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal A Ref: APP/D4635/D/25/3364938

51 Allen Road, Wolverhampton WV6 0AW

- 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 Larkin against the decision of Wolverhampton City Council.
 - The application Ref is 25/00012/FUL.
 - The development proposed is Demolition of existing out building and add new single and double storey rear extension.
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Appeal B Ref: APP/D4635/D/25/3364943

51 Allen Road, Wolverhampton WV6 0AW

- 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 Larkin against the decision of Wolverhampton City Council.
 - The application Ref is 25/00186/FUL.
 - The development proposed is single and two storey rear extensions.
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Appeal A Ref: APP/D4635/D/25/3364938

1. The appeal is dismissed insofar as it relates to the double storey rear extension. The appeal is allowed insofar as it relates to the single storey rear extension, and planning permission is granted for single storey rear extension at 51 Allen Road, Wolverhampton WV60AW in accordance with the terms of the application, Ref 25/00012/FUL, so far as relevant to that part of the development hereby permitted and 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, so far as relevant to that part of the development hereby permitted: 1002-765-sk1, 1002-765-03a, 1002-765-04.

Appeal B Ref: APP/D4635/D/25/3364943

2. The appeal is dismissed insofar as it relates to the two storey rear extension. The appeal is allowed insofar as it relates to the single storey rear extension, and planning permission is granted for single storey rear extension at 51 Allen Road, Wolverhampton WV60AW in accordance with the terms of the application, Ref 25/00186/FUL, so far as relevant to that part of the development hereby permitted

and 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans, so far as relevant to that part of the development hereby permitted: Location Plan, 1002-765-sk1b, 1002-765-03c, 1002-765-04b.

Preliminary Matter

3. In the interest of brevity and to avoid repetition, the appeals will be assessed together except where indicated.

Main Issues

4. The main issues in both appeals are the effect of the proposed development upon:
 - the living conditions of occupiers of neighbouring houses, with particular regard to outlook and light; and,
 - highway and pedestrian safety.

Reasons

Living conditions

5. The appeal property is a semi-detached house. Although the house had been substantially stripped out at the time of my visit, the layout corresponded with the existing layout plan submitted with the application, which indicated a 4 bedroom house with one of the bedrooms in the loft. In common with most houses nearby, it has a 2 storey single pitched roofed rear wing set in from the side and joined to that of the neighbouring house, No 53. It also has 2 additional smaller single storey rear projections which are stepped down from the 2 storey wing and are joined to No 53's, flat roofed ground floor rear extension. The proposal is to demolish these single storey projections and replace them with a flat roofed single storey rear extension with a 2 storey flat roofed extension above it.
6. The single storey extension is the same in both Appeal proposals. It would project back in line with No 53's rear extension and be the same height and would consequently have no impact on the amenity of occupants of that property. It would be set in from the main side wall of the appeal property, which is separated from No 49 by side passages serving both houses, either side of an approximately 2m high close board fence. The plans indicate that No 49's single storey rear wing comprises a lounge and kitchen. Their windows face the boundary fence and single storey rear wings on the appeal property. Consequently, the outlook from them and their access to sunlight and daylight will already be restricted to some degree. The proposed first floor extension roof would be lower than the pitched roofs on the existing single storey elements. Although it would project further back than them, outlook and access to sunlight and daylight from No 49's windows would not be significantly different than is currently the case. Therefore, this aspect of the proposed development is acceptable.

7. The 2 storey flat roofed extension proposed in Appeal A would project 4.16m from the back wall of the main rear wing of the appeal property and its adjoining neighbouring wing at No 53, which has a bedroom window facing out from it. The side wall of the proposed extension would be visible from the neighbour's bedroom window. However, the extension roof would be approximately the same height as the top of the window, which is sufficiently set off to the side of the extension side wall that it would appear peripheral and not so dominant or overbearing as to cause unacceptable harm to the outlook from the window. Wider views across to the rear garden at No 53 and beyond would remain unobstructed.
8. No 49 is similarly designed to the appeal property in terms of having a 2 storey and a single storey rear projecting wing, set in from the side of the house. The main house wall to the side of the 2 storey wing has a first floor window beyond which both its rear wing and that of the appeal property project back. Although the 2 houses are separated by side passages, the rear wings are close enough to the window to create a tunnelling effect that to some degree effects the outlook from it. The proposal would add 4.16m of wall which would substantially increase the tunnelling effect and harm the outlook from the window.
9. The flat roof would also be higher than the ridge height of the existing single storey wings on the appeal property and would not slope away as is currently the case. Consequently, it would take up more of the view from the ground floor windows of No 49, reducing the amount of sky visible from them, resulting in an overbearing presence and reduction in daylight to the rooms. Because the building is north facing access to sunlight is already limited. Nonetheless, there would be some overshadowing and a reduction in morning sunlight. Overall, I consider these impacts taken together would harm the living conditions of occupiers of No 49 to an unacceptable degree.
10. The first floor extension proposed in Appeal B would project 2.73m back from the back wall of the rear wing. That would be 1.43m less than the Appeal A proposal which I concluded would not harm the living conditions of occupiers of No 53. It therefore follows that the smaller extension proposed in Appeal B, which would have even less of an impact on outlook and light, would also be acceptable in this regard.
11. The first floor extension would also be flat roofed and the same height as that proposed in Appeal A. The reduction in length would lessen the tunnelling effect when viewed from No 49's first floor bedroom window but it would still extend beyond the line of most of No 49's rear ground floor windows. There would be some reduction in the harmful effects associated with the Appeal A proposal, but the harm to outlook and overbearing effect that the proposed development would have when viewed from the lounge windows in particular would be unacceptable. I therefore conclude on this main issue that both appeal proposals A and B would harm the living conditions of occupiers of 49 Allen Road and would conflict with Policies D7 & D8 of the Wolverhampton Unitary Development Plan (2006) (WUDP) and Policy ENV 3 of the Black Country Core Strategy (2011) which require good design that does not adversely affect people's amenities.

Highway safety

12. Policy AM12 of the WUDP sets maximum parking space requirements for new residential development. Notwithstanding that the proposal is for an extension,

rather than a new dwelling, the policy supporting text states that the standards will be applied flexibly. Policy AM15 requires the design of all new development to contribute towards improving road safety in support of the government's 2010 casualty reduction targets. These policies predate the National Planning Policy Framework (2024) (the Framework), but insofar as they seek to preserve highway safety, they share the same objectives as the Framework, although paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

13. There is no off-road parking on Allen Road and roadside parking is unrestricted around the appeal site. At the time of my visit, mid-afternoon, there were several parking spaces available close to No 51 and others available further along the street.
14. Appeal proposal A would create 2 additional bedrooms which might lead to extra pressure for on street parking. I appreciate that there will be fewer parking spaces available as residents return from work in the evenings and at night, than when I visited in the afternoon. Nonetheless, the council has provided no evidence that on street parking is at capacity and I am not convinced that any additional need arising from the proposed development could not be accommodated on the street and that there would be any harm to highway or pedestrian safety. I also note that there has been no objection to the proposal from the council's highways department.
15. The Appeal B proposal would not increase the number of bedrooms at the property and there would therefore be no additional pressure for parking. The proposed block plan includes 2 new parking spaces which would be created in the back garden and would require access via a council owned car park behind the appeal site which could result in the loss of a parking space. Permission to cross the land would be a matter for the parties to agree. The comments from the council's licensing department, which oversees parking agreements, made no reference to the car park being oversubscribed and there is therefore no evidence to suggest that allowing access through it, and the subsequent loss of a parking space there, would displace parking onto the street.
16. Overall, I conclude on this issue that the proposed development would cause no harm to pedestrian or highway safety and would not therefore conflict with the objectives of Policies AM12 and AM15 of the WUDP or the Framework.

Other Matter

17. The ground floor extension in both appeals would cause no harm to neighbours' living conditions or to highway and pedestrian safety and is acceptable. As it is physically and functionally severable from the 2 storey extension, I consider a split decision would be appropriate to allow planning permission for this element of the proposal in both appeals.

Conclusion and Conditions

18. For the reasons given above, I conclude that appeals A and B should succeed in relation to the ground floor rear extension. However, in relation to the two storey rear extension the appeals should be dismissed.

19. For both appeals, I have attached the standard time limit condition and a plans condition as these provide certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.

P D Sedgwick

INSPECTOR