
Appeal Decision

Site visit made on 21 December 2021

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2022

Appeal Ref: APP/C4615/D/21/3282632

45 Meres Road, Halesowen, West Midlands, B63 2EW.

- 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 Ms D Patel against the decision of Dudley Metropolitan Borough Council.
 - The application Ref. P21/0623, dated 20 March 2021, was refused by notice dated 30 June 2021.
 - The development proposed is the erection of a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side extension at 45 Meres Road, Halesowen, West Midlands, B63 2EW, in accordance with the terms of the application, Ref. P21/0623, dated 20 March 2021 and the plans submitted with it, as amended, 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 development hereby permitted shall be carried out in accordance with the following approved plans: RED900 - 504; 505; 506; 507; 508 and 509.
 - 3) The development hereby permitted shall be carried out in external materials to match those used on the existing dwelling of No. 45 Meres Road.

Procedural matters

2. There is some confusion over the plans to be considered at the appeal and I sought clarification on this from the main parties. It is apparent that the initial plans lodged with the Council for the extension proposed a continuation of the ridge roof of the main house to form a gable end, rather than a hipped roof, and a continuation of the alignment of the front and rear walls of the property. These drawings are all numbered in the 100 series. However, because of the concerns expressed by the Council, amended plans were submitted which introduced a hipped roof. These plans are all referenced in the 100 series but suffixed REV B.
3. Following further negotiations with the Council more amendments were submitted with plans referenced in the 200 series and these introduced a 900mm set-back for the front elevation and roof (with hipped end) but increased the width of the proposed extension from 3.9m to 5m.

4. The appellant says that the 500 series of plans submitted with the appeal were an amalgamation and rationalising of the previous amendments into one set of drawings so as to avoid confusion. It is these drawings numbered 501-509 that the appellant seeks a decision on.
5. Although the Council has not seen these plans other than through the appeal submission, it appears to me that the details of the proposed extension are the same as those previously considered. Moreover, having regard to the circumstances of the site and the tests set out in the case of *Wheatcroft*, I am satisfied that the changes proposed to the initial scheme do not fundamentally change the nature of the proposal or require further consultation with the local community. I will therefore have regard to the plans referenced in the 500 series.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the host property and the local area.

Reasons

Background

7. The appeal site comprises a two storey semi-detached property which lies in a general residential area of properties mainly of a similar design. The pair of 'semis' lie at an angle to both Meres Road and Fatherless Barn Crescent and front a footpath which runs between the two streets and separates the appeal site from a small group of bungalows to the south. It is proposed to demolish an existing single storey extension to the side of the property, although retain a curved brick lintel at the front as this is a common feature of the design of the local 'semis', and erect a new side extension.

Effect on character and appearance

8. In considering this issue I have had regard to the guidance in the Council's Planning Guidance Note 17 (The House Extension Design Guide) (SPG).
9. Core Strategy Policy ENV2, as relevant to the appeal, seeks to ensure that new development preserves and enhance where possible the local townscape character of the area and Policies S6 and L1 of the Development Strategy require that house extensions do not have a detrimental impact on the character, form and design of the host dwelling.
10. In this context, while there is no policy objection to the principle of a two storey side extension, it is essential that the design of the pair of 'semis' is maintained, and this necessitates a hipped roof rather than a gable end to maintain the symmetry. Moreover, the SPG stresses the need for an extension to be 'set back' and 'set down' from the original roof and front wall of the host property. I am satisfied that the revised proposal achieves this design solution.
11. The main point of dispute is the width of the proposed extension. The Council says that this would represent a 73% increase and would dominate the scale of the host 'semi' and not be subordinate to its form. However, the SPG does not prescribe any general 'rule of thumb' on the width of the extension and it appears to me that the 5m width proposed is still proportionally much less than

the width of the host house. Moreover, the extent of the present side extension has to be taken into account and the curved brick edge feature to be retained helps to reduce the visual scale and bulk of the 5m wide addition. It is also clear to me that the siting of the host 'semi' at an angle to the other road frontages and away from the building line of other dwellings mean that the width of the addition would also not appear out of place as it may do in a linear frontage.

12. Overall I am satisfied that the width, scale and form of the extension shown in the 500 series of plans maintains the character and appearance of the original host dwelling and would not harm its setting in the wider townscape and street-scene.

Planning balance

13. This accord with the policies in the development plan and SPG is not outweighed by other considerations and this indicates that the appeal should be allowed.
14. In terms of conditions the Council recommends three standard ones regarding the implementation of the development; specifying the plans that are approved; and external materials to match the existing dwelling. These are reasonable and necessary in the interests of maintaining the appearance of the area and to ensure clarity in the decision, and I will impose them.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

David Murray

IMNSPECTOR