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## Appeal Decision

Site visit made on 27 June 2017

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

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

**Decision date: 5 July 2017**

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**Appeal Ref: APP/P4605/D/17/3175021**  
**54 Willow Road, Birmingham B30 2AS**

- 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 J & B Reglar against the decision of Birmingham City Council.
  - The application Ref 2017/01597/PA, dated 21 February 2017, was refused by notice dated 18 April 2017.
  - The development proposed is a porch.
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### Decision

1. The appeal is allowed and planning permission is granted for a porch at 54 Willow Road, Birmingham B30 2AS in accordance with the terms of the application, Ref 2017/01597/PA, dated 21 February 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 16 2475/1B and 16 2475/5.
  - 3) No development shall commence until details/samples of the materials to be used in the construction of the external surfaces of the porch hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area which is within the Bournville Conservation Area (BCA).

### Reasons

3. The BCA covers a largely residential area primarily comprising of brick built semi-detached houses dating from the late Victorian period. The houses display a wide variety of designs but, through the use of similar materials and by their scale, a distinct sense of consistency prevails.
4. Willow Road is reflective of this. Each pair of houses in the vicinity of the appeal site differs in their detailing, but the pairs usually display a degree of symmetry. No 54 is semi-detached and generally mirrors the other half of the

building at No 52, including in respect of its integral porch. However in some pairs nearby the balance is weakened by virtue of differing garage designs or extensions and indeed at Nos 57 and 59 and Nos 69 and 71, in close proximity of the site, the doorways and porches lack symmetry. Although some of these porches may have been built some time ago, they nonetheless contribute to the appeal site's context.

5. The proposed porch would detract from the symmetry that the existing house currently shares with the adjacent dwelling. However, the scale, design, roof shape and fenestration of the porch would reflect the existing house and, particularly, the bay window at the site. The porch's positive response to the character and appearance of the existing house would soften the loss of symmetry. Notwithstanding that, in its immediate context, the loss of balance would not result in the pair appearing incongruous in the street scene. Accordingly the development would preserve the character and appearance of the area and the wider BCA.
6. The proposal would therefore accord with Policy PG3 of the Birmingham Development Plan (BDP) and saved paragraph 3.14D of the Birmingham Unitary Development Plan which both require development to respond to local context and character. It would also comply with the advice in the Council's Extending Your Home Supplementary Planning Document, and the National Planning Policy Framework (the 'Framework') which both advise, in principle, that development should take account of the character or appearance of the area. It would also accord with Policy TP12 of the BDP which reflects the guidance in the Framework which seeks to conserve heritage assets, and the Bournville Village Conservation Area Design Guide which advises that porches must not look out of keeping with the style of the house.

### **Other matter**

7. I understand planning permission has already been granted for side and rear extensions at the site<sup>1</sup>. However the proposed porch is independent of these and I must determine the proposal before me on its own merits.

### **Conditions**

8. In accordance with the advice in the Planning Practice Guidance and the Framework, I have imposed the standard condition relating to the commencement of development and a condition specifying the relevant plans in order to provide certainty. I have also attached a condition requiring the submission of finishing materials prior to the commencement of development so that the effects of the proposal are properly managed in order to protect the character and appearance of the BCA.

### **Conclusions**

9. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

*Andrew Owen*

INSPECTOR

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<sup>1</sup> 2016/09746/PA