



Appeal Decision

Site visit made on 6 December 2021

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 17 December 2021

Appeal Ref: APP/C4615/D/21/3282949

111 Buffery Road, Dudley DY2 8EE

- 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 Mrs Shamaila Assid against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P21/0879, dated 27 April 2020, was refused by notice dated 24 June 2021.
 - The development proposed is a single storey side extension and ramp to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since determination of the planning application, the 2019 iteration of the National Planning Policy Framework (Framework) has been superseded. I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issue of this appeal. I have therefore determined this appeal with regard to the current version, published in July 2021.

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 property is a two-storey semi-detached dwelling, located on a prominent corner plot at the junction of Buffery Road and School Drive. The property has a hipped roof which is consistent in design with neighbouring properties. The prevailing character of the area is predominantly residential in nature, and is generally made up of semi-detached dwellings commensurate in appearance with the appeal property.
5. The proposed development would introduce a flat-roofed single storey side extension, which would extend out close to its boundary with School Drive. The flat roof element of the proposal would jar significantly with the dwelling's hipped roof, and would therefore fail to assimilate properly with the host dwelling. As a result, the extension would appear dominant and stark within the context of the street scene, harming both the appearance of the host property and the character of the wider area. This harm would be further exacerbated by its prominent corner location, which means the extension would be readily visible on the approach to the property from all directions.

6. As a result, the development would harm the character and appearance of the area. It would conflict with Policy ENV2 of the Black Country Core Strategy (2011) and Policies L1 and S6 of the Dudley Borough Development Strategy (2017), which together seek to protect and preserve local distinctiveness, through high quality design which is appropriate to the character of the area in terms of form, scale and siting. The development would also conflict with the guidance set out in Planning Guidance Note No. 17 (House Extension Design Guide), which explicitly discourages the use of flat roofs. Finally, the development would conflict with the overarching design objectives of the Framework (2021).

Other Matters

7. Whilst the appeal dwelling has already been extended to the side, the existing extension does integrate seamlessly with the existing dwelling due to its consistent ridge height, roof pitch and matching front and rear elevations. As a result, the existing extension has the appearance of being part of the main dwelling, as opposed to a separate extension in its own right. Owing to this, the width of the proposed extension would be sufficiently inferior in scale, thereby ensuring it would appear subordinate to the main dwelling. Nonetheless, this is a neutral factor and would not outweigh the harm arising from the development's failure to integrate properly with the host dwelling as a result of the proposed flat roof.
8. Although there are examples of flat roof side extensions in the vicinity of the development, these are generally smaller in scale than the development proposed. Moreover, these examples are not sited on prominent corner plots, which means they can be accommodated more effectively without undue harm to the street scene.
9. I acknowledge that the proposed development has been designed to provide accessible accommodation for a wheelchair user. Nonetheless, this factor alone would not justify poor design which fails to harmonise with the host property nor the character of the wider area.

Conclusion

10. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR