
Appeal Decision

Site visit made on 20 February 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2022

Appeal Ref: APP/C4615/D/22/3290843

314 Burton Road, Dudley, DY1 3DL

- 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 Mr and Mrs I and F Iqbal against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P21/1347, dated 2 July 2021, was refused by notice dated 9 November 2021.
 - The development proposed is a two storey side extension, single storey front and rear extensions, a loft conversion and elevational changes.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, single storey front and rear extensions, a loft conversion and elevational changes at 314 Burton Road, Dudley, DY1 3DL in accordance with the terms of the application, Ref P21/1347, dated 2 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 and Drawing number CA-331-02 Revision H.
 - 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 building.

Procedural Matter

2. During the course of the application the plans and the description of development were amended. The description I have used reflects those changes and my decision is based upon the latest drawings.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal property is a hipped roof semi-detached house with a single storey flat roof garage to the side, which projects forward from the front elevation of the main house. It sits within a long row of residential properties of similar but

not identical design and materials. The opposite side of the road comprises more modern dwellings. I observed during my site visit that there are several two-storey side extensions nearby. Some of the extensions I saw were slightly set back from the front elevation of the host dwelling and had a slightly lower ridge line. Others sat flush with the front elevation and roof line of the original dwelling. Regardless of when these other extensions were approved or what policies and guidance were in place at that time, these extensions form part of the established character and appearance of the area.

5. The Council's House Extension Design Guide provides some very basic good practice design guidance relating to house extensions. However, this is a material consideration of limited weight and is not policy. It must be balanced against other factors.
6. The proposed extension would be flush to the front wall and roof line of the original dwelling. It would be just over half the width of the original dwelling frontage and would have a full hipped roof to match that of the original and adjoining dwelling, as well as those in the wider setting. Although the proposal would further unbalance the symmetry of the original pair of houses, this would not be harmful to the appearance of the street scene given the variation of existing house types and extensions in the immediate surrounding area. I am not convinced that setting the extension back or down by 0.75 metres would make any beneficial difference.
7. I therefore find no conflict with policy ENV3 of the Black Country Core Strategy 2011 or policies L1 and S6 of the Dudley Borough Development Strategy (DBDS) 2017, which collectively seek amongst other things to ensure new development is of high quality design that reflects local context and character and that extensions and alterations would not have a detrimental impact on the character, form and design of the host dwelling.

Conditions

8. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to matching materials is necessary to ensure that the appearance of the new development would be satisfactory.

Conclusion

9. For the reasons given above the appeal is allowed.

Rachael Bartlett

INSPECTOR