
Appeal Decision

Site visit made on 25 November 2019 by AJ Sutton BA Hons DipTP DMS MRTPI

by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2020

Appeal Ref: APP/C4615/D/19/3238513

165 Stourbridge Road, Halesowen, B63 3UD

- 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 Ian Jones against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P19/0997, dated 12 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is a single & 2 storey extension to front elevation & single storey extension to rear with pitched roof'.
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Decision

1. The appeal is allowed, and planning permission is granted in accordance with the terms of application Ref P19/0997, dated 12 July 2019 and 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 material to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan Ref GD1853/ 03;
Block Plan Ref GD1853/ 04; and
Proposed Plans and Elevations Ref GD1853/ 02 B.
 - 4) The ensuite window to be installed in the first floor front elevation of the extension hereby approved shall be obscure-glazed and thereafter maintained in that condition for the lifetime of the development.

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 main issue is the effect the proposal would have on the appearance of the dwelling and the character and appearance of the surrounding area.

Reasons for Recommendation

4. The appeal property is a detached dwelling, set back from the Stourbridge Road. The surrounding area is mainly residential development, interspersed with commercial premises and shops. There is no consistent development pattern in the area which comprises a mix of terraces, semi-detached and detached properties. The short row of dwellings in the immediate area of the appeal property are generally detached and appear of a similar period. It is individual in appearance and visible from the surrounding street scene, with the front drive unscreened by boundary treatment.
5. The proposed development to the principal elevation would extend the garage, introducing a pitched roof with a gable end. It would also extend the offset two storey narrow gabled protrusion to form a wider central gabled feature with an integrated porch with the new entrance set at an angle. The development would also comprise a rear single storey extension with a gable end roof detail.
6. The appeal property already benefits from planning permission¹ for a similar development to that proposed. The proposed amendments to the development already approved amounts to a gable end to the garage as opposed a hip roof at the front and a pitched roof with gable as opposed to a flat roof on the rear extension.
7. The extant permission already allows for a development which would subsume the existing simple elegant aesthetic of the principal elevation, extending the narrow protrusion and the gable end detail. I observed that work has commenced on the rear extension to which I must have regard. I also take account in reaching this decision there is a high probability that the appellant will continue to implement the extant permission and develop the garage and porch. The proposed amendments before me are of such a minor nature from the development approved that they would not amount to further harm to the appearance of the host dwelling. Indeed, the proposed gable feature to the garage would emulate the approved extended gable end on the principal elevation.
8. In summary, the proposal, taking account of the development already permitted and currently being constructed, would have a neutral effect on the appearance of the dwelling.
9. It is therefore concluded that the proposal would not be a discordant addition to the dwelling and would not harm the character and appearance of the surrounding area. As such it would not be contrary to Policy ENV2 of the Black Country Core Strategy 2011, Policy L1 of the Dudley Borough Development Strategy 2017 and Planning Guidance Note No 17 – House Extension Design Guide which collectively seek to ensure that development protects and promotes local distinctiveness, preserving the local character, with designs of appropriate form which respect and is responsive to the context and character of the original property and surrounding area.

¹ Decision Notice Ref P17/1646 dated 17 January 2018

Conditions

10. In addition to the statutory requirement to impose a time-limit within which the development must be started, to ensure that the development is undertaken in accordance with the approved plans for certainty and materials match those of the existing dwelling to protect the character and appearance of the area, the Council has suggested a condition for obscured glazing in the ensuite room window and in the interest of the privacy of occupiers of the dwelling and the amenity of occupiers of surrounding properties, I agree.

Conclusion and Recommendation

11. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and concur that the appeal should be allowed.

V Lucas

INSPECTOR