
Appeal Decision

Site visit made on 28 February 2017

by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 March 2017

Appeal Ref: APP/Q4625/W/16/3164192

58 Milton Road, Bentley Heath, Solihull B93 8AD

- 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 Daniel Skinner against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2016/02086/PPFL, dated 3 August 2016, was refused by notice dated 7 October 2016.
 - The development proposed is erection of detached dwelling with part demolition and extension of existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is located on the corner of Milton Road and Hurst Green Road. Though the proposed dwelling would front Milton Road, it would make a more significant contribution to the Hurst Green Road street scene. The immediate area is predominately characterised by semi-detached dwellings, though there are a few detached properties nearby such as directly behind the appeal site and across from the site on Hurst Green Road. Most of the houses in the immediate vicinity maintain reasonable gaps to their neighbouring buildings and so visually sit comfortably on their plots.
 4. There is a birch tree set in the hedgerow on the site's boundary with Hurst Green Road, some mature trees on the opposite side of Milton Road and a tall thick hedge along the front of the property on Hurst Green Road opposite the site. However despite these landscape features, the combination of the wide road junction, reasonably sized front gardens, the rear gardens of the houses fronting Newlands Road and the undeveloped side garden at the appeal site gives the immediate area an open characteristic.
 5. The proposed two-storey dwelling would be sited directly alongside the existing two-storey dwelling, with minimal gaps provided to the existing house and to the side boundary with Hurst Green Road. As the house would be built so close to both its boundaries at first floor level it would appear cramped on its plot. Whilst some properties in the area are built up to their own plot boundaries,
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they generally maintain wide gaps at first floor level. Therefore the development would contrast with the generally more spacious settings of the other houses locally.

6. From some positions directly in front of the site, the side elevation of Nos 14 and 16 Hurst Green Road are clearly visible. Indeed from here it is likely that the proposed dwelling would not appear to project significantly beyond front elevation of No 16. However, from positions along Hurst Green Road to the east, the proposal would appear prominently in the street scene and would protrude significantly beyond the side elevation of the existing house at the site. This would interrupt the views from Hurst Green Road across the currently open garden at the site to the trees and gardens in front. I accept the retained birch tree and boundary hedge would mitigate the effect to some degree, nonetheless I consider the development would detract from the open character of the vicinity.
7. I have carefully considered the other examples referred to by the appellant. I do not consider the houses at the other junction of Milton Road with Hurst Green Road are comparable to the proposed development as they maintain significant gaps to their boundaries with Hurst Green Road and the open character of the area prevails. I note the dwelling at No 285 Wake Green Road does project significantly forward of the building line on Nailsworth Road. However, notwithstanding the fact that there is a large tree in the rear garden which assists in screening the dwelling from views along Nailsworth Road, this property is a significant distance from the appeal site and so has a different context.
8. In summary the proposed development would appear cramped on its plot and would detract from the open character of the area. As such it would harm the character and appearance of the area and hence would conflict with Policy 15 of the Solihull Local Plan which, among other matters, expects development to conserve local character, streetscape quality and respect the surrounding environment.
9. It would also conflict with the guidance in the National Planning Policy Framework which, as one of its core planning principles, requires development to take account of the character of areas, and would fail to accord with the advice in the Council's New Housing in Context Supplementary Planning Guidance which supports development which maintains the character of the borough's residential areas.

Other matters

10. The Council raise no objection to the removal of the existing garage or the erection of the rear extension, and I have no reason to come to a different view. I do not consider the garage is particularly unsightly and I give no positive weight to its removal in my decision. It appears there may previously have been more development on the site adjacent to the garage, but this has already been removed so I cannot give any weight to this matter.
11. I consider the site has reasonable access to shops and services, and I note the commitment from the appellant for the house to achieve a level 3 code for sustainable homes rating. However these factors do not outweigh the harm the proposal would cause to the character and appearance of the area as set out above.

Conclusion

12. As such, for the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR