
Appeal Decision

Site visit made on 7 January 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/C4615/D/19/3240684

68 St Kenelms Avenue, Hayley Green, B63 1DN

- 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 Aaron Harlow against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P19/1100, dated 31 July 2019, was refused by notice dated 4 October 2019.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On the site visit I noted that works have been undertaken at the appeal site though these works appear to differ from those shown on the submitted plans. In determining this appeal my decision has been considered on the basis of the plans submitted and on which the Council made its decision.

Main Issue

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

Reasons

4. The appeal site comprises a semi-detached dwelling which is set back from its frontage and located within a linear arrangement of development along St Kenelms Avenue. Whilst there are a mix of designs and dwellings sizes in the surrounding area there is regularity in the street scene. This comes from the consistent set back from frontages and some repetition of building styles.
5. I saw on my site visit that the positioning of the upper floor windows, just under or in close proximity to the eaves level, is also a consistent feature of the street scene. The appeal site sits within a run of semi-detached dwellings that are of similar design and have a horizontal emphasis, reflective of the established character of development in the vicinity.
6. The appeal scheme proposes a two-storey side extension that would have the same ridge height as the existing dwelling. Whilst a set-back from the frontage is proposed at first floor level, due to the absence of a set down the eaves level of the proposed extension would be higher than that of the existing dwelling.

7. In addition, there would also be a greater separation between the upper floor window and the eaves level resulting in a larger expanse of render. Considering this arrangement and the restricted width of the extension it would visually have more of a vertical emphasis. This would dominate and jar visually with the existing dwelling, detracting from its existing character and that of the semi-detached property of which it forms an integral part.
8. The land levels along St Kenelms Avenue do rise to the south-west and the height of the dwellings generally follow the level change, providing a stepped appearance. Whilst the proposed ridge height would follow this arrangement the difference in eaves level would be a prominent feature that would not complement the design of the host property. Consequently, the extension would dominate the host property and be an incongruous addition within the street scene.
9. Whilst the development would utilise the same roof pitch, materials that would match those used in the existing building and the first-floor window would be of a similar size and alignment to those on the existing dwelling, the first-floor fascia and eaves are not well considered, and the extension would not integrate with the design of the host property.
10. It would be a dominant and incongruous addition that would result in unacceptable harm to the character and appearance of the host dwelling and street scene. The set-back from the frontage, level changes and position of the adjacent dwelling would do little to mitigate this.
11. The proposals would therefore be contrary to Policy ENV2 of the Black Country Core Strategy, 2011, Policies S6 and L1 of the Dudley Borough Development Strategy, 2017, which seek to ensure that development respects and responds to local character and extensions do not have a detrimental impact on the character, form and design of the host dwelling. For the same reasons the development would not accord with the high-quality design requirements of the Council's Planning Guidance Note 17: House Extension Design Guide or the National Planning Policy Framework.
12. I note that the principle of a two-storey side extension has been previously accepted by the Council, and no concerns have been raised in relation to the rear dormer. From the Officer Report it is clear that the previous proposal incorporated a lower ridge line and eaves and it was these elements which appear to have contributed to making the previous scheme acceptable to the Council as the extension would be subservient and in keeping with the host dwelling.
13. Therefore, the scheme which the Council considered is different, and likely to have a materially different effect on the character and appearance of the host property than the one now before me. The current appeal scheme would result in a higher ridge and eaves height and a fascia treatment that overall would detract from the host dwelling in the manner I have described above. The previous decision does not therefore lead me to a different conclusion, and in any event, each case must be considered on its own merits.
14. It is acknowledged that there were no neighbour objections submitted to the original planning application, however this also does not lead me to a different conclusion. Furthermore, that the proposal would not impact on existing

adjacent properties, would have a neutral effect, and therefore does not weigh in favour of the appeal.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

A Denby

INSPECTOR