

Appeal Decision

Site visit made on 22 March 2024

by S. Hartley BA (Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 5 April 2024.

Appeal Ref: APP/C4615/D/23/3335852

25 Hambleton Road, Hayley Green, Dudley B63 1HH

- 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 Matthew Wragg against the decision of Dudley Metropolitan Borough Council.
 - The application ref P23/1212, dated 13 September 2023, was refused by notice dated 7 December 2023.
 - The development proposed is described as a double storey side extension with new porch design.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revision to the National Planning Policy Framework 2023 (the Framework) was published on 19 December 2023. The amendments made did not have a material bearing upon the issues in this appeal. Where I have referred to the Framework, it is that of the December 2023 version.
3. I shall determine this appeal in accordance with the description of development which appears on the Council's refusal notice which is '*two storey side extension; single storey front/side extension within new porch*'. This is a more precise description of development.
4. The evidence is that the planning application drawings were amended as part of the determination of the planning application. For the avoidance of doubt, I have determined this appeal in accordance with proposed drawings 70022-05-01 A, 70072-05-04A and 70072-05-05 (the latter dated 13/11/2023).

Main Issues

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

Reasons

6. The appeal property is a semi-detached dwelling positioned on the corner of Hambleton Road with Hartside Close. There is a consistency to the design of the two-storey semi-detached dwellings in this part of Hambleton Road in terms of the use of brick and render for the walls, essentially unbroken front roof slopes and similarly projecting porches/garages either with flat or pitched roofs.
7. The semi-detached dwellings share common architectural features and proportions and mostly do not appear to have been significantly altered from when they were originally built. There is a pleasing design balance and symmetry to the pair of semi-detached properties. Furthermore, there is a distinctive sense of space between buildings and to their frontages. The spaciousness around plots continues in terms of the corner plots in the immediate area which have open spaces between the side elevations and the relevant boundary with the highway. Collectively the above attributes add positively and distinctively to the character and appearance of the area.
8. The two-storey side extension would be set down in height from the main roof of the host property. Its first floor would also be set back from the main front elevation of the house. In these respects, I find that the side extension would appear subordinate in scale to the original dwelling and would seek to ensure that the balance and symmetry of the pair of semi-detached dwellings was suitably maintained.
9. It is noteworthy that the local planning authority (LPA) had requested the width of the two-storey extension to be slightly less than shown on the amended plans. Nonetheless, I am content that sufficient space would be retained between the side elevation of the proposed two-storey side extension and the boundary with Hartside Close. In this regard, I do not find that the proposal would cause harm to the spacious character of the plot. However, the two-storey side extension would not conform to the building line on Hartside Close and this would be particularly noticeable and obtrusive in the street scene when travelling along Hartside Close towards Hambleton Road.
10. I find that the proposed single storey front extension which would sit alongside the proposed front porch would, when considered alongside the two-storey side extension, have the effect of unacceptably harming the balance and symmetry of the existing pair of semi-detached dwellings. Furthermore, it would introduce a front extension which would appear incongruous and out of place when experienced from Hambleton Road. With this element included as part of the overall scheme, I find that the development would not assimilate well in the context of the area and the semi-detached dwellings. The single storey projecting element of the two-storey side extension would depart significantly from the pleasing sense of spaciousness that exists around existing properties and would have a jarring impact when appreciated alongside other semi-detached properties on this side of the street which are generally without this type of extension.
11. On my site visit, I was able to note other examples of two-storey extensions in the immediate area. However, the extensions are not common in the area and,

furthermore, they differ from the current proposal in terms of their positions to surrounding building lines and hence to their impact upon the character and appearance of the area.

12. I therefore conclude that, when the proposal is considered a whole, it does not accord with the design, character and appearance requirements of policies ENV 2 and ENV 3 of the Black Country Core Strategy 2011, policies L1 and S6 of the Dudley Borough Development Strategy 2017, the Dudley Council Residential Design Guide SPD 2023, the National Design Guide and chapter 12 of the Framework.

Conclusion

13. For the above reasons, I conclude that the development would not accord with the development plan for the area taken as a whole, and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR