



Appeal Decision

Site visit made on 14 February 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 February 2023

Appeal Ref: APP/C4615/W/22/3306422

6 Rectory Close, Oldswinford, Stourbridge DY8 2HD

- 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 & Mrs I & B Wheeler against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P22/0786, dated 27 May 2022, was refused by notice dated 26 August 2022.
 - The development proposed is a two storey side extension and single storey front extension (following demolition of existing garage).
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey front extension (following demolition of existing garage) at 6 Rectory Close, Oldswinford, Stourbridge DY8 2HD, in accordance with the terms of the application, Ref P22/0786, dated 27 May 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location Plan, existing and proposed floorplans and elevations DRG No.2.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building.

Preliminary Matters

2. I have used the description of the proposal given in the Council's decision notice as it adequately and simply describes the proposed development instead of the much longer and detailed description given on the application form.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the existing building and the wider street scene.

Reasons

4. The appeal property is a semi-detached, two storey dwelling located at the far end of a cul-de-sac. Although there are buildings of mixed character in the immediate area, the appeal dwelling and the attached dwelling are a unified pair of semi-detached houses in terms of their form and appearance.

5. The proposed extension has been designed as a subordinate addition and would utilise matching materials. It also broadly reflects the Council's Supplementary Planning Guidance Note 17 (SPG) which requires a minimum distance of 1 metre between an extension and the boundary, where practical, to provide a visual break and access to the rear. However, to provide an adequately sized additional bedroom within the proposed extension and to maintain access to the rear garden, the gable of the first floor would project out beyond the ground floor to create a pronounced overhang detail.
6. Whilst I recognise that the overhang to the gable would not be a typical building detail in the area, in close views it would be partly masked by the set-back of the proposed first floor and the flat-roofed, ground floor extensions to the building frontage. The raised ground levels at No.7 alongside would also mean that the overhang would lie below the roof of the garage at No.7 and close to the line of its boundary fence, making the jutting out of the first floor less pronounced. Furthermore, the position of the proposed garden gate at the building frontage would also draw the eye and partly mask the overhang. In close views, therefore, the proposed overhang would only be seen within a narrow field of view, when looking along the gap between the two dwellings. It would not be read as a harmful addition to the host building or harm the appearance of the pair of dwellings.
7. In more distant views, the proposed overhang would be difficult to see because of its position on the building and although the property is at the head of the cul-de-sac, the extension would be to the side and not in a direct line of sight. It would not therefore have a harmful impact on the wider street scene.
8. Having viewed the property on site and the evidence before me, I conclude that whilst the proposal is an unusual solution to the challenges faced by the site, the overhang would be in a constrained gap and largely hidden. For the reasons set out above, I conclude that the proposed development would not detract from the character and appearance of the existing building or the wider street scene. Accordingly, it would accord with Policy ENV2 of the Black Country Core Strategy 2011, Policies S6 and L1 of the Dudley Borough Development Strategy 2017 and the SPG. These seek to ensure satisfactory design which does not harm the street scene. It would also comply with those principles of the National Planning Policy Framework that seek good design which is sympathetic to the local area.

Conclusion

9. For the reasons set out above, the appeal is allowed, and planning permission is granted subject to conditions that are necessary in the interests of certainty and safeguarding the character and appearance of the area. I have not included a condition relating to the obscure glazing of the proposed ground floor, side window as there would be no loss of privacy due to the difference in ground levels between properties and the height of the boundary fence.

G Bayliss

INSPECTOR