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# Appeal Decision

Site visit made on 14 December 2021

**by J Williamson BSc (Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 January 2022**

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**Appeal Ref: APP/C4615/W/21/3278742**

**78 and 80 Bridgnorth Road, Wollaston, DY8 3PA**

- 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 Oak Tree Dental Practice against the decision of Dudley Metropolitan Borough Council.
  - The application Ref P21/0268, dated 1 March 2021, was refused by notice dated 26 April 2021.
  - The development proposed is described as: Connecting 78 and 80 (in same ownership) together at first floor level, minor alterations internally and car park modifications.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The planning application form referred only to number 78 Bridgnorth Road. It is evident from the description of proposed development and the submitted plans that the site comprises both numbers 78 and 80. I have therefore referred to both properties in the header to accurately identify the site.
3. I have used the description of proposed development given on the application form, which differs to that given by the Council on its Decision Notice, as I have not been provided with any evidence that the appellant agreed to such a change. I have made my decision on this basis.
4. Amended plans were submitted during the planning application process primarily altering the design of the proposed link structure. I have made my decision based on the amended plans.

## Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the Wollaston Area of High Historic Townscape Value (AHHTV), and whether the proposal would preserve or enhance the character or appearance of the Wollaston Conservation Area (WCA).

## Reasons

6. As indicated above, the site consists of 2 detached, two-storey properties and their respective curtilages, the latter comprising of hard-standing to the front, side and rear, with the front and rear of each plot being used for car parking.

7. For planning policy purposes, as indicated above, the site is located within the WAHHTV and sits just outside the boundary of the WCA. AHHTVs are identified as Non-Designated Heritage Assets (NDHAs) within the Borough.
8. I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Additionally, paragraph 189 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 advises that great weight should be given to the conservation of such assets when considering the impact of development on the significance of a designated heritage asset; and paragraph 203 advises that the effect of a proposal on a NDHA should also be considered.
9. I note that although a document headed 'Heritage Statement' was submitted in support of the proposal with the planning application, it does not identify any heritage assets within proximity of the site, and consequently it does not outline the significance of the WCA or what effect the proposal would have on it. However, these matters have been addressed in the appellant's statement.
10. The main reason for designating the WCA was "*to preserve its village character*". The WAHHTV was designated in recognition of its importance as a District Centre which retained the character of a historic village.
11. The key factor underpinning the significance of the WCA is the 19<sup>th</sup> Century development of the area in association with the industrial development within the wider surrounding area. Features such as street layout, the style of individual buildings and their architectural features, the arrangement of groups of buildings and the spaces between buildings all contribute to its character and appearance, and therefore its significance.
12. The WCA and the WAHHTV comprise of mainly two-storey, modest sized detached, semi-detached, and terraced buildings. Although several of the historically important buildings are located east of the appeal site, and not close to it, there are buildings of historical interest located on the stretch of Bridgnorth Road running broadly east to west through the local centre, where the appeal site is located. Thus, there are Victorian terraced cottages, some of which have retained architectural details such as timber framed sash windows, public houses, such as The Unicorn, and shops that have retained historical frontages. Such features reflect the historical development of Wollaston.
13. I consider the northern side of Bridgnorth Road where the site is located to be within the setting of the WCA, and I consider the setting makes an important contribution to the significance of the WCA. Although the properties that lie outside the WCA on the northern side of this stretch of Bridgnorth Road are not historically significant, their form, scale and layout respect the buildings within the WCA.
14. The proposal would link 2 detached properties of different architectural designs, via a brick-built bridge-like structure at first-floor level, sited between side elevations of the 2 properties. Except for the terraced properties along the street that lie within the WCA, the properties on the northern side of Bridgnorth Road where the site is located are detached or semi-detached buildings, with gaps between their respective side elevations. The proposed bridge-like link at first-floor level would introduce an alien feature into the street scene. The proposal would close the gap between the 2 properties, thereby eroding a

feature that positively contributes to the character and appearance of the street scene and the area.

15. Due mainly to a difference in ground levels between the 2 properties the eaves and roof ridge heights of the respective properties differ. Consequently, the eaves of the proposed structure would be in line with the eaves of No. 78, but well below the eaves of No. 80. Furthermore, the roof ridge of the proposed structure would sit awkwardly just below the eaves of No. 80. Additionally, as the roof pitches on the respective properties are different, the pitch of the proposed roof would either match one of the properties only, or neither. Due to these factors, the arrangement would appear disjointed and incoherent.
16. The plans state that the proposed link would have a gable to echo number 78. Although there is a gable on No. 78, the proposed gable would have a circular window inserted in it, which would not therefore echo the gable on No. 78. There are no circular windows on either of the buildings, nor are there any in any of the buildings within proximity of the site. Furthermore, No. 80 does not have a gable; and although both properties have bay windows extending over both floor levels, the roof above the bay on No. 80 is hipped, not gabled like No. 78. Such factors would add to the incoherent appearance.
17. The plans denote that the external materials would be facing brick with a pitched, slate roof to match existing. However, it is not clear which bricks the proposed bricks would match. The bricks used in the construction of the external elevations of No. 78 are a different colour to those used on No. 80. Consequently, it would not be possible to match both. Matching the bricks with those of one of the buildings would mean they would not match the bricks of the other building. The existing tiles on each of the roofs also differ, with red clay tiles on No. 78 and grey slate tiles on No. 80. Using slate tiles to match those of No. 80 would mean the roof tiles would not match the roof of No. 78, within which it would be inserted. Not being able to match the main external materials of both properties would result in there being a contrasting mix of materials that would further highlight the lack of harmony between the proposed structure and both properties.
18. I appreciate that the proposed link would be set back from the front elevations of the properties. However, in contrast with the appellant, the factors outlined above lead me to conclude that the proposal would not respect the architectural integrity of either of the 2 properties; and that the design, siting and materials would not sit comfortably with either of the buildings. As such, the proposal would fail to link the properties in a coherent and harmonious manner, thereby creating an unsympathetic, incongruous feature within the street scene and the area. Consequently, the proposal would have a significant, detrimental impact on the street scene, which would be harmful to the character and appearance of the WAHHTV, a NDHA, and the setting of the WCA, a designated heritage asset. Consequently, the proposal would not preserve the character or appearance of the WCA.
19. Within the context of paragraph 202 of the Framework, I consider the degree of harm to the heritage assets would be less than substantial. As advised in the Framework, the harm should therefore be weighed against the public benefits of the proposal. Additionally, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Other considerations, planning balance and conclusion**

20. The appellant points out that one of the impacts of COVID 19 is that millions of dental procedures that would normally have been carried out have not been. The proposal would facilitate the expansion of the dental practice and therefore the capacity to deal with such a backlog of unmet need for dental care. Additionally, the business expansion would include introducing additional dental care services. I acknowledge that the proposed development would assist in expanding the existing business and as such there would be public health and social benefits, and I attach considerable weight to such benefits.
21. Expanding the business would also provide some small scale public economic benefits, such as recruitment of additional employees and the contribution of the business and its employees to supporting the local economy. The rationalisation of the access arrangements and increase in on-site parking would also be of benefit to public safety, by easing the movement of vehicles. However, both these benefits would be relatively small-scale. I therefore attach limited weight to each of them.
22. Notwithstanding the public benefits outlined, I consider the significant harm to the character and appearance of the WAHHTV and the setting of the WCA is not outweighed by these benefits. Bearing all the above factors in mind, the proposal does not accord with policies CSP3, CSP4, ENV2 and ENV3 of the Black Country Core Strategy, 2011; policies S1, S6, S8, S9 and S12 of the Dudley Borough Development Strategy, 2017, or heritage and design policies in the Framework. Collectively, and among other things, these policies seek to transform the Black country environment and require development to be of high quality, be visually attractive, sympathetic to local character and history, to protect and enhance the special character and historic aspects that are locally distinctive and to preserve or enhance aspects of the historic environment, including their settings.
23. For the reasons outlined, I find there are no other considerations that lead me to conclude other than in accordance with the development plan. I therefore conclude that the appeal is dismissed.

*J Williamson*

INSPECTOR