



Appeal Decision

Site visit made on 18 March 2025 by M Long BA (Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/C4615/D/25/3359653

29 Holbeache Road, Wall Heath, Dudley DY6 0HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Colin Povey against the decision of Dudley Metropolitan Borough Council.
 - The application Ref is P24/1061.
 - The development proposed was originally described as 'Single storey rear extension with balcony above, single storey front extension, two flat roof front dormers and external and internal alterations'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of development in the banner heading is taken from the application form. However, during the application stage, the proposal was amended to remove a balcony over the proposed rear extension and to introduce Juliet balconies. It is clear from the officer report and the description on the decision notice that the Council considered the proposals on the basis of the amended scheme. The appeal has therefore also been considered on this basis.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

5. The housing along Holbeache Road is varied in its design and form. However, the housing is distinctly traditional in character and appearance and the dwellings share broad commonalities in terms of their detached nature, two-storey scale, mainly red brick exteriors, with some instances of painted render, and their comparable window proportions which are more often white framed. Most houses have distinctive features on their front elevations such as gables, bay windows and high-level dormers, some of which have flat roofs. There are some very limited instances of exterior cladding and stonework, but these are not reflective of the overriding characteristics of the street scene.
6. The appeal dwelling has a steeply pitched roof form with rosemary tiles, mainly red brick exterior and a modest fenestration pattern. It also has a central front gable

feature with an oriel bay window and 'mock Tudor' panelling, which I noted was in a state of disrepair. Even so, the dwelling's symmetry and detailing, including its windows and materials, positively respond to Holbeache Road's prevailing traditional vernacular.

7. The Dudley Council Residential Design Guide: Supplementary Planning Document 2023 states that a good house extension will not have a negative impact on the place setting of the street scene and, as a general principle, sets out that matching materials are extremely important.
8. The large, black-framed apex window would be a very prominent feature within the front gable and would not reflect the traditional characteristics on Holbeache Road, including the more modestly proportioned windows on neighbouring dwellings. Furthermore, the grey split face cladding on the gable and proposed ground floor front extension, is not from what I observed a material characteristic of the area. Together, these elements of the proposal would have an overtly contemporary aesthetic that would appear at odds with the traditional appearance of housing in the locality.
9. In addition, I accept that there are examples of white render in the wider area as well as some sparing use on the host dwelling's existing gable. However, its use in place of the traditional red brick exterior, and the replacement of white window frames for black frames, would combine with the altered front gable and ground floor front extension to further reduce the commonalities shared between the appeal dwelling and the surrounding houses to this side of Holbeache Road. Even though the site is located on a relatively quiet part of Holbeache Road, the development would be visible to passers-by, where it would appear incongruous within, and detrimental to, the wider street scene.
10. I acknowledge that some neighbouring houses, such as 31a and 31b Holbeache Road, are recent constructions. Nevertheless, they are traditional in style and their exteriors are reflective of the colours and materials that characterise the locality. Even though the proposal would result in repairs and upgrades to the appeal dwelling, there is nothing to suggest that improvements to the dwelling could not be achieved through a more sympathetic design.
11. My attention has been directed to a development at 39 The Broadway, which has a modern aesthetic. The full planning history is not before me, and so I cannot be certain of the planning considerations that were material to that particular development. However, it is in a different location and this proposal would not be seen in the same context. It therefore does not overcome my specific concerns relating to the visual effect of the proposal on the Holbeache Road street scene.
12. It has been suggested that the proposed external materials could be implemented under permitted development rights. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), planning permission is granted for alterations of a dwellinghouse subject to limitations and conditions.
13. Paragraph A.3(a) of Schedule 2, Part 1, Class A of the GPDO sets out that development is permitted by Class A subject to the condition that materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

14. The Technical Guidance¹ explains this condition is intended to ensure that any works to a house result in an appearance that minimises visual impact and is sympathetic to existing development. It sets out that the materials used should be of a similar visual appearance to those in the existing house, but they do not need to be the same. With regard to external walls, the Technical Guidance advises they should be constructed of materials that give a similar visual appearance to those in the existing house, for example in terms of colour. With regard to windows, it advises a similar visual appearance to those in the existing house, for example in terms of their overall shape, and the colour and size of the frames.
15. In particular, the proposed grey split face cladding and the large black framed apex window would not be of a similar visual appearance to the existing exterior walls or windows. Therefore, there is nothing to suggest the changes would be permitted development under the GPDO and I have considered the appeal on the basis that planning permission has been applied for.
16. I accept that the two front dormers would be modest additions, and their flat roofs are reflective of other dormers in the surrounding area. Also, the vertical tiles to their sides would match those of the main roof and so in these respects they would integrate well with the host. Furthermore, while the flat roof rear extension and design of the rear Juliet balconies would have a modern aesthetic and would be visible from neighbouring gardens, they would not be as prominent as the discordant elements at the front and so would not detract from local distinctiveness to any harmful extent. Nevertheless, my observations in these respects do not overcome my other concerns.
17. I conclude that the proposal would result in harm to the character and appearance of the area. It would be contrary to the Dudley Borough Development Strategy (2017), specifically Policies L1 (Housing Development, extensions and alterations to existing dwellings), S6 (Urban Design) and S8 (Conservation and Enhancement of Local Character and Distinctiveness) and Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy (2011) which require that development uses appropriate materials which respect and are responsive to the context of the local area and to take account of its locally distinctive character. There would be additional conflict with the National Planning Policy Framework which seeks to ensure developments are sympathetic to local character.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell INSPECTOR

¹ Ministry of Housing, Communities & Local Government: Permitted development rights for householders, Technical Guidance (September 2019).