



Appeal Decision

Site visit made on 2 July 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2019

Appeal Ref: APP/G4620/D/19/3226722

29 Seymour Road, Tipton DY4 0EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Welch against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/18/62464, dated 15 November 2018, was refused by notice dated 23 January 2019.
 - The development proposed is to raise the roof for a loft conversion.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The appellant's appeal documentation refers to an offer to revise the plans and omit the proposed dormers. However, I have only been provided with plans that show the inclusion of dormers in the roof. Numbers on these plans correspond with those listed on the Council's decision notice. For clarity purposes, I confirm this appeal decision is based upon the plans as listed on the decision notice.
4. The National Planning Policy Framework (the Framework) was revised on 19 February 2019 and this post-dates the Council's refusal notice. I have considered the Framework as part of the determination of this appeal.

Main Issues

5. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of the loft conversion in respect of outlook.

Reasons

Character and appearance

6. The appeal property is a gable-fronted bungalow in a residential area. It is set in a distinct line of 5 similar bungalows, all with gable frontages and matching ridge and eaves heights. Further along and on the same side of the road are other bungalows that are different to the appeal property, having ridgelines running parallel, rather than perpendicular to the road. Despite this difference in roof designs, all the bungalows in the entire row are of a similar height and display a pleasant uniformity in scale when viewed from the street.
7. The proposed development will change the appearance of the appeal property when viewed from the front by virtue of an increase in ridge height, the insertion of a new window at first floor level and the introduction of the side-facing dormers. Given the open frontage to the site and adjoining properties, these changes would be conspicuous when travelling along Seymour Road. The appeal development would also be seen from Hazel Road when moving towards its junction with Seymour Road.
8. Due to the higher ridgeline and insertion of a first floor window in the front gable of the appeal property, the proposed development would result in a building markedly at odds in terms of scale, height and appearance with the uniformity shown in the adjacent dwellings. The height increase would also be out of keeping with the generally consistent ridgelines seen in the entire row of bungalows. As such, I find that the proposed development would be noticeably incompatible with its immediate surroundings, thereby significantly undermining a commonality that contributes positively to the character of the area.
9. The appellant highlights various nearby dwellings where roofs have been altered and extended. I do not know the full circumstances that led to the construction of these developments and, in any event, I have determined this appeal on its individual planning merits. I note the property opposite, 1 Hazel Road, is on a larger corner plot at the end of a row of bungalows, rather than in the middle of a line. As such, its side extension and main roof ridge height are not seen in the same uniform context as the appeal property. The other cited examples at Newman Road and Rachel Close are some distance from the appeal site, and in any case stand fall within a different environmental context. The presence of the other extensions and alterations referred to by the appellant does not outweigh my findings above in respect of the main issue.
10. The appellant also refers to a nearby recent residential development where there are examples of adjacent houses with different ridge heights. However, in contrast to these examples, the appeal property lies in part of Seymour Road where similar roof heights is a main characteristic of the street. A different design approach elsewhere fails to justify a development that would be significantly at odds with the established uniformity seen in the immediate surroundings of the appeal site.
11. For the reasons outlined above, I conclude that the development would cause significant harm to the character and appearance of the area. Consequently, and in this regard, it would be contrary to policy ENV3 of the adopted Black

Country Core Strategy 2011, policy SAD EOS 9 of the adopted Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document 2012, the Council's Revised Residential Design Guide Supplementary Planning Document 2014 (RDGSPD) and the Framework. These all aim, amongst other things, to ensure development proposals are of high quality design and avoid harm to the character and appearance of an area.

Living Conditions of Future Occupiers of the Loft Conversion

12. One of the proposed dormers would be the only window serving a new bedroom in the loft conversion. Main views from this window would look out across the single car-width driveway on the appeal site and to the side roof-slope of the neighbouring property.
13. The RDGSPD states that where living space is introduced into roof spaces, main living room areas must have a direct outlook onto external outdoor space. In this case, the window would serve a bedroom, rather than a main living room or lounge. As such the window serves a room likely to be occupied more at night time when outlook is less important. Furthermore, the window would look out onto the driveway, an external space, albeit a narrow area in between two buildings. I also note the neighbouring roof would slope away from the dormer window, thereby allowing a degree of outlook over the roof. The other dormer window would serve a bathroom, and hence this would be acceptable in living conditions terms.
14. Having regard to all these factors, I conclude that the living conditions for the users of the proposed loft conversion would be acceptable in terms of outlook. Consequently, and in this regard, the development would accord with the RDGSPD and the Framework which aim, amongst other things, to create places with a high standard of amenity for future occupiers all properties.

Conclusion

15. Whilst I have found that the living conditions of future users of the loft conversion to be acceptable in terms of outlook, the proposed extension would result in significant harm to the character and appearance of the area.
16. Therefore, and taking into account all other matters raised, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR