



Appeal Decision

Site visit made on 25 April 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2023

Appeal Ref: APP/C4615/D/23/3315731

Pleasant Cottage, 111 Cot Lane, Kingswinford, Dudley, DY6 9TH

- 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 Jeremy French against the decision of Dudley Metropolitan Borough Council.
 - The application Ref P22/1356, dated 13 September 2022, was refused by notice dated 8 November 2022.
 - The development proposed is described as a loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion at Pleasant Cottage, 111 Cot Lane, Kingswinford, Dudley, DY6 9TH in accordance with the terms of the application, Ref P22/1356, dated 13 September 2022, 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: Site Location Plan; 111CL/001-2022; and 111CL/002-2022.
 - 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.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

Reasons

3. The appeal property is a detached two storey dwelling, located in an area that is highly mixed in character and appearance, comprising of detached, semi-detached and terraced dwellings of varying ages and architectural designs. There is also considerable variety in terms of building height, with bungalows and two storey development present in the immediate area.
4. The existing building occupies a prominent position in the street scene as it sits forward of the bungalows to the south and slightly forward of the two storey

- dwelling to the north. The proposed dormer windows on the front roof slope would therefore also be clearly visible in the street scene.
5. The Council's Planning Guidance Note No 17 - House Extension Design Guide (1998) (PGN 17), whilst not statutory, provides useful guidance for householder development. In respect of dormer extensions, it advises that generally a steep pitched roof can accommodate a modest sized dormer room without the form of the dwelling being too severely impacted. It states that a dormer should not dominate the existing roof and should complement the existing features of the house in terms of proportion, size and position and that two small dormers may be preferable to a single larger one. A 1m setback from the fascia should be observed.
 6. The existing dwelling has a steep pitched roof which would enable the two proposed dormers to be set down from the ridge of the dwelling and setback from the fascia. The dormers would be evenly spaced on the front roofslope and would be well set in from the edges of the roof. In my view, the proposed dormers would complement the existing features of the house in terms of size and proportion and would be suitably designed and positioned to align with the window openings below. I therefore find that the proposal would accord with the design guidance for dormers set out in PGN 17 and would not be detrimental to the character and appearance of the existing property.
 7. Whilst there are examples of dormer windows on the front elevation of dwellings in Cot Lane, such as at Nos. 95, 97 and 103, I acknowledge that dormer windows are not a particularly common feature of the surrounding area. However, given the highly mixed character and appearance of Cot Lane and the variety of ages and designs of buildings, I do not find that the proposed front dormers on the appeal property would be an incongruous or alien feature.
 8. Thus, I conclude that the proposal would not have a harmful effect on the character and appearance of the existing dwelling or the surrounding area. It would comply with Policies ENV2 and ENV3 of the Black Country Core Strategy (2011), Policies L1 and S6 of the Dudley Borough Development Strategy (2017) and the PGN 17 which together, amongst other things, seek to protect local character. The proposal would also accord with the National Planning Policy Framework (2021) and the National Design Code (2019) insofar as they seek high quality design.

Conditions

9. In addition to the standard implementation condition, the approved plans condition is imposed for certainty. A condition requiring the use of matching materials is necessary to protect the character and appearance of the dwelling and the local area.

Conclusion

10. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

J Davis

INSPECTOR