



Appeal Decision

Site visit made on 29 February 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2024

Appeal Ref: APP/C4615/D/23/3333994

9 Wood Street, Wollaston, Stourbridge, West Midlands DY8 4NN

- 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 Anna Hall against the decision of the Dudley Metropolitan Borough Council.
 - The application Ref P23/1022, dated 1 August 2023, was refused by notice dated 1 November 2023.
 - The development proposed is a garage and gym outbuilding and new brick wall and piers to the rear of 9 Wood Street (accessed from Eggington Road).
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Decision

1. The appeal is allowed, and planning permission is granted for a garage and gym outbuilding and new brick wall and piers to the rear of 9 Wood Street, Wollaston, Stourbridge, West Midlands DY8 4NN in accordance with the terms of the application, Ref P23/1022 dated 1 August 2023 and the plans submitted with it subject to the following conditions: -
 - 1) The development hereby permitted shall begin not later than three 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 as Existing and Site Block Plan as Proposed 1253_01, Site Plan as Existing 1253_02, Site Plan as Proposed 1253_03A and Garage and Wall as Proposed 1253_04.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. No.9 Wood Street has a lengthy plot which extends to Eggington Road from which there is vehicular access to the property. To the rear of the house is a lawned garden area which aligns with the depth of the gardens to the neighbouring properties in Wood Street. Beyond this is an area of unmade ground which contains a large garage structure adjacent to the boundary with No.4 Eggington Road, and a gated access drive located between No.2 and the Evangelical church to Eggington Road. The end of the rear gardens to Nos 6 and No.8 Meriden Avenue also abut the southern boundary of the site.

4. The proposed outbuilding has a relatively large footprint, however in the context of the size of the plot, it would not consume the site and would be located some distance from the host and the neighbouring properties. Due to its siting and single-storey height, the building would not be an overly prominent structure. Any views from the public domain along the access drive would be restricted to part of the roof visible above the entrance gates.
5. Extending the full width of the plot the proposed outbuilding would create a physical division across the site, with the only connection through the building. It would, nonetheless, align with other structures at the end of the gardens to properties in Eggington Road. Also, the depth of the plot is unique and is not discernible from the surrounding area. The proposal is for an ancillary building to the host property and is primarily designed as a garage with roller shutter doors. If it is not built or used as proposed, or if there is a material change of use in the future to create a dwelling, then a separate grant of planning permission would be required.
6. The proposal also includes a brick wall to the southern boundary extending from the garage to Eggington Road and a small enclosing wall to the other side. While the piers would slightly extend above, the wall is primarily 2m in height which aligns with permitted development rights for boundary treatments¹. The Council has not objected to this aspect, and I have no reason to disagree.
7. Overall, I find that the outbuilding would not be an imposing structure and would not have a harmful relationship with the host property or the surrounding area. As such, the proposal would accord with Policy ENV2 of the Black Country Core Strategy, Policies S6 and L1 of the Dudley Borough Development Strategy and the Dudley Borough Residential Design Guide SPD (2023). Together and amongst other matters, these policies and guidance, require development to be of a high quality, to be in keeping with the character of the built environment, to be of an appropriate form, siting, scale and mass and not be detrimental to the host dwelling. Similarly, the proposal would accord with the National Planning Policy Framework (the Framework), which states that developments should be sympathetic to local character.

Other Matters

8. The host property and part of the garden lie within the Wollaston Conservation Area. The siting of the proposed building would straddle the boundary line. The Council has not raised any concerns regarding the impact on the Conservation Area and, with reference to my findings above, I agree that the setting of the Conservation Area would be preserved.

Conditions and Conclusion

9. Planning conditions are necessary in relation to the statutory timescale and compliance with the plans. Additionally, a materials condition is required to ensure the building's satisfactory appearance.
10. For the reasons set out and having regard to all other matters raised the appeal is allowed.

¹ Schedule 2, Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) (GDPO).

G Ellis

INSPECTOR