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## Appeal Decision

Site visit made on 9 June 2020 by G Sibley MPLAN MRTPI

**Decision by Chris Preston BA (Hons) BPI MRTPI**

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

**Decision date: 22 June 2020**

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**Appeal Ref: APP/C4615/D/20/3250181**

**44 Fulwood Crescent, Brierley Hill, Dudley DY2 0SQ**

- 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 Gavin Neale against the decision of Dudley Metropolitan Borough Council.
  - The application Ref: P19/1746, dated 10 December 2019, was refused by notice dated 27 February 2020.
  - The development proposed is a two storey side extension to form garage and bedrooms.
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### Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension to form garage and bedrooms at 44 Fulwood Crescent, Brierley Hill, Dudley DY2 0SQ in accordance with the terms of application ref: P19/1746, dated 10 December 2019 and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The materials 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 plans: Location Plan (dated 11 December 2019); Proposed Side Extension to Form Bedrooms and Garage (DWG No. FC/01).

### 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 Issues

3. The effect of the proposed development upon the character and appearance of the host dwelling and the street scene.

### Reasons for the Recommendation

4. No.44 Fulwood Crescent is a semi-detached property that is located on the junction between Fulwood Crescent and Avenue Road. Fulwood Crescent is

located at a higher ground level than Avenue Road and there is a steep embankment between the side of No.44 and Avenue Road. There are a number of trees and bushes along this embankment which partially blocks views of the properties along Fulwood Crescent. No.44 and the adjoining dwelling face towards the junction and because they are situated at a higher ground level, these two dwellings are more visible and thus more prominent within the street scene than the other dwellings on Fulwood Crescent.

5. The two dwellings are constructed from red brick, with a tiled pitched roof and both properties have a front porch and canopy, although the porch and canopy are designed differently on each dwelling. Nevertheless, the two dwellings share a similar appearance. The other dwellings within the street scene are also similarly designed, although there is some variation in the detailed appearance of each dwelling.
6. The proposed side extension would use similar materials to No.44 and would include a garage on the ground floor. The front elevation of the garage would be built in line with the front elevation on No.44 and the first floor of the dwelling would be set back from it. The design of the window on the first floor would match the windows on first floor the dwelling. The extension would have a reduced roofline that would match the gable roof design of the semi-detached dwellings.
7. The Planning Guidance Note No.17 House Extension Design Guide (PGN17) (adopted 1998) states that the depth of any required set back will vary according to the design of the house. In this instance because the dwelling is set back a considerable distance from the roadside, the proposed set back on the first floor of the extension would be sufficient to ensure the extension would appear subordinate. The reduced roofline as well as the width of the proposed extension, which would be approximately less than half the width of the original house would also help in that regard. The proposal would not cause the semi-detached properties to appear unsymmetrical because the dominance of the host dwelling would be retained thus the two properties would still appear balanced.
8. The extension would be seen within the context of the residential development around it and because the extension would be subordinate to the host dwelling it would not appear incongruous within the street scene.
9. The existing view from Avenue Road is of the side elevation of No.44 and the proposed extension would bring that side elevation closer to Avenue Road. Nevertheless, the difference in ground level and distance between the side elevation of the extension and Avenue Road would mean that the extension would not appear overbearing when viewed from Avenue Road. The view from this road is also softened by the trees and bushes on the embankment, although even without these, the proposed extension would not appear overbearing.
10. The scale and appearance of the extension would appear subordinate to the host dwelling and would respect the character and appearance of the street scene. Therefore, the proposed extension would comply with policy ENV2 of the Black Country Core Strategy (adopted 2011) the which looks to ensure development preserves or enhances local character and the historical environment. The proposal would also comply with policy L1 of the Dudley Borough Development Strategy (DS) (adopted 2017) which requires

development to have an appropriate form, siting, scale and mass which respect the context and character of the surrounding area. The proposal would also be in accordance with policy S6 of the DS in so much as it supports development that is responsive to the character of the local area. The extension would also comply with the PGN17 which requires extensions to match the roof shape and pitch as well as ensuring the general proportions are respected and that the design and materials of the original house are matched.

#### *Conditions*

11. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the approved plans, in the interests of clarity. In the interests of the character and appearance of the area a condition is also necessary to ensure that the materials match those on the existing dwelling.

#### **Conclusion and Recommendation**

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

*G Sibley*

APPEAL PLANNING OFFICER

#### **Inspector's Decision**

13. 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 allowed.

*Chris Preston*

INSPECTOR