



Appeal Decision

Site visit made on 29 March 2022 by April Coombes

Decision by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2022

Appeal Ref: APP/G4620/D/22/3291891

10 Barnfordhill Close, Oldbury B68 8ES

- 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 Harminder Singh Reehal against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/21/66219, dated 11 October 2021, was refused by notice dated 12 January 2022.
 - The development proposed is proposed first floor side extension, single/two storey side and rear extensions, increase in roof height with two rear dormer windows and front porch.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the Council's decision notice, as it is more comprehensive and the appellant uses it in his appeal.

Background

4. Planning Permission has already been granted¹ for a first-floor side extension, two storey rear extension, increase in roof height with two rear dormer windows, single storey rear extension and front porch. On the site visit I observed that work has started.
5. The appeal seeks permission for additional extensions to this previously approved scheme. The officer delegated report describes the differences as "the first-floor side extension would be flush with the front of the existing house and single/two storey side extension is proposed to the elevation facing the highway. The dormer position has also altered". The Council raises no objection to the first-floor flush extension or repositioned dormer. Its concern lies with the proposed single/two-storey side extension that faces the highway, which in turn is attached to the rear extension.

¹ LPA ref: DC/21/66110 approved 18 August 2021

Main Issue

6. In light of the above, the main issue is whether the proposed single/two storey side and rear extension would harm the character and appearance of the host dwelling and surrounding area.

Reasons for the Recommendation

7. Barnfordhill Close is a residential road with two cul-de-sacs of the same name. The appeal site comprises a two storey detached property located on an open corner plot with one of the cul-de-sacs. Due to the topography of the area, the site occupies an elevated position above the highway and the pavement. The elevated dwelling is set back from the highway by an intervening sloping grassed landscaped bank. This positively contributes to the open spacious character and appearance of the area. The property is also elevated above 30 Barnfordhill Close (No.30) on the opposite corner plot of the cul-de-sac.
8. The proposed side extension would extend along the entire side elevation as well as taking the dwelling closer to the highway and encroaching into the landscaped open space alongside the highway, hence reducing the openness of the site. Coupled with the site's elevated position, the extension would appear unduly tall, overbearing and domineering in the street scene. As a result, the cumulative mass and scale of development would not respect the proportions of the existing dwelling in this prominent location and would detract from the street scene.
9. The existing side elevation is broadly aligned with the slightly staggered, but nonetheless obvious, building line of properties from the top of the road, namely Nos.2-8. The proposal would extend the property beyond this alignment, taking it very close to the site boundary and the highway, disrupting the street scene.
10. No.30 forms a distinct row of 4 properties with Nos.32-36 on the other side of the cul-de-sac corner, which sit forward of the appeal property. The proposed side extensions would approximately align with, but not extend beyond, this building line. Notwithstanding this, from my site visit observations, the appeal property does not form part of the building line with No.30, nor does it form a gateway to the cul-de-sac as the two properties face in different directions.
11. The dwellings on Barnfordhill Close, including in the cul-de-sac and No.12, vary in size, and some properties are larger, such as No.30, or occupy smaller plots than the appeal site. A number have been extended, which is not uncommon in a residential area. However, none occupy the same exposed, elevated, and open corner plot as the appeal site, such that they are not directly comparable, and their existence does not set a precedent or justify allowing harmful development.
12. For the reasons given above, the proposed single/two storey side and rear extension would cause harm to the character and appearance of the host dwelling and surrounding area. Accordingly, it would not comply with Policy ENV3 of the Black Country Core Strategy², or Policy SAD EOS 9 of The Site Allocations and Delivery Development Plan Document³. Together these Policies seek to resist development that is not of a high-quality design, and which is

² Adopted February 2011

³ Adopted December 2012

inappropriate within or incompatible with its locality. Furthermore, the development would also fail to comply with the guidance in the Revised Residential Design Guide Supplementary Planning Document⁴, which seeks to resist over intensification of dwellings where proposals impact unduly on the street scene.

Other Matters

13. The proposed extension would provide additional internal amenity space for a family home. However, it has not been demonstrated that this is the only way to provide such accommodation, or that a different scheme could not be pursued that would not cause the harm to the character and appearance in the manner that has been identified.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, the proposed development would not accord with the development plan as a whole and there are no other considerations which outweigh this finding. I recommend that the appeal should be dismissed.

April Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Stephens

INSPECTOR

⁴ Adopted January 2014