



Appeal Decision

Site visit made on 1 September 2020 by Darren Ellis MPlan

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/C4615/D/20/3253469

Kewstoke, Greenleighs, Sedgley DY3 3RZ

- 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 & Mrs J Wiltshire against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P20/0065, dated 16 January 2020, was refused by notice dated 25 March 2020.
 - The development is described as a proposed single and two storey rear and first floor side extensions, loft conversion, internal alterations and detached 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.

Procedural Matter

3. The decision notice refers to Saved UDP Policies DD1 and DD4 of the Dudley Borough Unitary Development Plan (2005). However, the evidence before me is that these Policies have been superseded. The Council's officer report and the appellant's statement both refer to Policies L1, S6 and S8 of the Dudley Borough Development Strategy (DBDS) that was adopted in March 2017, as being relevant to this scheme, and I therefore have had regard to these policies in this appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the property.

Reasons for the Recommendation

4. The appeal property comprises a detached two-storey dwelling with an attached garage on each side of the property. The property lies in a large plot towards the southern end of Greenleighs, which is characterised by detached properties of varying sizes and designs in generous plots. The proposal seeks permission for various extensions, a loft conversion and a detached garage.
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5. Since the original application was determined, an amended application¹ was submitted and approved for a revised scheme with the front gable to the two-storey side extension and a glazed gable above the two-storey front entrance both removed from the scheme. The remaining parts of the scheme were unaltered. As these unaltered elements now have planning permission, this appeal will focus solely on the proposed front gable to the side extension and the glazed gable to the entrance.
6. The existing property is characterised by its hipped roof and front gable to one side of the entrance, with the attached garage to the northern side of the property having a catslide roof and the attached garage to the southern side having a flat roof. The proposed side extension would replace the flat roof garage with a two-storey front gable and would appear as a substantial addition to the property. The extension has been designed to be in keeping with the existing front gable and would be set slightly behind the existing front elevation. However, the proposed extension and front gable would have a greater width and height than the existing front gable, which would result in an unbalanced appearance and would lack subservience to the original dwelling. The proposed front gable for the two-storey entrance would include glazing at the second-floor level, which would be at odds with the existing property which currently has no glazing at this level. Accordingly, the form and massing of the proposed front gables would not reflect that of the existing property and as such they would be discordant additions which would significantly detract from the character and appearance of the building.
7. The approved scheme has removed both of these front gables and replaced them with hipped roofs. While this would result in a large area of tiling above the two-storey side extension, the hipped roof is in keeping with the existing main roof and would prevent an unbalanced appearance to the property.
8. I note that the appeal property is largely screened from the street by the existing trees and vegetation to the front of the house. However, this screening is temporary and would be reduced when the trees and vegetation shed their leaves, or if the planting was to be cut back or removed. As such I afford very limited weight to the existing screening.
9. I therefore conclude that the proposed front gables to the two-storey side extension and the two-storey entrance would cause significant harm to the character and appearance of the appeal property. The proposal would therefore be contrary to Policy ENV2 of the Black Country Core Strategy (adopted February 2011) and Policies L1, S6 and S8 of the DBDS. These policies, amongst other things, all require development to preserve and enhance local character. The proposal would also conflict with guidance in Planning Guidance Note 17 – House Extension Design Guide (PGN 17), which states that extensions at the front of individually designed houses must complement the original building.
10. My attention has been drawn to a High Court judgement² which states that a breach of a single policy of a development may not necessarily amount to conflict with the plan as a whole, and that all relevant policies must be read together and not in isolation. In this case the harm identified is contrary to four policies in the development plan along with the guidance in PGN 17, which is a

¹ Planning application ref. P20/0450

² Cornwall Council v Corbett [2020] EWCA Civ 508

material consideration. Overall, the proposal would not accord with the aims of the development plan with regards to design, character and appearance.

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

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR