



Appeal Decision

Site visit made on 13 October 2025

by **Andrew Dale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref. APP/G4620/D/25/3372068

15 Bird End, West Bromwich B71 3EA

- 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 Phillip Graham against the decision of Sandwell Metropolitan Borough Council.
 - The application ref. is DC/25/70582.
 - The development proposed is: *Proposed single storey front/side and rear extensions, raising existing roof height, and loft conversion.*
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Decision

1. The appeal is dismissed.

Preliminary matters

2. In the interests of accuracy, the description of the proposal in the heading above is based on the one set out on the Council's decision notice and the appellant's planning appeal statement, rather than on the description of proposed works given on the application form. Even so, both of the single storey extensions would be more logically described as side extensions.
 3. Section 2.1 of the appellant's planning appeal statement quotes a refusal reason which bears no relation to the wording or policy references drawn on in the Council's decision notice dated 2 July 2025. This does not appear to have materially prejudiced the preparation of an otherwise comprehensive statement.
 4. To be clear, the single reason for refusal adopted by the Council in that decision notice was as follows: *The proposed development is contrary to Black Country Core Strategy policy ENV3, the Site Allocations and Delivery Development Plan Document policy SAD EOS 9 and the Council's Revised Residential Design Guide SPD 2014 in that the proposal is out of keeping with the local character of the area, established building heights, property types and architectural design.*
 5. Further confusion arises in the Council's Delegated Officer Report. After a summary of the objections from 2 neighbouring occupiers, the officer says: *I agree with point i and ii above.* The first point states: *The development will overshadow existing properties, impacting on privacy and light.* Yet, there is no further commentary on such amenity issues in the report or in the decision notice itself which must be taken to represent the settled view of the Council. In planning terms, those issues are however clearly material considerations. I shall return to them later in this decision.
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Main issue

6. The main issue is the effect of the proposed development upon the character and appearance of the site and the surroundings.

Reasons

7. No. 15 is a 2-bedroom bungalow in a residential, T-shaped cul-de-sac. The locality is given a sense of place and a degree of local distinctiveness on account of Bird End being purposely planned with detached residential dwellings to single-storey designs (nos 15-35 inclusive) sweeping around most of the eastern leg of the cul-de-sac, 2-storey designs elsewhere and well-placed green open spaces and verges.
8. The 2 green open spaces next to the T-junction inside the cul-de-sac separate the side elevations of nos 14 and 15 from the central approach leg. The appeal property fronts onto the eastern leg and is prominent from various public vantage points within Bird End. This is on account of its corner location, the adjacent public open space to the west and its advanced building line and elevated land level in relation to the staggered row of fairly modest bungalows immediately to the east.
9. Where other bungalows (e.g. nos 17, 19, 23, 33 and 35) have seen loft conversions, I saw that the typical alterations (e.g. a mix of high-level windows, dormers and roof lights) have generally preserved the original character of the bungalows, with no clear evidence of any of their roofs having been raised so as to create built forms that resemble 2-storey houses. So, this group of bungalows of which the appeal property is part continues to provide a level of visual coherence which contributes to the overall quality and identity of the street scene. Moreover, the 2-storey houses at nos 13 and 14 and directly opposite at nos 37-41 do not materially dilute the distinct identity of this established row of bungalows which provide the relevant context in which the appeal site is experienced.
10. The proposed increase in eaves and ridge heights, enabling the addition of a full-width upper floor containing 2 very large bedrooms, would be such that the resulting front and rear elevations would closely resemble those found on 2-storey houses. Given the notable bulk, scale and mass at a high level that would result from the extra storey, the proposed development would appear incongruous in terms of building height, property type and design and visibly at odds with the scale, design and height of the adjacent bungalows. That the development would be seen to overpower the row of bungalows would be emphasized by the new eaves line of no. 15 challenging the height of the adjacent roof ridge of no. 17 and by the tall southern gable end projecting out at the front owing to the advanced position of no. 15. The resulting building would not frame this row of bungalows in a manner that would fit in visually with the surroundings of the site.
11. The elevated topography would work against the scheme. The run of 7 roof lights along the roof slope facing the public open space would draw further unwelcome attention to the development. The use of matching bricks and roof tiles is noted but this would not overcome the adverse visual effects of the scheme I have identified. The house at no. 24 is a replacement house (ref. DC/06/46911) next to 2-storey houses, while the house approved on land adjacent to no. 2 (ref. DC/25/70262) would be at the same height as the house at no. 2. So these cases are not directly comparable to the appeal scheme.

12. Drawing the above threads together, I find on the main issue that the proposed development would harm the character and appearance of the site and the surroundings. Black Country Core Strategy Policy ENV3 and Site Allocations and Delivery Development Plan Document Policy SAD EOS 9 seek to achieve, amongst other things, successful place-making that depends on understanding and responding to the identity of each place with high quality design proposals, whilst rejecting poor designs, particularly those that are inappropriate in their locality, for example, those clearly out of scale with and incompatible with their surroundings. The proposal would not meet the expectations of these development plan policies.
13. The proposal would conflict with the guidance on personalisation and domestic scale extensions in the Supplementary Planning Document Revised Residential Design Guide. Good design is a cornerstone of the National Planning Policy Framework (the Framework). The proposal would not add to the overall quality of the area or be sympathetic to local character, including the surrounding built environment. It would not achieve a well-designed place as sought by the Framework.

Other material considerations

14. I have considered the matter of neighbouring residential amenities in the round. It is of some importance that the back garden of the appeal property is not particularly deep. The appeal scheme would introduce a north-facing, rear, first floor bedroom window which would look towards the southern side gable and rear garden of 13 Bird End only a short distance away. The garden area that would be overlooked would be the section closest to the rear elevation of no. 13. The scheme has not been carefully calibrated to avoid a negative impact on the amenities of those neighbouring occupiers by way of overlooking and loss of privacy. This adds to my concerns on the main issue.
15. It is the case that most proposals to extend residential properties will reflect some of the objectives of the Framework when read as a whole. The scheme would enhance the functionality and enlarge the internal accommodation of an existing family home in a sustainable urban location, make more effective and efficient use of the site and support the economic and social objectives of sustainable development. However, good design a key aspect of sustainable development and the harm to the character and appearance of the site and the surroundings that the appeal scheme would bring about would not meet the environmental objective of sustainable development.
16. I noted the policies in the emerging Sandwell Local Plan as referred to by the appellant. These carry only limited weight at the stage they have reached and in any event they do not point to a different outcome for the appeal scheme.

Concluding comments

17. My finding on the main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations. For the reasons given and taking into account all other matters raised, this appeal fails.

Andrew Dale

INSPECTOR