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# Appeal Decision

Site visit made on 29 March 2022 by April Coombes

## Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2022

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### Appeal Ref: APP/C4615/D/22/3291207

#### 33 Manor Lane, Halesowen B62 8PZ

- 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 Cox against the decision of Dudley Metropolitan Borough Council.
  - The application Ref P21/2042, dated 3 November 2021, was refused by notice dated 17 January 2022.
  - The development proposed is front porch upgrade, with double storey side extension and single storey rear extension. Gable roof with Loft conversion with dormer to the rear and internal works
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### Decision

1. The appeal is dismissed.

### 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.

### Main Issue

3. Evidence indicates that planning permission has been obtained for the erection of a single storey rear extension, first floor side extension and loft conversion with rear dormer<sup>1</sup>. The development the subject of this appeal proposes revisions to various aspects of that approval. Having regard to this, and the Council's reason for refusal, the main issue is therefore the effect of the first-floor side extension and larger rear dormer on the character and appearance of the host dwelling and surrounding area.

### Reasons for the Recommendation

4. The appeal property is a hipped roof semi-detached house, which benefits from a front porch extension and garage extension, as well as modest extensions to the rear. The surrounding area is predominantly residential, interspersed with commercial properties and a school to the rear of the curtilage. Nearby there are a range of houses built in a similar era and, although the designs may have slight variation, the appeal site sits within a group of 4 properties that are of similar design. The appeal seeks permission for a front porch upgrade, with double storey side extension and single storey rear extension. The development would incorporate a gable roof with loft conversion, a dormer to the rear and the associated internal works.

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<sup>1</sup> P20/1599

5. The proposed side extension and related roof alterations would result in the loss of the traditional hipped feature of the original roof and incorporate a gable. It would appear as an incongruous addition within the relatively uniform group of houses. The proposed hip to gable extension would also imbalance the symmetry of the pair of semi-detached properties. The appellant has provided examples of nearby similar developments and, whilst afforded limited weight, the context of these developments differ to the proposed scheme. Specifically, the example on Shenstone Avenue shows a semi-detached pair that are balanced with gable ends, and it is unclear whether these were subject to hip to gable extensions that benefitted from planning permission.
6. The plans do not propose for the front of the first-floor extension to be set back or the ridge height to be lower than the main dwelling. There would be no clear indication that the development is an extension of, and is subservient to, the host dwelling. The plans also propose the incorporation of a secondary smaller gablet, which would mimic the existing. However, it would further exacerbate the imbalance with the adjoining property and would not be appropriate in this semi-detached context. Therefore, the first-floor side extension would cause harm to the character and appearance of the host dwelling and surrounding area.
7. Some nearby properties benefit from roof level extensions and the appellant has provided a specific example of a large dormer extension at 28 Manor Lane. Furthermore, it is acknowledged that permission has already been obtained for a rear dormer at the appeal site. However, larger dormers such as the one that is proposed, are not visible within the same context of the appeal site, nor are they so prevalent that they are intrinsic to the character of the area. Although stepped back from the rear building line, the proposed dormer would take up a significant width of the roof. When combined with the hip to gable extension it would appear bulky, particularly when viewed alongside the adjoining property, the roof of which remains largely unaltered.
8. It is acknowledged that amendments have been made in order to accommodate access to the loft space and ensure the provision of head height clearance. However, I have seen no evidence to suggest such amendments could not be pursued through a proposal that would not cause the harm that has been identified within this decision.
9. For the reasons given above, the development would cause harm to the character and appearance of the area. It would fail to comply with Policies CSP4, ENV2 and ENV3 of the Black Country Core Strategy (CS), adopted 2011 and Policy L1 of the Dudley Borough Development Strategy (DDS), adopted 2017. Together these Policies seek to protect the historic character and local distinctiveness of the area through high-quality design. The development would also fail to comply with Policy S6 (DDS) and the Dudley Planning Guidance Note No. 17 House Extension Design Guide, which together seek to resist extensions that are not of an appropriate design in terms of siting, scale and mass.
10. The Council have cited Policy S1 (DDS) in their reason for refusal. However, this Policy relates to the presumption in favour of sustainable development and the decision making process, and it is not considered that this appeal is in direct conflict with the Policy.

### **Conclusion and Recommendation**

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*April Coombes*

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 the appeal is dismissed.

*Zoe Raygen*

INSPECTOR