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## Appeal Decision

Site visit made on 24 June 2025 by T Morris BA (Hons) MSc

**Decision by Kenneth Stone BSc (Hons), DIP TP, MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 27 August 2025**

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**Appeal Ref: APP/G4620/D/25/3365285**

**35 Perry Park Road, Rowley Regis, Sandwell, B65 0BS**

- 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 Farquat Ali Khan against the decision of Sandwell Metropolitan Borough Council.
  - The application reference is DC/24/70131.
  - The development proposed is single storey front and rear extensions.
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### Decision

1. The appeal is allowed, and planning permission is granted for single storey front and rear extensions at 35 Perry Park Road, Rowley Regis, Sandwell, B65 0BS in accordance with the terms of the application, Ref DC/24/70131 and the plans numbered 001 (Site Plans and Floor Plans), 002 (Front and Side Elevations) and 003 (Rear and Side Elevations).

### 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.

### Preliminary Matters

3. The development has already been undertaken. I am therefore considering the appeal retrospectively and I am satisfied that the development that I saw on site is reasonably represented by the submitted plans.
4. The description of development above is based on that provided on the appeal form and the decision notice, rather than the planning application form. This is because the appellant has provided a document confirming acceptance of the change of description. I have however removed the word 'retrospective' as that is not a description of development.
5. The Council's concerns relate to the single storey front extension only. I have therefore defined the main issue on that basis.

### Main Issue

6. The main issue is the effect of the single storey front extension on the character and appearance of the area.

## Reasons for the Recommendation

7. The appeal property is a two-storey semi-detached dwelling situated in a predominantly residential area. Perry Park Road features dwellings which are of a mixed scale and appearance overall, some of which have forward projections and extensions. In the immediate group of dwellings surrounding the appeal site, front porches and bay windows are generally of a modest scale. However, in the wider area, front extensions vary in scale and design with some porches extending towards the first-floor windows. Therefore, despite the consistencies of the immediate group of dwellings surrounding the appeal site, the property is in a more varied street scene overall.
8. I acknowledge that the single storey front extension is of a greater scale and mass than those in the immediate group of dwellings nearby. Despite this, the depth of the extension is modest and is just slightly beyond the bay window at the adjoining dwelling. While its overall mass is larger than front extensions in the immediate vicinity, the roof height still sits below the cill level of the first-floor windows, on the main facade. The extension therefore appears proportionate to the dwelling and does not dominate its appearance. Furthermore, it does not appear overly prominent or conspicuous in the street scene, given the variety in the appearance of the dwellings as well as the mix of front projections and extensions in the area.
9. I therefore conclude that the single storey front extension is not harmful to the character and appearance of the area. The development complies with Policy ENV3 of the Black Country Core Strategy (2011) and Policy SAD EOS9 of the Site Allocations and Delivery Development Plan Document (2012), which amongst other matters, seek high quality design which is compatible with the surroundings.
10. For the same reasons, the proposal would comply with the Revised Residential Design Guide Supplementary Planning Document (2014), which states that extensions should be in proportion to the scale of the existing dwelling and street scene. Furthermore, the development would conform to the overarching design principles contained in the National Planning Policy Framework.

## Other Matters

11. Third party comments raised concerns that the front extension exceeds permitted porch sizes which are allowed, that it restricts views of the Clent hills and that it breaches the right to light. However, the appeal was submitted as a householder planning application seeking planning permission and does not seek to rely on permitted development rights, and I have assessed it on its planning merits and the effect on the character and appearance of the area. Regarding the front extension's impact on the living conditions of neighbouring occupiers, given its limited depth and its distance to the bay window at the adjacent property, I am satisfied that it does not harm the living conditions of adjacent occupiers in terms of the impact on daylight or sunlight. Furthermore, a private view from a window is not in itself regarded as a planning matter in general terms. In this specific case there is limited evidence before me which indicates that the front extension restricts views from neighbouring properties to an unacceptable degree.
12. Furthermore, while it did not form part of the Council's reason for refusal, third party comments have also raised concerns regarding the single storey rear extension. This includes that the rear extension is larger than permitted development sizes allow and that its height may breach right to light. Again, as the appeal relates to a

householder planning application seeking planning permission and does not seek to rely on permitted development rights, I have assessed it on its planning merits. In addition, based on the plans before me and from my observations on my site visit, due to its modest scale, the rear extension would not harm the living conditions of adjacent occupiers in terms of day or sunlight. There is limited detailed evidence before me which points towards a different conclusion on this matter.

13. Further concerns were raised that the finish of the extensions is of a poor quality and is unsightly. However, to my eye, the extensions appear of a sufficient quality and do not detract from the area. I also note the comments regarding the lack of permission and party wall agreement when building up to the boundary. However, these are private matters outside of the planning considerations of this appeal and do not alter my findings on the appeal overall.

### **Conditions**

14. Whilst the Council have identified conditions related to the time period, approved plans and matching materials on the appeal form, the development is retrospective and has been commenced and virtually completed. I am satisfied that the formal decision above is sufficient to give the necessary clarity including the reference to the approved plans and as such, the suggested conditions are not necessary.

### **Conclusion and Recommendation**

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed since it would comply with the development plan, and there are no other material considerations which would change this conclusion.

*T Morris*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

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

*Kenneth Stone*

INSPECTOR