
Appeal Decision

Site visit made on 15 July 2025

by **L C Hughes BA (Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/V4630/D/25/3365201

94 Broadway West, Walsall WS1 4DZ

- 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 Ahmed Salloo against the decision of Walsall Metropolitan Borough Council.
 - The application Ref is 25/0272.
 - The development proposed is front and rear ground floor extension.
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Decision

1. The appeal is dismissed insofar as it related to the front ground floor extension. The appeal is allowed insofar as it related to the rear ground floor extension at 94 Broadway West, Walsall WS1 4DZ in accordance with the terms of the application, Ref 25/0272, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted, insofar as it relates to the rear ground floor extension only, shall be carried out in accordance with the following approved plans: Location Plan – Drawing No. 94BWW-HAY-ZZ-XX-DR-A-0001 - Rev P01; Existing and Proposed 3D Views – Drawing No. 94BWW-HAY-ZZ-XX-DR-A-0005 - Rev P01; Existing and Proposed Block Plan – Drawing No. 94BWW-HAY-ZZ-XX-DR-A-0002; Existing and Proposed Elevations – Drawing No. 94BWW-HAY-ZZ-XX-DR-A-0004 - Rev P02; and Existing and Proposed Plans – Drawing No. 94BWW-HAY-ZZ-XX-DR-A-0003 - Rev P02.
 3. The external materials of the rear ground floor extension hereby permitted shall match those used in the existing building.

Procedural Matter

2. For the reasons given below, the proposed rear ground floor extension would be acceptable. This element of the proposal is clearly severable both physically and functionally from the proposed front ground floor extension. A split decision is therefore possible and appropriate. I intend to grant planning permission for the proposed rear ground floor extension and dismiss the appeal in relation to the proposed front ground floor extension.

Main Issues

3. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- whether the proposal would harm the living conditions of the occupiers of 92 Broadway West (No 92) with regard to light and outlook.

Reasons

Character and appearance

4. The appeal property is in a built-up residential area, at the end of a block of four terraced properties. The surrounding properties are of a similar age, style and design. The dwellings follow a broadly linear and uniform building line set back from the pavement behind front driveways. This results in a relatively well-ordered layout which gives a pleasing degree of visual consistency and cohesiveness which contributes positively to the street scene.
5. The proposed front ground floor extension would extend forward of the established building line. It would be a bulky, incongruous and dominant feature that would be untypical of neighbouring dwellings. It would unbalance the harmonious pattern of development and would jar within the context of the surrounding properties. This would be to the detriment of local character.
6. The proposed front ground floor extension would harm the character and appearance of the area. As such, it would be contrary to saved Policies GP2 and ENV32 of the Walsall Unitary Development Plan (2005) (UDP) which seek to ensure that development does not have an unacceptable adverse impact on the environment and considers the local character of the area. It would also conflict with Policies CSP4, ENV2 and ENV3 of the Black Country Core Strategy (2011) which highlight that development should make a positive contribution to place making, protect local distinctiveness and be of a high quality design.
7. The proposed rear ground floor extension is of an appropriate size and design and would not be visible within the wider street scene. It would not harm the character and appearance of the area and would accord with the above development plan policies.

Living conditions

8. The proposed front ground floor extension would be built up to the boundary of the neighbouring property, No 92. From the evidence before me, the front extension would breach the 45-degree code with the ground floor front window of No 92, which serves a habitable room. The 45-degree code is generally used to help protect the amenity of neighbouring properties by preventing overshadowing or obstruction associated with extensions on, or close to, a shared boundary. Due to the orientation of the dwellings, the evidence suggests that the proposed front ground floor extension would lead to a loss of light to the front window of No 92 from early afternoon.
9. Due to the proximity of the proposed front ground floor extension to No 92 and its positioning in front of the building line, the extension would be a visually dominant feature when viewed from the ground floor front window of No 92. It would thus

appear as obtrusive and overbearing to the occupiers of No 92 and diminish their outlook.

10. The proposed front ground floor extension would therefore harm the living conditions of the occupiers of No 92 with regard to light and outlook. It would conflict with saved UDP Policies GP2 and ENV32 which seek to ensure that development does not have an unacceptable adverse impact on the environment and takes account of the context and surroundings.
11. The proposed rear ground floor extension would fit well within the plot. It would be of an appropriate scale and would not lead to a loss of light, nor harm the outlook of occupiers of neighbouring properties. As such, it would comply with the above development plan policies.

Other Matter

12. The appellant is aggrieved with the Council's handling of their case. However, this does not fall within the remit of this appeal.

Conditions

13. For the element of the proposal that I am recommending is approved, the rear ground floor extension, a standard condition is necessary requiring that the development is commenced within three years. Conditions are also necessary to ensure that the rear extension is undertaken in accordance with the approved drawings and that materials match the existing property in order to protect the character and appearance of the area.

Conclusion

14. For the reasons given above the appeal should be allowed in part and dismissed in part.
15. I conclude that the appeal should succeed in relation to the rear ground floor extension.
16. In relation to the front ground floor extension, the proposal would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan. This element of the appeal should be dismissed.

L C Hughes

INSPECTOR