
Appeal Decision

Site visit made on 30 April 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2024

Appeal Ref: APP/R1845/D/23/3335856

10 Ludgate Avenue, Kidderminster DY11 6JP

- 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 and Mrs Ree against the decision of Wyre Forest District Council.
 - The application Ref 23/0743/HOU, dated 4 October 2023, was refused by notice dated 24 November 2023.
 - The development proposed is a two storey and single storey rear and first floor side extensions.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey and single storey rear and first floor side extensions at 10 Ludgate Avenue, Kidderminster DY11 6JP in accordance with the terms of the application, Ref 23/0743/HOU, dated 4 October 2023, 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 ref MPMUP-01118559, 3693-1 and 3693-2.
 - 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.

Procedural Matter

2. I have taken the description of development in the banner above from the Council's decision notice as it is more concise than that used on the application form.
3. The appeal proposal includes two elements. A side extension and a rear extension. Planning consent has previously been granted for the rear extensions (23/0579/HOU) in September 2023. Therefore, the Council confirms the rear extension to be acceptable and I have no reason to disagree. As such, the rear extension has not been determinative in the consideration of this appeal.

Main Issue

4. The main issue is the effect of the proposed side extension on the character and appearance of the dwelling and area.

Reasons

5. The appeal property sits in a row of houses at the entrance to Ludgate Avenue. The other dwellings in the row (Nos 4, 6 and 8) have a uniformity of appearance and consistent building line. The appellants' home sits forward of the other properties and is a slightly different design. The set back at first floor level is on the opposite side of the main part of the dwelling to neighbouring properties.
6. The proposed side extension would infill the first floor set back. Whilst it is an original architectural design feature, this is a standard mid 20th century dwelling and numerous nearby properties have already infilled this space in a variety of manners. As such, the loss of this design feature is acceptable in principle and would not undermine the character and appearance of the house or area.
7. The proposed side extension would project marginally forward of the main elevation of the appeal dwelling, contrary to the advice within the Design Guidance Supplementary Planning Document (2015) (DGSPD). However, given that the dwelling already sits forward of the adjacent homes, this small forward projection is acceptable in this instance. It would not unacceptably harm an original frontage rhythm or detract from an established building line.
8. The proposed extension would include a catslide roof detail. Whilst this is not an original or common design feature in the vicinity, the gable form would respond to and harmonise with the existing dwelling. It would also add interest to the front elevation of the house. Indeed, on my site visit I observed attractive house extensions on Northgate Close which are similar in design to the appeal proposal and include catslide roofs. The proposed side extension would not appear incongruous within the street scene.
9. In conclusion, the proposed development would sit comfortably within the context of the appeal property and the street scene. It would not unduly harm the character and appearance of the host dwelling or area. Therefore, there is no conflict with Policies SP.20, DM.24 and DM.25 of the Wyre Forest District Council Local Plan 2016 – 2036 (2022), the DGSPD and the National Planning Policy Framework. Taken together, require high quality design which respects the host dwelling and area.

Conditions

10. I impose conditions regarding timescales and setting out the approved plans to provide certainty. I also attach a condition relating to external materials to safeguard the character and appearance of the site and area.

Conclusion

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

Rebecca McAndrew

INSPECTOR