

---

# Appeal Decision

Site visit made on 18 August 2020

**by D Hartley BA (Hons) MTP MBA MRTPI**

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

**Decision date: 20<sup>th</sup> August 2020**

---

**Appeal Ref: APP/C4615/D/20/3256255**

**62 Hambleton Road, Hayley Green B63 1HH**

- 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 John Reid against the decision of Dudley Metropolitan Borough Council.
  - The application Ref P20/0202, dated 10 February 2020, was refused by notice dated 7 April 2020.
  - The development proposed is described as a two storey side and single storey rear extension and internal alterations.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

3. The Council raise no concerns relating to the effect of the single storey front and rear extensions on the character and appearance of the area or to the living conditions of the occupiers of neighbouring properties. I do not disagree with the Council's views in this regard. The point of contention between the main parties relates to the proposed two storey side extension.
4. The two storey side extension would be built in very close proximity to the side boundary of this corner semi-detached dwellinghouse. While the lower parts of the two storey side extension would be partly screened by existing evergreen planting which would be retained, owing to its position and significant height it would still be conspicuous in the street-scene. In fact, given its scale, location and elevated position above the highway the two storey side extension would appear dominant and imposing particularly when driving up Hambleton Road or into Blackford Close.
5. In Blackford Close there is a very clearly defined building line with the driveways and front gardens contributing positively and distinctively in respect of a linear sense of open and undeveloped space which offers a welcome relief to the otherwise built form in the immediate locality. I acknowledge that the appeal property does not quite follow the building line of dwellings on Blackford Close. However, the land to side of the appeal property is landscaped and undeveloped and this characteristically reflects the land to the front of

properties on Blackford Close which is devoid of built form. Owing to the scale and position of the two storey extension, it would detract significantly from these positive characteristics thereby causing material harm to the character and appearance of the area. I accept that landscaping on the boundary of the site would partly screen the proposed development. However, this would only be effective in so far as screening the proposed single storey part of the two storey side extension.

6. I do recognise that there are some examples of other two storey extensions to other properties in the area, some of which are also on corner plots. Indeed, No 1 Blackford Close and No 2 Oxencroft Close appear to have been extended to the side and such developments are quite close to the respective highway boundaries. However, these are single storey developments and, furthermore, are not positioned in such an elevated position. No 57 Hambleton Road has been extended to the side, but there is a lot of green and undeveloped land between such an extension and the highway. No 69 Hambleton Road has been extended to the side and its design is similar to the appeal proposal. However, such an extension does not relate to a corner plot.
7. No 59 Hambleton Road does include a two storey side extension in very close proximity to the side boundary with Sidlow Close. This is not reflective of the main pattern of development to corner plots in the area and, in any event, the proposal would be more prominent and harmful than this development given its more elevated position. I have determined this appeal based on its impact on the character and appearance of the immediate setting and its impact when viewed from the entrance of Hambleton Road with Blackford Close and from Blackford Close itself.
8. I accept that given the setting down of the roofline and the first floor set back, the two storey side extension would suitably maintain the design balance and symmetry of the pair of semi-detached dwelling houses. In this regard, it is not surprising that there are similar approved extensions in the area including that at No 69 Hambleton Road. However, my concern does not relate to the appearance of the proposed extension, but rather to the harmful position, scale and prominence of the two storey side extension in the context of the immediate area. In this respect, the examples of other extensions referred to by the appellant are not directly analogous.
9. For the above reasons, I conclude that the two storey side extension would cause significant harm to the character and appearance of the area. Therefore, when the proposal is considered as a whole it would not accord with the design requirements of Policy ENV of the Black Country Core Strategy 2011; Policies L1 and S6 of the Dudley Borough Development Strategy 2017 and the Council's PGN 17 'House Extension Design Guide'. I acknowledge that the appellant requires additional space to accommodate a future parent thereby preventing "*them going into a home*". However, in this case a refusal of planning permission is a necessary and proportionate approach to the legitimate planning aim of protecting the character and appearance of area. Therefore, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*D Hartley*

INSPECTOR