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# Appeal Decision

Site visit made on 7 February 2023

**by N McGurk BSc (Hons) MCD MBA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 3 March 2023**

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## **Appeal Ref: APP/C4615/D/22/3307918**

### **29 Broughton Road, Pedmore, Dudley, DY9 0XP**

- 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 Mrs Penny Garratt against the decision of Dudley Metropolitan Borough Council.
  - The application Ref P22/0826, dated 7 June 2022, was refused by notice dated 5 September 2022.
  - The development proposed is an increase in roof height to facilitate loft conversion with front and rear dormer.
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## **Decision**

1. The appeal is allowed and planning permission is granted for an increase in roof height to facilitate loft conversion with front and rear dormer at 29 Broughton Road, Pedmore, Dudley, DY9 0XP in accordance with the terms of the application Ref P22/0826, dated 7 June 2022 and in accordance with the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
  - 2) 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;
  - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 29BR/002-2022 (Proposed Block Plans; Proposed Floor Plans; Proposed Elevations).

## **Procedural Matter**

2. The description of the proposed development is taken from the Council's decision notice, which is more detailed than the description on the application form, which refers to a "first floor extension."

## **Main Issue**

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.
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## Reasons

4. The appeal property is a detached dormer bungalow situated inside a prominent bend along Broughton Road. The dwelling has a single-storey, flat-roofed side extension, dog-legged to the host property such that it projects diagonally away from it in a manner that “turns the bend.”
5. The appeal property is located in a residential area characterised by the presence of a range of detached and semi-detached dormer bungalows and two storey dwellings. Dwellings are set back from the pavement behind front gardens and/or parking areas and grass verges separate the pavement from the road. Dwellings have gardens to the rear and combined with the front gardens, grass verges and gaps between dwellings and pairs of dwellings, this provides for a pleasant green and spacious setting.
6. Further to the above, whilst I observed during my site visit that many dwellings in the area have been altered and/or extended, these changes generally appear in keeping with host properties and their surroundings. Consequently, many original features appear to have been retained or enhanced, affording the area a distinctive and attractive sense of uniformity.
7. The proposed development would replace the existing flat roof of the single storey side extension with a dormer extension. Currently, the flat-roofed extension appears at odds with the dormer roof of the host dwelling and out of keeping with its surroundings, where no such addition exists.
8. The proposal would introduce a dormer roof, carefully designed to match the host dwelling and to appear in keeping with neighbouring dwellings. This would be to the benefit of the appearance of the host property and to the character of the surrounding area.
9. Whilst the proposal would be relatively large, it would not appear unduly dominant, due partly to the spacious setting of the host property and particularly, to the “dog-legged” siting of the extension, whereby the proposal would appear to turn the bend along Broughton Road in a neat and satisfactory manner.
10. Further to the above, the heightened eaves of the proposal’s rear elevation would result in it wrapping around part of the appeal property’s rear garden in a sensitive manner, such that the addition would add visual interest in a way that ties-in well with and appears subservient to, the host dwelling.
11. Taking all of the above into account, I consider that the proposal would make a positive contribution to local character.
12. The proposed development would not harm the character and appearance of the area and would not be contrary to the National Planning Policy Framework, to Core Strategy<sup>1</sup> Policy ENV2; to Development Strategy<sup>2</sup> Policies L1 and S6; or to the Council’s House Extensions SPG<sup>3</sup>, which together amongst other things, seek to protect local character.

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<sup>1</sup> Reference: Black Country Core Strategy (2011).

<sup>2</sup> Reference: Dudley Borough Development Strategy (2017).

<sup>3</sup> Reference: Supplementary Planning Guidance Note 17 (House Extension Design Guide) (1998).

**Conditions**

13.I have considered the conditions suggested by the Council against the tests set out in Paragraph 56 of the Framework. A condition specifying the approved plan is necessary for the avoidance of doubt and in the interests of proper planning.

14.A condition controlling external surfaces is necessary in the interests of local character.

**Conclusion**

15.For the reasons given above, the appeal succeeds.

*N McGurk*

INSPECTOR