



Appeal Decision

Site visit made on 19 January 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2025

Appeal Ref: APP/G4620/D/24/3350586

961 Wolverhampton Road, Oldbury B69 4RR

- 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. Melap Singh against the decision of the Sandwell Metropolitan Borough Council.
 - The application Ref: DC/24/69388.
 - The development proposed is two storey side and single storey front/side/rear extensions, front canopy, new external render, rear loft dormer window and extended raised patio with retaining wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the application the National Planning Policy Framework (2023) has been superseded by the National Planning Policy Framework (2024) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the host property and area in general.

Reasons

4. The site is within a row of residential properties, characterised predominantly by semi-detached houses. The appeal property is a semi-detached house situated on a corner plot on the junction of Wolverhampton Road and Titford Road. Wolverhampton Road is a busy highway with commercial premises opposite the appeal site.
5. In general properties in the area have an architectural rhythm with balanced features, whilst there are some properties which have been altered the original hipped roof design is still identifiable within the streetscene.
6. The hipped roof on the appeal property and its adjoining neighbour provides symmetry and contributes to the character of the area. The proposed gable along with the two storey side extension would be an incongruous feature within the streetscene.

7. The rear dormer would be large, covering the majority of the rear roof plane, including that of the proposed two storey extension. The dormer would dominate the rear elevation and would be out of keeping with the existing property and the surrounding area.
8. The mass of the proposed development comprising the alteration and addition to the roof, the two storey extension in combination with the single storey extensions would be uncharacteristic in comparison to other properties within the area and would be incongruous with the host property. Whilst the site is screened to a degree by landscaping this does not inhibit views of the site.
9. I understand that a lawful development certificate (LDC) has been issued for a hip to gable enlargement with rear dormer and single storey extension. I have not been provided with substantive evidence to demonstrate that this would be comparable to elements of the proposed development before me. Notwithstanding this the proposed development includes a two storey extension which would increase the mass of the built form from the LDC scheme.
10. I also understand from both parties that a similar development was previously approved by the Council¹ taking into account the same planning policies and Residential Design Guide, Supplementary Planning Document (2014) (the SPD). Whilst this permission has lapsed previous planning decisions are capable of being material considerations. Notwithstanding this the Council is not bound by its earlier decision, however it is required to have regard to the importance of consistency in decision-making.
11. I have not been provided with the details of the previous approval; however, I note that there has been an increased emphasis on good design as set out in the subsequent versions of the Framework since July 2021. Each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
12. Paragraph 139 of the Framework confirms that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
13. The SPD is clear that domestic extensions which do not fit in visually or are clearly out of keeping with their surroundings, by virtue of their scale, architectural design, proposed materials and impact on neighbouring properties, will be resisted. The SPD also seeks amongst other things for extensions to be proportionate to the scale of the existing dwelling and streetscene. The proposed development conflicts with the SPD guidance.
14. The scale and design of the proposed development would be dominant and incongruous to the host property. I find that the proposed development would harm the character and appearance of the host property and the area in general.
15. The proposed development would be contrary to Policy ENV3 of the Black Country Core Strategy (2011), and Policy SAD EOS 9 of the Site Allocation and

¹ DC/20/64834 Approved January 2021.

Delivery Development Plan Documents (2012) which seeks amongst other things for developments to be high quality appropriate to their locality.

Conclusion

16. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR