



Appeal Decision

Site visit made on 12 August 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2019

Appeal Ref: APP/C4615/D/19/3227655

1 Chapel Walk, Lower Gornal, DY3 2NJ

- 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 Paul Stone against the decision of Dudley Metropolitan Borough Council.
 - The application Ref: P19/0049, dated 9 January 2019, was refused by notice dated 14 February 2019.
 - The development proposed is new free-standing garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development on the street scene and character of the area.

Reasons for the Recommendation

4. The wider area, including Bull Street and Chapel Walk have been developed sporadically overtime and as such there is no consistent building line for the street. No. 1 is irregular plot and does not follow a typical layout with the main garden and driveway facing what is now the side elevation of the property. The property also extends the full width of the plot. The proposed garage would be located on the junction of Bull Street and Chapel Walk, which is bound by a brick wall which is around 2 metres tall.
5. The roof of the garage would be, at its tallest, around 4 m tall. The side elevation of the garage would face Bull Street and as such the wooden weatherboarding would, in effect, visually increase the height of the boundary treatment along Bull Street to around 4 m in height. This would appear overbearing and dominant for pedestrians using Bull Street. There is a bus stop in front of the proposed location for the garage and the development would be highly visible from public vantages. The proposed development would have a detrimental effect on the appearance of the street scene due to the height and position of the garage.

6. The Planning Guidance Note no.17 – House Extension Design Guide states that garages should in, normal circumstances, be in line with or behind the front of the house, although it does acknowledge that this is not always possible. Due to the plot layout and the irregular pattern of development in the street scene, locating the garage forward of the front elevation would not detract from the appearance of the host property. Nonetheless, irrespective of existing sporadic built development, the siting and position of the appeal garage would be out-of-keeping with the settlement pattern. The garage would be an incongruous form of development causing visual harm to the quality of the area.
7. The appellants have referred to other garages that have been approved by the Council, but the existence of these does not justify granting permission elsewhere. In any event, the appeal proposal would have a detrimental effect upon the character of the street scene and area.
8. I find that the proposed height and siting of the garage would have a detrimental effect on the street scene and character of the area. Accordingly, the proposed development would be contrary to Policy ENV2 and L1 of the Dudley Borough Development Strategy and the Planning Guidance Note no.17 – House Extension Design Guide.

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR