



Appeal Decision

Site visit made on 12 March 2025

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal Ref: APP/G4620/D/25/3359125

14 St Cuthberts Close, West Bromwich, Sandwell B70 6TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Upkar Singh against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref is DC/24/69947.
 - The development proposed is a 2 storey front extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on living conditions at the next door property 16 St Cuthberts Close, in terms of natural light and outlook.

Reasons

3. 14 and 16 St Cuthberts Close are both 2 storey detached houses, sitting side by side within a residential area. The proposal is to build an extension across the front of No 14, with a new 2 storey section sitting up to the shared side boundary with No 16.
4. No 16 has a home office on that side, with a glazed door/window combination facing directly towards No 14. This was apparently formed by sub-dividing the space from the kitchen. I consider the home office to be a habitable room which would often be occupied, including during daytimes, as part of the normal residential use of the house.
5. The office door/window combination at No 16 faces north, so that it receives very little direct sunlight. The proposal would thus cause little overshadowing, even though it would sit very close to and directly opposite the home office. The proposed new 2 storey wall would, however, severely reduce the amount of general daylight (light from the sky) reaching the office, making it much darker throughout the day. The high brick wall would furthermore be an extremely dominant and imposing feature in the outlook from that door/window, to an extent that would be severely overbearing.
6. The Council refers to a 45 degree guideline for assessing issues like this, but I have not been provided with a copy of any such policy or guidance. The appellant disputes its relevance for side-facing windows. Whether or not a 45 degree

guideline is applicable, the proposed extension would clearly make the home office a much less pleasant room.

7. I conclude that the proposal would unduly harm living conditions at No 16 next door, due to loss of light and outlook. It therefore conflicts with the aim of the Council's Supplementary Planning Document *Revised Residential Design Guide*, to ensure that development avoids undue impact on neighbouring properties. This is in line with the aim of Black Country Core Strategy policy ENV3 and Site Allocations and Delivery Development Plan Document policy SAD EOS9 to achieve high quality design and with the National Planning Policy Framework's aim to create places with a high standard of amenity for existing and future users.
8. The appellant also refers to a recent appeal decision allowing a 2 storey extension at No 16¹. The Inspector for that appeal observed that the extension would be on the southern side of the plot, adjacent to an area of open space, so that there would be no impact on any neighbouring properties. The circumstances in that case were therefore significantly different. I have assessed this case on its own merits.
9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR

¹ APP/G4620/D/21/3288256