



Appeal Decision

Site visit made on 28 June 2022

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/G4620/D/22/3299121

59 Valentine Road, Oldbury, West Midlands B68 9AH

- 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 Iram Yasmeen against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/22/66566, dated 25 January 2022, was refused by notice dated 25 February 2022.
 - The development proposed is described as proposed 'single storey rear extension'.
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Decision

1. The appeal is allowed and planning permission is granted for proposed single storey rear extension at 59 Valentine Road, West Midlands B68 9AH in accordance with the terms of the application, Ref DC/22/66566, dated 25 January 2022, 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 approved drawings Nos N2 08/21 A100 Rev 1, N2 08/21 A101 Rev 1, N2 08/21 A200 Rev 2, N2 08/21 A201 Rev 2, N2 08/21 A204 Rev 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.

Main Issues

2. The main issues are the effect of the proposal on a.) the living conditions of the occupants of neighbouring properties with particular regard to light levels; and b.) the character and appearance of the area.

Reasons

Living Conditions

3. The ground floor window to the rear elevation of the neighbouring property 57 Valentine Road sits between a single storey extension and the existing extension to the appeal property. Levels of daylight and sunlight to this room are restricted by these existing extensions and the north-facing aspect of this window. The proposed extension would be sited to the northeast of this window.
4. Due to the orientation of the property any loss of light would be limited and would predominantly occur in the early mornings during summer months. 61

Valentine Road is located to the east and sits at an angle to the appeal property. Consequently, any loss of light arising from the proposed extension would not be significant and would be limited to the late evenings in summer months. Assessing the scheme against the existing and proposed site circumstances show that the changes would not result in significant shading effects which would harm the living conditions of the occupants of 57 and 61 Valentine Road.

5. I therefore conclude that the proposed development would not have an unacceptable effect on the living conditions of the occupants of neighbouring residential properties with regards to levels of light. The proposal does not therefore conflict with those aims of Policies ENV3 of the Black Country Core Strategy (2011) or SAD EOS 9 of the Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document (2012) which seek to deliver high quality design. I also find no conflict with Revised Residential Design Guide Supplementary Planning Document (2014) which indicates, amongst other matters, that extensions which impact unduly on neighbouring properties will be resisted.

Character and Appearance

6. The appeal property is situated on a tapered plot in a dense urban area where dwellings are tightly packed. Some of the properties which border the appeal site, including the neighbouring property 57 Valentine Road, have been extended to the rear elevation. Views of the proposed extension would be limited to the private rear gardens of the neighbouring properties and the proposed rear extension would not be visible from the street.
7. The proposed extension would attach to an existing extension and would span the entire width of the property leaving a tapered area of amenity space to the rear. The proposed extension would be of modest proportions and would be read within the context of the appeal property and the existing extensions and would readily assimilate with the host dwelling.
8. Many properties neighbouring the site have small, narrow and tapered rear gardens, and some of these properties had been extended. The amount of amenity space remaining for the appeal property would not be inconsistent with the character of the surrounding area. The extension would be seen within the context of the dense urban setting, in which neighbouring properties have been altered and extended. The scale and massing of the extension would not appear out of character with the host and surrounding properties and the proposed extension would not therefore appear unduly prominent or result in the over-intensification of the appeal property.
9. For these reasons the proposal would not harm the character and appearance of the area. Accordingly, I find no conflict with those aims of Policies ENV3 of the Black Country Core Strategy (2011) or SAD EOS 9 of the Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document (2012) which seek to deliver high quality design compatible with its surroundings. I also find no conflict with the Revised Residential Design Guide Supplementary Planning Document (2014) which, amongst other matters, indicates that extensions should be in proportion with the scale of the existing dwelling.

Other Matters

10. The granting of planning permission does not give the right for any party implementing such access to third party land. This and any damage to property thereon is a private matter to be resolved between the parties involved.

Conditions

11. I have imposed 3 conditions. These include the standard condition for the implementation of the planning permission and the approved plans for certainty. In the interests of a suitable finish, I have required materials to match the existing dwelling.

Conclusion

9. The appeal scheme would accord with the development plan. The appeal should therefore be allowed.

Nichola Robinson

INSPECTOR