
Appeal Decision

Site visit made on 19 September 2016

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th October 2016

Appeal Ref: APP/G4620/D/16/3154666
119 Kelvin Way, West Bromwich B70 7LD

- 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 Mrs Manjit Kaur against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/16/59434, dated 2 May 2016, was refused by notice dated 12 July 2016.
 - The development proposed is a new roof on existing outbuilding at rear of garden.
-

Decision

1. The appeal is allowed and planning permission is granted for a new roof on existing outbuilding at rear of garden at 119 Kelvin Way, West Bromwich B70 7LD in accordance with the terms of the application, Ref DC/16/59434, dated 2 May 2016, 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: Location and Block Plan; Existing Ground Floor Plan Drawing Number 16/100/10P; Proposed Ground Floor Plan Drawing Number 15/100/10P; Existing Ground Layout of Outbuilding Drawing Number 15/100/900; and Proposed Elevations Drawing Number 15/100/103.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the host property.

Main Issue

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

Reasons

3. Due to their position behind a service road and a vegetated grass verge, the houses on Kelvin Way are not prominent features when travelling along the road in either direction. This is particularly true of the appeal property, and its outbuilding, which is located on the edge of the housing area with a bank of mature trees at the rear. There is little variation in the design and age of the dwellings in the area, and this is also reflected in their roofs which are predominantly pitched roofs with a consistent height and pitch.
-

4. The appeal scheme would change the flat roof of the existing L-shaped outbuilding to a pitch roof. The pitch of the roof would match that found on the surrounding houses. Although this would result in quite a high roof, given the consistency in domestic roofs in the area, it would not appear incongruous or out of character, and the outbuilding would still remain subservient to the main dwelling. Moreover, given the limited visibility of the outbuilding it would not be a dominant feature in the street scene, or in relation to the neighbouring property.
5. Overall, I consider that the proposed development would not harm the character and appearance of the area. Therefore it would not conflict with Policy ENV3 of the Black Country Core Strategy (adopted February 2011) or Policy EOS9 of the Site Allocations and Delivery Development Plan Document (adopted December 2012) which seek to ensure that developments have a high quality of design that reflect the distinctive character of the area, and are compatible with the surrounding locality.
6. For the reasons set out above I conclude the appeal should be allowed. In addition to the standard implementation condition, I have imposed a condition specifying the relevant plans, as this provides certainty. In the interests of the character and appearance of the area a condition is required to control the external appearance of the proposal.

Alison Partington

INSEPECTOR