
Appeal Decision

Site visit made on 2 August 2022 by T Bennett BA (Hons) MSc

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2022

Appeal Ref: APP/C4615/D/22/3299821
32 Dunstall Road, Halesowen, B63 1BD

- 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 Thomas Murphy against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P22/0045, dated 12 January 2022, was refused by notice dated 5 May 2022.
 - The development proposed is single storey side and single storey rear extensions (following demolition of existing utility and partial demolition of existing living room). Single storey front extension to create new porch (following demolition of existing porch) and new front canopy. Elevational changes to include new window.
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Decision

1. The appeal is dismissed insofar as it is related to the proposed single storey side extension.
2. The appeal is allowed insofar as it is related to the single storey rear extension and single storey front extension and planning permission is granted for single storey rear extension and single storey front extension to create new porch and front canopy at 32 Dunstall Road, Halesowen, B63 1BD in accordance with the terms of the application, Ref P22/0045, dated 12 January 2022, and the plans submitted with it, insofar as they are relevant to the part of the development hereby permitted and 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: 2025.LP, 2025.103 – Rev A and 2025.105 – Rev C.
 - 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.

Appeal Procedure

3. 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

4. The main issue is the effect of the development on the character and appearance of the host property and streetscene.

Reasons for the Recommendation

5. The appeal property is one of many examples of a Mucklow designed dwelling which comprise of pairs of two storey semi-detached dwellings with catslide roofs to the side. It is located in a prominent corner position in a residential area, at the end of a row of similar designed properties, with other Mucklow style dwellings being located on the opposite side of the road. The catslide roofs and proportions of the properties give the surrounding area a distinctive appearance and contribute positively to its character.
6. The appeal property itself is set in a large, elevated corner plot rising up from Haswell Road. To the side of the dwelling there is limited landscaping which together with the lack of built form provides an open aspect to the street corner. The appeal proposal consists of three single storey elements, a front, side and rear extension.
7. In respect of the side extension, this would be approximately half the width of the existing property, with the roof of the garage having a ridge height at approximately the same height as the eaves of the host property. The combination of the width and the overall massing of the extension would result in a disproportionally large and an overly dominant addition in comparison to the host dwelling.
8. In coming to the above view, I acknowledge that the plot is large and could accommodate the size of the proposal. However, the size of this addition would reduce the openness and sense of space that is currently experienced at this corner location and would be at odds with the other corner plots in the near vicinity. As such it would harm the character and appearance of the area, heightened as a result of the prominent, corner position of the property.
9. The appellant has drawn my attention to other side extensions that have taken place at other properties. Whilst these are noted, I observed relatively few examples in the immediate area and have no information as to the exact location of them so I cannot be sure of the context that led to their approval. Furthermore, I am not persuaded that two of the examples serve to justify the large size of the garage proposed, and two of the examples also have a different roof form and ridge height to the proposal before me and thus are not directly comparable. Moreover, each proposal must be considered on their individual merits.
10. I am also conscious that the appellant has utilised a hipped roof to follow the slope of the host property and has referenced the Councils Planning Guidance Note No.17 : House extension design guide. Whilst this is a positive aspect of the proposal, this does not outweigh the harm that I have already identified which principally results from the proposals excessive width.
11. The Council have not raised any concerns in relation to the front and rear extensions and from the evidence before me I have no reason to come to a different conclusion on these matters. These parts of the proposal do not harm the character and appearance of the host property or the wider area and are in accordance with Policies ENV2 and ENV3 of the Black Country Core Strategy

(2011) (BCCS) and Policies L1, S6 and S8 of the Dudley Borough Development Strategy (2017) (DBDS).

12. It is evident from the plans that are before me that these aspects of the appeal scheme are clearly severable, both physically and functionally from the proposed side extension. With that in mind there is no reason why planning permission cannot be granted for these aspects of the proposal.
13. However, for the above reasons, the side extension would harm the character and appearance of the host property and streetscene and would conflict with Policies ENV2 and ENV3 of the BCCS and Policies L1, S6 and S8 of the DBDS which, amongst other matters, collectively seek to enhance local character and appearance. It would also conflict with the Council's Planning Guidance Note 17 – House Extension Design Guide and the overarching aims of the National Planning Policy Framework.

Conditions

14. In addition to the standard time period for commencement of the development, a condition requiring the development to accord with the approved (in part) plans, is necessary to provide certainty and precision. The Council has also suggested a condition requiring the external materials to be used in the construction of the development to match those of the existing building. In the interests of the character and appearance of the host property and streetscene I agree that this condition would be necessary.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed for the single storey front and rear extension and dismissed in relation to the single storey side extension.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is in part allowed, and in part dismissed.

Chris Forrett

INSPECTOR