



Appeal Decision

Site visit made on 18 March 2025 by M Long BA (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/G4620/D/25/3359694

2 Devey Road, Smethwick, Sandwell B66 4ST

- 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 Asif against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref is DC/24/69786.
 - The development proposed is a first and second storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Procedural Guide: Planning appeals – England advises that the process should not be used to evolve a scheme and that what is considered at appeal in that respect should be what was determined by the Council. It does not appear that the revised parking arrangement advanced was before the Council when it made its decision. I have therefore not taken the plans into account in order to avoid prejudicing the abilities of other parties to make comment thereon.

Main Issues

4. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) highway safety with specific regard to off street parking.

Reasons for the Recommendation

Character and Appearance

5. The appeal building is a tall and narrow three storey dwelling in a visually prominent position at the corner of Devey Road and Boniface Road. Local buildings vary but share uniformity in their external materials. There is a strong and pleasant consistency to roof pitch and shape as well as well balanced and largely symmetrical fenestration patterns. There is a single storey side extension, the road facing elevation of which sits proud of the host building.
6. Due to the extension being atop the existing, it too would project forward of the main house. As a much larger scale element, it would not only compete for visual dominance with the host dwelling but also, owing to its greater width, be crowned

by an asymmetrical roof which would unacceptably jar with both the profile of the existing dwelling and the quality of the wider area's consistency in that respect.

7. The single storey scale of the existing extension has a discreet presence. By contrast, the proposal would sit at an elevated position above a blank brick wall at the ground floor which, when also considering its minimal set back from the street, would have an overly imposing presence when experienced from the area in front of the site. Given its corner plot position, the appeal scheme would feature prominently in the public realm, where it would be viewed as an incongruous addition to its host and the street scene.
8. The harm this would cause to the character and appearance of the area would result in conflict with Policy SAD EOS 9 of the Site Allocations and Delivery Development Plan Document 2012, which seeks to prevent developments that are inappropriate in their locality. There would also be conflict with Policy ENV3 of the Black Country Core Strategy 2011 which seeks high quality design proposals and the Revised Residential Design Guide 2014 (RDG) which sets out that extensions must be in proportion to the scale of the existing dwelling and street scene.

Highway Safety

9. Devey Road and the surrounding roads appear to be quiet residential streets. Many of the properties have driveways and garages. There were also plenty of available spaces where a vehicle could be parked safely on the street. My observations on site represent just a snapshot in time but, with no compelling evidence to demonstrate otherwise and taking into account that many residents can park on their own property, it is unlikely that there is a significantly high pressure for on-street parking in the vicinity of the appeal site or indeed the wider area. The two additional rooms created by the proposal would be used as a games room and a library. Even if they were counted as bedrooms, the RDG advises a five-bedroom property would require three dedicated off-street parking spaces.
10. I have not been provided with information relating to any particular local circumstances that suggest there is an unusually high pressure for on-street parking on Devey Road or Boniface Road. Therefore, and even if I were to apply the Council's argument for four off-street parking spaces, from the evidence before me, I am not persuaded that additional parking on the street in the vicinity of the appeal site would result in undue inconvenience or increased risk to the safety of highway users through inhibiting the free flow of traffic. Moreover, the RDG provides guidance. I have not been made aware of any adopted local plan policies that apply off-street parking requirements.
11. The proposal would provide suitable parking having regard to highway safety and convenience. The Council have not provided a local plan policy with which to assess this particular issue. However, the scheme would accord with paragraph 116 of the National Planning Policy Framework which sets out that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.

Other Matters

12. While the full details of the other cited schemes are not before me, these developments appear materially different in design to the appeal and so are not sufficiently comparable to have a material effect on my findings. The design of the

proposed extension has been revised from a previous scheme, but it is clear from my conclusions that the changes were insufficient to make it acceptable.

Conclusion and Recommendation

13. There would be no harm arising out of the second main issue. This would be a neutral matter and incapable of weighing against the harm I have found in regard to the first. This would lead to conflict with the development plan and material considerations do not indicate an outcome other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR