

Appeal Decision

Site visit made on 4 April 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 12 April 2017

Appeal Ref: APP/P4605/D/17/3169578

102 Grestone Avenue, Handsworth Wood, Birmingham, B20 1LD

- 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 & Mrs Chand against the decision of Birmingham City Council.
 - The application Ref 2016/10003/PA was refused by notice dated 12 January 2017.
 - The development proposed is amendments to application ref 2016/07150/PA, a side extension to allow for a glazed roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the street scene.

Reasons

3. The area is characterised by regularly spaced semi-detached houses set back from the street. No. 102 is in a corner position adjacent to the junction with Brosil Avenue, which is a narrow cul de sac. The location plan indicates that there were, at one time, large gaps at the side of no. 102 and at the side of no. 96 on the opposite side of the junction, contributing to a spacious character in the street scene.
 4. No. 102 has subsequently been extended at the side with a 2-storey extension, maintaining only a short gap between the dwelling and a 2m high side boundary wall abutting the footway. Permission was granted for the side wall and 2m high front gates.
 5. The appeal proposal is to introduce a shallow-sloping mono-pitch glazed roof and a rear wall to enclose the remaining open side area to allow parking of a car under cover. Whilst the additional building works proposed are not substantial in themselves, the introduction of a glazed roof would be visible from the street scene. The visual effect of enclosure would appear especially conspicuous in the prominent position immediately next to the junction. It would compound an existing loss of spacious character and re-inforce a sense of enclosure next to the junction.
 6. In this respect there would therefore not be a high quality of design, and the proposal would not reinforce the distinctive character of the local area. I
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therefore find material harm to the character and appearance of the street scene.

7. The proposal conflicts with Policy PG3 of the Birmingham Plan 2031, which expects all new development to demonstrate high design quality, contributing to a strong sense of place. There is also conflict with saved Policy 3.14 D of The Birmingham Plan, Birmingham Unitary Development Plan 2005, which requires development to have regard to the impact on the local character of an area.
8. The development plan policies are compatible with the objectives of paragraphs 17 and 60 of the National Planning Policy Framework, which seek to secure a high quality of design and to reinforce local distinctiveness. The proposal does not meet the objectives of the Framework in these respects. The proposal also conflicts with the objectives of Extending your home, supplementary planning document, which seeks a high standard of design which complements the scale and style of the house and others nearby.
9. At the site visit I saw that building work has been carried out that does not form part of the appeal scheme. Notwithstanding this matter, I have judged the appeal proposal on its own merits. Representations have been made regarding a potential HMO at the appeal site, but this is a separate matter that was not part of the application to the Council and is therefore beyond my remit.
10. I have taken into account all other matters, including all the policies in the Framework, and other national planning policy and guidance. Notwithstanding my findings on the other matters, the harm that I have identified to character and appearance is significant and overriding. The appeal does not succeed.

Sue Glover

INSPECTOR