
Appeal Decision

Site visit made on 30 January 2017

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2017

Appeal Ref: APP/C4615/D/16/3158337

66 Meadowbrook Road, Halesowen, West Midlands, B63 1AQ

- 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 Mrs Alice Nock against the decision of Dudley Metropolitan Borough Council.
 - The application Ref: P/16/0531 dated 14 April 2016, was refused by notice dated 26 August 2016.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 66 Meadowbrook Road, Halesowen, West Midlands, B63 1AQ in accordance with the terms of the application, Ref: P/16/0531, dated 14 April 2016, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 16: 19:02 dated April 2016.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The Council has raised no objections to the effect of the proposal on the living conditions of neighbours. I find no reason to disagree and consider the main issue in this case is the effect of the proposed extension on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal property is one of four closely-spaced pairs of semi-detached dwellings following a fairly uniform building line on this side of Meadowbrook Road. The proposal is for a first-floor hipped-roof side extension which would occupy the full depth of the dwelling and extend to the side boundary.
4. Amongst other considerations, Policy ENV2 of the *Black Country Core Strategy* (CS), adopted 2011, requires development to protect and promote the special qualities and local distinctiveness of the Black Country including areas of extensive lower density mid-20th century suburban development. Saved Policy

- DD1 of the *Dudley Borough Unitary Development Plan* (UDP) adopted 2005, requires proposals to make a positive contribution to the character and appearance of an area. Similarly, saved Policy DD4 states that the scale and nature of the development should be in keeping with the character of the area.
5. The Council says the proposal would significantly alter the appearance of the dwelling, most particularly through unbalancing the pair of dwellings, loss of the prominent cat-slide roof, and because of the lack of a set-back at first floor level. It says the proposal will not respect the appearance of the semi-detached pairing as originally designed, and would fail to reinforce the special character and historic aspects of this particular characteristic house type.
 6. I have also been referred to the Council's *Supplementary Planning Guidance: House Extensions* (SPG). This requires development to be of a high standard of design and layout which is compatible with the surrounding area. It also notes that 'semi-detached houses are normally designed as a matching pair, and in order not to upset the balance of the buildings, a side extension should normally be set back from the frontage. However, advice in the SPG should not necessarily be followed prescriptively, and I favour a pragmatic approach in this case which responds to the particular local circumstances.
 7. In the context of the surrounding area, I consider the proposed extension would not undermine the architectural integrity of the host dwelling and would respect the character of the area to which it relates. Although it would unbalance the symmetry of the pair of houses, I consider this factor alone is insufficient to render the scheme unacceptable. In any event, the adjacent pair of houses is already unbalanced by a very similar side extension. At my site visit I also noticed many other examples nearby of comparable first floor side extensions on similar house types that unbalance the original symmetry and erode the space between dwellings to some extent. Although many of these will have been approved under a different policy regime when less emphasis was placed on preserving local distinctiveness, they nonetheless form part of, and contribute, to the present day character and appearance of the area.
 8. The *National Planning Policy Framework* requires local planning authorities to encourage high quality design. However, it also says policies and decisions should not attempt to impose architectural styles or particular tastes, but should concentrate on guiding the development in relation to neighbouring buildings and the area generally. In this case I am satisfied the proposal represents an acceptable design solution that would harmonise with the style of the dwelling and respect the character and appearance of the area. As such, I find no conflict with CS Policy ENV2, and saved UDP Policies DD1 and DD4.
 9. I have considered the conditions put forward by the Council in the light of the advice in the *Government's Planning practice Guidance*. In addition to the standard time condition, a condition requiring matching materials is needed in the interests of the appearance of the area. A condition to secure compliance with the submitted plans is also needed for the avoidance of doubt and in the interests of proper planning.
 10. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison INSPECTOR