

Appeal Decision

Site visit made on 7 February 2023

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2023

Appeal Ref: APP/G4620/D/22/3307450

21 Lily Street, West Bromwich, B71 1ED

- 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 S Singh and Mrs J Kaur against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/22/67010, dated 1 May 2022, was refused by notice dated 6 July 2022.
 - The development proposed is retention of forward extension with amendments.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal is retrospective and this decision notice refers to “the development.”
3. The Council’s description of the development on the decision notice refers to a previously refused planning application¹. This previous application was dismissed on appeal². The appellants state that the proposal the subject of this application has been “reduced significantly.”

Main Issue

4. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal property is a two storey mid-terrace dwelling. It is set back from the back of the pavement behind a low brick wall and a narrow paved area.
6. The appeal property is located within a residential area, characterised by the presence of two storey terraced dwellings along both sides of the street. The appeal property, like others along the same side of Lily Street, dates back to the Nineteenth Century; whilst along the opposite side of Lily Street, the majority of terraced dwellings appear more modern, having been built during the Twentieth Century.

¹ Reference: DC/21/66026.

² Reference: APP/G4620/D/21/3292056.

7. Whilst, during my site visit, I observed that many dwellings along Lily Street have been altered and updated, most changes appear in keeping with the host property and surroundings. As a consequence there is a notable sense of uniformity, especially along the Victorian terrace, where, with the exception of the appeal property, a shop and dwellings at either end of the terrace, each of the dwellings have retained a bay frontage.
8. These bay frontages combine with the presence of various period features, including ornate decorations to front-facing brickwork and to/around fenestration, the retention of low brick walls to the front of dwellings and the regular rhythm of the terrace, affording the area a significant sense of history and enhancing its uniform traits.
9. The development comprises a single-storey, forward-projecting extension to the front of the appeal property. Whilst part of an unauthorised extension would be removed, the development would retain a canopy across much of the width of the property and a glazed front porch area that would project well-forward of a proposed replacement bay.
10. In effect, the development would appear as an awkward and incongruous feature, unlike any other along the terrace. The forward projecting porch would appear boxy and bulky. It would jar with the proposed replacement bay, which would be set back behind it.
11. The harm arising from the above would be exacerbated as a result of the canopy roof extending across much of the front of the property. This would draw attention to itself as an ungainly feature, out of keeping with neighbouring properties.
12. Taking all of the above into account, the development would appear as an unduly prominent and alien feature. It would disrupt the established rhythm of the terrace and detract from the area's sense of uniformity.
13. Taking all of the above into account, I find that the development would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Black Country Core Strategy (2011) Policy ENV3 and to SADDPD³ Policy EOS9, which together amongst other things, seek to protect local character.

Other Matters

14. In support of the development, the appellants draw attention to other planning permissions elsewhere. However, I have found that the development would result in harm and this is not a matter mitigated or outweighed by the presence of other developments elsewhere.

³ Reference: Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document (2012).

Conclusion

15. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR