
Appeal Decision

Site visit made on 16 May 2017

by Y Wright BSc (Hons) DipTP MSc DMS MRTPI

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

Decision date: 9 June 2017

Appeal Ref: APP/P4605/D/17/3172792

126 The Boulevard, Sutton New Hall, Sutton Coldfield B73 5JG

- 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 Sharon Williams against the decision of Birmingham City Council.
 - The application Ref 2016/09439/PA, dated 10 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is erection of two storey side extension including glazed two storey link to side.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the planning application by the Council the Birmingham Development Plan (2017) (DP) has been adopted. Paragraphs 3.8 and 3.10 of the Birmingham Unitary Development Plan (2005) (UDP) referred to in the reasons for refusal have now been revoked. The Council has confirmed that it is now relying on Policy PG3 of the DP, as well as paragraphs 3.14C-D of the UDP which are still saved policies. The Extending Your Home Supplementary Planning Document (2007) (SPD) is also still in place. I therefore determine the appeal on the basis of the current adopted development plan and SPD.
3. The development includes the construction of a glazed two storey link. This is not included in the description of development on the application form. For reasons of clarity I therefore use the description of development set out on the Council's decision notice in the banner above.
4. The Appellant is dissatisfied with the Council's handling of the planning application, particularly in relation to its contemporary modernist design. However it is not within my remit to consider how the original application was dealt with and I am determining the appeal solely on the planning merits of the case.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the property and the surrounding area.
-

Reasons

6. The appeal site comprises a detached two storey dwelling situated on a prominent corner. The detached single storey double garage, which is currently used as granny annexe accommodation, is sited on the western side of the main dwelling close to the highway and is highly visible when viewed from within the street scene.
7. The National Planning Policy Framework (the Framework) states that planning policies and decisions should not impose architectural styles or particular tastes on development. Whilst I do not intrinsically have an issue with the contemporary modernist design of the extension when considered in isolation, I am mindful that the Framework also places great importance on development responding to local character to ensure its integration into the existing environment. I also note that whilst the Council's SPD welcomes contemporary design it also states that this should complement the character and culture of the local area and improve the appearance of a property.
8. On my site visit I observed that the character of the area is dominated by dwellings of broadly similar architectural styles, periods and scales using predominantly traditional materials. In comparison whilst the extension would mainly be built on the footprint of the existing garage, it would be significantly larger in scale due to the additional first floor, increased height and inclusion of an enclosed link to the main house.
9. In my view, the design of the extension, particularly the roof and the materials proposed to be used externally, would have little relationship with the existing property. Furthermore, due to its prominent corner location and proximity to the adjacent highway it would appear visually dominant within the street scene. I consider the scale and design of the proposal in this location would appear at odds with the prevailing local character and pattern of development. Consequently the development, when viewed within the local context would not be good design.
10. Taking all the above factors into account I conclude that the proposal would result in a dominant and incongruous addition to the street scene which would be materially harmful to the character and appearance of the host dwelling and the surrounding area. It would therefore be contrary to DP Policy PG3 and UDP Paragraphs 3.14C-D and the SPD which in summary all generally seek development of good design that respects the character of an area. It would also conflict with the Framework.

Other matters

11. I have taken account of the benefits that the development would bring to the Appellant in order to meet his accommodation needs. However I can only give these personal benefits little weight, since it would be likely that the new development would be in place long after the personal circumstances have ceased to apply. I also note that the proposal would incorporate high levels of energy efficiency and sustainable construction. Nevertheless these factors alone do not outweigh the harm I have found on the main issue.
12. Whilst there would be no adverse impact to highway safety or the living conditions of neighbouring residents, lack of harm in these regards would be neutral in effect and carries no weight.

13. Whilst concerns have been raised from local residents about the potential use of the development as a separate dwelling, the application form clearly refers to the proposal as being an extension to the host dwelling. The Council considered the proposal on this basis, as have I.
14. The Appellant has drawn my attention to a contemporary development within the City. Based on the available evidence this appears to relate to a property in a different area and to a different scale. As such it is not directly comparable. In any case I have determined this appeal on its own individual merits.

Conclusion

15. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Y Wright

INSPECTOR