



Appeal Decision

Site visit made on 8 February 2023

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2023

Appeal Ref: APP/C4615/W/22/3304661

4 Bromwich Lane, Pedmore DY9 0QZ

- 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 A Lawlor against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P22/0553, dated 12 April 2022, was refused by notice dated 6 June 2022.
 - The development proposed is a two bed bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. The appeal site is located on a prominent corner comprising part of the rear gardens of two dwellings – 4 Bromwich Lane and 340 Hagley Road. The area is characterised by two storey dwellings with open green frontages, long rear gardens and noticeable separation between buildings. These features contribute to a spacious residential environment, which is reinforced by the verdant green spaces along Ferndale Park.
5. The proposal involves the subdivision of existing gardens and the construction of a new dwelling fronting Ferndale Park. I acknowledge that the proposed development would use sympathetic materials and design features. However, the proposed dwelling, on account of its position and subdivision of the existing plots, would result in an uncharacteristic concentration of built form reducing the sense of spaciousness that currently exists on this corner.
6. Its tight arrangement with its side boundaries gives the impression of a far less spacious and unduly cramped development failing to integrate with the established pattern of development locally.

7. The single storey form of the proposed development would not, in my view, minimise its impact but rather result in a dwelling that would be out of keeping with the scale and form of nearby properties appearing as an incongruous feature. Its visual impact would not be mitigated by soft landscaping as it still be apparent from within the surrounding area.
8. Whilst the proposal would make a more effective use of land this would be at the expense of gardens that make a positive contribution to the spacious and verdant character and appearance of the area.
9. I conclude that the proposed development would adversely affect the character and appearance of the area contrary to Policies ENV2, ENV3, HOU1, HOU2 and CSP4 of the Black Country Core Strategy (2011); Policies S1, S6, S8 and L1 of the Dudley Borough Development Strategy (2017) and the New Housing Development Supplementary Planning Document (2013) which, amongst other things, aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country; developments to respond to the identity of each place with high quality design proposals; proposals to make a positive contribution to place-making and development 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.

Other Matters

10. I note the appeal site is within an accessible location close to local services and facilities and public transport. I also note that the proposed development would not unduly affect trees, highway safety, the living conditions of nearby occupiers and would provide satisfactory living conditions for future occupiers. But these are factors of neutral consequence.
11. The proposed development would lead to employment opportunities through the construction of a dwelling and would incorporate green features, but these benefits are modest commensurate with the provision of a single dwelling. I therefore afford these benefits limited weight. Taking into consideration the points above I find that the harm resulting from the proposed development would not be outweighed by these factors.
12. I note the appellants comments in relation to housing quality and choice for older people. However, the benefit of one dwelling towards meeting this need would not outweigh the harm that I have identified that would justify a different overall conclusion that the appeal should be dismissed.

Conclusion

13. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR