



Appeal Decision

Site visit made on 11 January 2022

by Elaine Benson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/C4615/D/21/3280712

114 Oregon Close, Kingswinford, DY6 8SJ

- 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 Lucy Davies Jones against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P21/0913, dated 1 May 2021, was refused by notice dated 26 July 2021.
 - The development proposed is first floor side extension above existing garage to form: 1 additional bedroom plus extension to existing bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The proposed side extension would be flush with the front of the house. There would be no design break to ensure that the extension remains subservient in scale and form to the existing dwelling. Furthermore, without a set back at first floor level the extension would create a terracing effect with the adjacent properties such as to harm the character and appearance of the street scene.
4. The adjoining property, No 108 Oregon Close was extended to the side and front at ground and first floor levels following an approval in 1992. This development therefore pre-dates the current development plan policies and national design guidance and does not create a precedent. In any event, the proposed extension and the extension to No 108 would be significantly different in scale and appearance and would not have a balancing effect.
5. The appeal proposal has been assessed on its individual merits and only on the basis of the submitted scheme. Although no objections were raised by neighbouring occupiers, this does not affect my conclusions.
6. I conclude that the proposed development is contrary to Dudley Borough Development Strategy (2017) Policy L1 - Housing Development, extensions and alterations to existing dwellings; and Policy S6 - Urban Design Policy. It also conflicts with Policy ENV3 of the Black Country Core Strategy (2011) and the guidance in the Council's Planning Guidance Note 17 - House Extension Design Guide (PG17) which, of relevance to this appeal, requires such side extensions to be set back from the front elevation. It would also fail to comply

with the objective of securing high-quality design set out in the National Planning Policy Framework.

Conclusion

7. For the reasons set out above the appeal should be dismissed.

Elaine Benson

INSPECTOR