
Appeal Decision

Site visit made on 22 February 2022 by G Sibley MPLAN MRTPI

Decision by David M H Rose BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 March 2022

Appeal Ref: APP/C4615/D/21/3286566

6 Byron Croft, Lower Gornal DY3 3BB

- 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 Lorraine Butler against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P21/1436, dated 19 July 2021, was refused by notice dated 1 October 2021.
 - The development proposed is loft conversion to include front and rear dormers.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion to include front and rear dormers at 6 Byron Croft, Lower Gornal DY3 3BB in accordance with the terms of the application, Ref P21/1436, dated 19 July 2021, 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: Location Plan SO 9092 dated 27 July 2021; 1 500 Site Plan dated 27 July 2021; Proposed Loft Conversion Existing and Proposed Elevations dated 12 August 2021; and Proposed Loft Conversion Proposed Side Elevation dated 12 August 2021.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing roof of the building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have used the description of development from the decision notice as this includes reference to the two dormer windows and as such more accurately describes the development proposed. This description incorporates the description of development taken from the application form and therefore I am satisfied that the appellant would not be prejudiced by this.
4. Although the proposal consists of two elements, the Council's reason for refusal relates solely to the front dormer. It has confirmed that the rear dormer is

considered, on balance, to be acceptable due to a permitted development fallback position. I see no reason to disagree.

Main Issue

5. The effect of the proposed front dormer window upon the character and appearance of the host dwelling and the street scene.

Reasons for the Recommendation

6. No 6 is a single storey dwelling with a large gable feature to the front that extends across half the width of the dwelling. The building has a pitched gable roof and the dwellings along Byron Croft are all similarly designed. The dwellings further afield vary in scale and appearance but there are similarly designed dwellings near to Byron Croft. The most prominent feature of the dwelling and the surrounding similarly designed dwellings are the large front gables and their overall small scale.
7. The small front dormer window would have a pitched roof and would fit comfortably within the existing front roof slope. It would be subordinate in scale and appearance, constructed with matching roof tiles, and it would not harm the appearance of the dwelling.
8. The other dwellings along Byron Croft do not have dormer windows built into their front roof slopes but there are similarly designed dwellings within the immediate area that have front dormer windows. Whilst those dormer windows vary in scale and appearance compared to that proposed, the principle of dormer windows within front roof slopes on similarly designed dwellings within the area has already been established. Consequently, the proposal would not add an alien feature into the area. Furthermore, the scale of the dormer window would not significantly increase the scale of the dwelling, nor would the proposal draw focus away from the front gable feature.
9. Therefore, the proposed front dormer window would not harm the character and appearance of the host dwelling or the street scene. Consequently, the proposal would comply with Policies ENV2 and ENV3 of the Black Country Core Strategy (adopted 2011) as well as Policies L1 and S6 of the Dudley Borough Development Strategy (adopted 2017). These policies expect residential extensions to be of an appropriate form, siting, scale and mass, with the use of appropriate materials, which respect and are responsive to the context and character of the surrounding area. Moreover, the proposal would accord with the advice contained within Planning Guidance Note No.17 House Extension Design Guide (adopted 1998) insofar as it states that dormer extensions should not dominate the existing roof and should complement the existing features of the house in terms of proportion, size and position. Furthermore, the proposal would accord with the general design policies within the National Planning Policies Framework as well as the National Design Guide.

Conditions

10. Further to the statutory commencement condition it would be necessary in the interest of certainty for the development to be carried out in accordance with the approved plans. Furthermore, it would be necessary in the interest of the character and appearance of the dwelling and the street scene for the surface materials to match those used in the existing roof of the building.

Conclusion and Recommendation

11. The proposed development would accord with the development plan as a whole. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal.

David MH Rose

INSPECTOR