



Appeal Decision

Site visit made on 24 April 2025

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 June 2025

Appeal Ref: APP/C4615/D/25/3362757

34 Lea Vale Road, Stourbridge, Dudley, Norton DY8 2AZ

- 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 and Miss Concannon/Murphy against the decision of Dudley Metropolitan Borough Council.
 - The application Ref is P24/1390.
 - The development proposed is described as “demolish existing single storey side extension and construct two storey side extension.”
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Decision

1. The appeal is allowed, and planning permission is granted to demolish existing single storey side extension and construct two storey side extension at 34 Lea Vale Road, Stourbridge, Dudley, Norton DY8 2AZ in accordance with the terms of the application, Ref P24/1390, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Proposed Drawing CA-533-02 Revision B.
 - 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 proposed development on the character and appearance of the area.

Reasons

3. Lea Vale Road is a predominantly residential suburban area characterised by detached and semi-detached dwellings. The properties vary in their individual design characteristics and form; however, there is a general consistency in the use of red and buff brick. The road has a spacious feel with dwellings set back from the road behind front gardens and parking areas.
4. The appeal property is detached dwelling with a single storey extension to its side. Areas of garden are located to the front and rear. Above the single storey extension nearby trees are visible giving the area a spacious and green feel.

5. The proposed development would involve the construction of a two-storey extension to replace the existing single storey extension. Whilst the proposed development would only extend closer to the neighbouring dwelling by a small amount, the two-storey nature of the proposal would lead to a loss of spaciousness.
6. The proposed side extension would be set in from the existing elevation to the front and would have the same ridge and eaves height as the host dwelling. The Council's Residential Design Guide Supplementary Planning Document (2023) (SPD) states that a lack of setback on side extensions will only be supported where a physical gap of at least 1m would be retained. The proposed extension is set back, and a gap would remain. Further it would maintain the eaves design of the host dwelling and the windows would align. Although there would be no set down from the ridge, I consider that as a result of the combined effect of the width of the proposed extension as well as the setback, the proposed development would appear subservient to the host dwelling.
7. In street scene terms, small gaps between the buildings are characteristic of the pattern of development of the local area. Although the extension would bring two storey development closer to the side boundary, a similar gap to nearby dwellings along the street would be retained therefore respect the pattern of development in the street scene. Glimpses of the trees to the rear would be available through the remaining gap. It would therefore continue the pattern of built development with open gaps, particularly above garages between the dwellings.
8. I am therefore satisfied that the proposed extension would respect the character and appearance of the existing property and of the street scene. There would be no conflict with Policies L1 and S6 of the Dudley Borough Development Strategy (2017) and the guidance contained within the SPD which together seek to ensure that the design of extensions is an appropriate form, scale and mass and responsive to the context and character of the surrounding area.

Conditions

9. For certainty I have concluded conditions relating to the time limit for commencement and approved plans. I have also included a condition regarding matching materials in order to safeguard the character and appearance of the area.

Conclusion

10. For the reasons given above the appeal should be allowed.

Tamsin Law

INSPECTOR