

---

## Appeal Decision

Site visit made on 4 August 2020

**by A Blicq BSc (Hons) MA CMLI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 August 2020**

---

**Appeal Ref: APP/C3430/W/20/3251701**

**42 Bridgnorth Road, Wombourne, South Staffordshire WV5 0AA**

- 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 and Mrs R Lane against the decision of South Staffordshire Council.
  - The application Ref 19/00527/FUL, dated 4 July 2019, was refused by notice dated 1 November 2019.
  - The development proposed is construction of a new detached dwelling house.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the development on:
  - The character and appearance of the area; and,
  - The living conditions of occupiers of 42 Bridgnorth Road, with particular regard to outlook and light.

### Reasons

#### *Character and appearance*

3. The appeal site is the rear portion of a long corner plot. Number 42 Bridgnorth Road (No 42) is an extended bungalow with roof accommodation. Its rear garden separates the series of bungalows and bungalows with roof accommodation fronting Bridgnorth Road from a line of semi-detached dwellings on the northern side of Bridgnorth Avenue. This separation between building patterns is reinforced by a garage access road at the end of the appeal site.
4. Number 42 has had significant extensions, but its elevation to Bridgnorth Avenue remains that of a dormer bungalow. The stepping down of the roof lines towards the open space at the rear is very evident in the street scene and reinforces the apparent openness at its rear.
5. The Design Guide<sup>1</sup> states that minor development should fit in with the general pattern of the surrounding environment, taking account of subtle variations in scale and form and contributing to a sense of cohesion and unity. With regard

---

<sup>1</sup> South Staffordshire Design Guide 2018

- to infill developments, where a street has an established pattern of building heights, developments should aim to continue to an established pattern, without creating sharp or sudden change in height or building scale. Although the underlying development pattern in this case is unremarkable, there is a particular degree of architectural consistency within each distinct frontage.
6. The appeal site adjoins a modest single storey dwelling with hipped roof (The Hyde) built as backland development at 40 Bridgnorth Road. Although this is located within the openness separating the Bridgnorth Road frontage from Bridgnorth Avenue, it is unobtrusive and largely obscured from the street scene as a consequence of its limited massing and nearby tree cover.
  7. The development before me would also be backland development, and what appears to be its principal elevation would face Bridgnorth Avenue. Its overall footprint would not be dissimilar to that of The Hyde. However, it would be a two-storey dwelling with mono-pitch roof, located forward of the Bridgnorth Avenue building line. Although No 42's side elevation has side projections, the development would also sit forward of what appears to be No 42's original flank wall. It would introduce a far greater bulk and mass within a few metres of the plot's side boundary than is currently the case. Its position and bulk in relation to the street scene would be therefore be intrusive on this backland site.
  8. Moreover, the two dwellings adjoining the appeal site, No 42 and The Hyde, are single storey or single storey with roof accommodation. They are long and low with largely hipped roof forms. The development's simple typology would be unrelated to the distinct and contrasting building patterns of Bridgnorth Avenue and Bridgnorth Road. This in itself would not necessarily be a concern. However, in combination with my concerns in relation to the development's prominence and intrusiveness, I conclude that it would fail to accord with the massing and rhythm of the underlying building pattern. Nor would it appear as a transition between two distinct building patterns as argued by the appellant.
  9. I acknowledge that the development would appear less incongruous with the simpler form of dwellings on Bridgnorth Avenue. However, as I have noted above, these dwellings effectively form a distinct building pattern separated from No 42 by the appeal site and the garage access.
  10. If considered alone the limited garden depth between the development's principal elevation and the footway would have a neutral weight in my reasoning. The Hyde does not have a street frontage, and in my experience long footway boundaries of the height suggested are not uncommon on the sides of corner plots. In a denser building pattern, the size and layout of the development's garden might be unremarkable.
  11. However, in this particular instance, it appears that the combination of maintaining lateral separation with The Hyde and providing vehicular hardstanding has pushed the dwelling uncomfortably close to the footway on Bridgnorth Avenue. Not only has this reduced garden depth but has also caused the dwelling's building line to project beyond the prevailing building line. These observations suggest a building that is effectively too large for the available space.
  12. I appreciate the arguments that development can be innovative and contemporary, and this development would make a bold statement with a high degree of architectural coherence. However even with contemporary design

styles, good design generally relates to its context. This development's scale and positioning would be unrelated to its context.

13. Although the dwellings lining Bridgnorth Road display some variation in design features there is an underlying coherence in roof style, building line and style. There is also a generous set back from the road to offset limited lateral separation.
14. I conclude that the development would have an adverse effect on the character and appearance of the area. This would be contrary to Policy EQ11 of the Local Plan (LP) which requires development to take into local character and distinctiveness, and contribute positively in terms of scale, volume and materials to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area. It would also be contrary to the Design Guide which requires development to continue an established pattern and contribute to a sense of cohesion and unity.

#### *Living conditions*

15. Number 42 has been extended to the rear and the side, and has a long narrow footprint running perpendicular to Bridgnorth Road. At the very end of this footprint there is a modest rear extension whose rear elevation would be 10.5 metres from the proposed dwelling. There are windows on three sides of this extension and the development would be seen only from the rearmost window, and then at a distance of 10.5 metres.
16. I am satisfied that views from this particular window would be one small part of the room's outlook and the development would not therefore be overbearing to such an extent as to be detrimental to the living conditions of occupiers of No 42.
17. Nor would the development obstruct direct sunlight or cause more than very minor overshadowing of No 42 except in high summer. Given the distance and relative orientation of the development and No 42, and the other windows in the extension I see no reason why the development should cause undue light loss at No 42.
18. Consequently, the development would not have an adverse effect on the living conditions of occupiers of No 42 and would not be contrary to LP Policy EQ9. This requires development to take the amenity of nearby residents into account.

#### *Planning balance*

19. The evidence before me suggests that the Council cannot demonstrate a five year housing land supply. However, the Council has not objected to the principle of development on this site and the most important policies for determining this appeal are not concerned with housing supply.
20. I appreciate that the Council may be having to find sites within the Green Belt to accommodate local housing supply but this does not justify a dwelling that would appear cramped within the site and unreflective of its surroundings. Moreover, one dwelling would make a small contribution to local housing supply.

21. Consequently, I conclude that although Paragraph 11d) of the National Planning Policy Framework (the Framework) is engaged, the adverse effects of the development would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole.

**Conclusion**

22. I conclude that the development would be contrary to the Local Plan and that the conflict with the development plan taken as a whole would not be outweighed by other material considerations. Therefore, the appeal should be dismissed.

*A Blacq*

INSPECTOR