



Appeal Decision

Site visit made on 11 December 2025

by **M Tandy C.WEM MCIWEM MIO L**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/D4635/W/25/3372649

236 Moseley Road, Bilston, Wolverhampton WV14 6JQ

- 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 Vijaydeep Nahal against the decision of Wolverhampton City Council.
 - The application Ref is 25/00016/FUL.
 - The development proposed is change of use of detached ancillary building to 2 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Citations to Policy ENV4 of the Black Country Core Strategy (2011) in the Council's decision notice and the Appellant's statement of case have been clarified by both parties as incorrect, and this policy is not relied on. The Council has clarified its documents should instead cite ENV3.
3. The Appellant has clarified citations to Policies H1 and H9 of the Black Country Core Strategy (2011) are incorrect and should reference the Wolverhampton Unitary Development Plan (2006). The Council is in agreement.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

5. The proposed development is located in the modest rear garden of 236 Moseley Road, with mature conifer trees along the majority of its frontage to Hill Road, in a predominantly residential area. The bungalow dwellings opposite the appeal site have light, open outlooks to Hill Road with distinct building lines angled at 60 degrees to the highway, and benefit from spacious usable front and rear gardens. Nearby properties in Moseley Road and the wider area generally have coherent shaped and sized plots, and building lines are principally parallel to the road with open frontages and low-level boundary treatments.
6. The proposed development seeks to make an efficient use of land and would create a residential dwelling with a building line parallel to Hill Road and an enclosed frontage that is discordant with the evident pattern of adjacent development and streetscape. Whilst the proposed new side garden and the division of the host property rear garden meet the Council's size requirement, they do not respect the established spaciousness of existing residential gardens in the

surrounding area. The change of use from the existing ancillary building would lead to the proposed bungalow having a cramped curtilage with minimal separation from the rear and side boundaries, which does not respond positively to nearby development intensity. Furthermore, whilst the physical appearance of the building would not change and boundary treatments could subdivide the garden under permitted development rights, the use of the building as a separate dwelling would have an inherently different character to an ancillary outbuilding associated with its use and separation from the host property.

7. I acknowledge that the proposed development would not be detrimental to the living conditions of neighbouring residents in respect of privacy and light, and would not result in a change to the built form of the existing ancillary building. Compliance with the development plan in these respects is nevertheless a neutral factor. Furthermore, whilst there were no objections to the proposed development from neighbouring occupiers or the Highway Authority, this is not a reason in itself to allow development which is visually harmful.
8. For the above reasons, I find that there would be considerable harm to the character and appearance of the area. As such, the proposed development would not accord with Policy ENV3 of the Black Country Core Strategy (2011) and Policies D4 and D6 of the Wolverhampton Unitary Development Plan (2006) which seek to ensure proposals are of a high quality design, responding positively to the character of the area including in respect of building context, lines and pattern.

Other Matters

9. My attention has been brought to Policies H1 and H9 of the Wolverhampton Unitary Development Plan (2006) which relate to Meeting Housing Needs and Housing Density and Mix respectively. Based on the information before me, the provision of an additional dwelling with the associated increase in density, making more efficient use of the land would not outweigh the harm identified above.

Conclusion

10. For the reasons given above, I conclude that the proposed development would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. The appeal is therefore dismissed.

M Tandy

INSPECTOR