



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: 24 January 2022

Appeal Ref: APP/C4615/D/21/3280202

11A Wood Street, Wollaston, Stourbridge DY8 4NN

- 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 Gemma Duncan against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P21/0779, dated 20 May 2021, was refused by notice dated 16 July 2021.
 - The development proposed is described as 'to add a garage to the side, single storey extension to the rear and conversion of the loft to create more space'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's reasons for refusing the appeal application relate only to the rear dormer window. I agree that the other aspects of the proposal are acceptable. This appeal therefore addresses only the element in contention.

Main Issue

3. The main issue in this appeal is the effect of the proposed rear dormer window on the character and appearance of the host property and the surrounding area, including whether it would preserve or enhance the character or appearance of the Wollaston Conservation Area (the conservation area).

Reasons

4. The appeal property (No 11A) is a semi-detached dwelling located in the conservation area and an Area of High Historic Townscape Value (AHHTV). Section 72 of the Planning (Listed Buildings and Conservation) Act 1990 sets out the general duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. Woolaston can be characterised as an 'industrial village' resulting from rapid industrialisation in the mid-nineteenth century onwards. Its characteristics include mainly two-storey development of a modest scale concentrated on the crossroads of a number of routes. Townscape features including buildings, open space, landscaping and the pattern of streets reflect the historical development and 'village character' of Woolaston. No 11A and its adjoining neighbour are more recent properties which do not contribute positively to the conservation area.
6. The proposed rear dormer would encompass most of the rear roof plane of No 11A. This would result in a most dominant and incongruous addition to the

house. Whilst there may not be publicly available views of the rear of the appeal property, other than from the long neighbouring gardens, this does not mean that poor quality design should be permitted. Furthermore, the proposal would not conform with the Council's Planning Guidance Note 17 (PGN17) which, of relevance to this appeal, states that dormer windows should not dominate the existing roof and should complement the existing features of the house in terms of its proportions, size and positioning. These design aims are supported by Policy L1 of the Dudley Borough Development Strategy (DBDS).

7. Nearby dwellings on the opposite side of Wood Street have a side dormer window on each roof plane. However, the proposed dormer window would be at the rear of No 11A which has an entirely different character and appearance. In my judgement the contemporary appearance of the proposed Juliet balcony and cladding would not be out of character within the conservation area, having regard to the age and design of No 11A. Although no objections to the proposal have been received from neighbouring occupiers, this does not affect my conclusions.
8. I understand the appellant's requirement for additional living space to meet the needs of the family. However, the Council's evidence indicates that there may well be alternative ways to provide accommodation in the roof space which would respect the design and conservation area setting of the host property. Whether or not the dormer window requires planning permission is not a matter before me in this appeal which has been determined on the basis of the development as applied for.
9. I conclude that the design, scale and visual prominence of the proposed rear dormer would harm the appearance of No 11A and the character and appearance of the Conservation Area by introducing an uncharacteristic and incongruous development of poor design which would dominate the roof plane. Thus, the dormer window would have a detrimental impact on views within and from outside the Conservation Area and the AHHTV.
10. The proposal therefore conflicts with DBDS Policies S9 which, among other things, requires any new development in conservation areas to respect the historical or vernacular building character, proportion and massing; and Policy S12 which similarly requires an adequate response to the character and context of an AHHTV. There would be conflict with the Council's general design Policies S6 and L1 of the DBDS and the requirement for high quality design set out in Policy ENV2 of the Black Country Core Strategy (2011) and in the National Planning Policy Framework.

Conclusion

11. For the reasons set out above, the appeal should be dismissed.

Elaine Benson

INSPECTOR