



Appeal Decision

Site visit made on 22 August 2017

by Stephen Roscoe BEng MSc CEng MICE

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

Decision date: 4th September 2017

Appeal Ref: APP/P4605/W/17/3172208

84 Marshall Grove, Birmingham B44 8HR

- 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 John Fahey against the decision of Birmingham City Council.
 - The application Ref 2016/09324/PA, dated 7 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is the erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Reasons

2. I consider the main issue in this case to be the effect of the proposal on the character and appearance of the surrounding area. The appeal site comprises part of a rear and side garden which lies alongside a vehicular width access to a rear lane behind two storey semi-detached houses, one of which is the host property.
3. The proposed single storey dwelling would have a maximum, and somewhat pointed, roof height that would be similar to the eaves height of the two storey house of the host property. The majority of its footprint would lie behind the original rear building lines of the houses to either side of the rear lane access. The proposed dwelling would be readily visible from Marshall Grove. This would be due to the adjoining space between the semi-detached houses either side of the rear lane access and the tapered footprint of the property boundaries due to the curved alignment of Marshall Grove.
4. The proposed dwelling would be an unusual addition to the street scene between the semi-detached houses in terms of its form and location, and would be obvious as development in the rear garden. This would be the case notwithstanding the use of matching materials and features together with the adequacy of amenity space in connection with the proposal. To the rear of the Marshall Grove properties, ground levels fall and the proposal would also be readily visible from the surrounding area below Marshall Grove. The proposal therefore would not respond to the context and legibility of the local area and would conflict with Birmingham Development Plan¹ (DP) Policy PG3 and the Council's Supplementary Planning Guidance² (SPG). The proposal would also

¹ Birmingham City Council: Birmingham Development Plan: January 2017

² Birmingham City Council: Supplementary Planning Guidance: Places for Living: March 2001

interrupt the area's sense of place and building spacing and would conflict with DP Policy TP27 and the Council's Supplementary Planning Document³ (SPD).

5. There are dormer bungalows to the rear of and below Marshall Grove. They front onto Ridgewood Gardens, are separated from the Marshall Grove properties by the rear lane and are beyond the area of the rear gardens where the proposal would be sited. They are therefore associated with Ridgewood Gardens and the falling ground levels to the rear of Marshall Grove and have a different context to that within which the proposal would be situated. They thus do not add weight in support of the appeal.
6. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the surrounding area and that it would thus conflict with DP Policies PG3 and TP27 and the Council's SPG and SPD.
7. I recognise that the proposed accommodation would increase housing choice, being suited to the elderly or those with disabilities, and that it would be situated in a sustainable location. These matters would not however outweigh the harm that I have found. The proposal would utilise sustainable building methods to provide a highly insulated dwelling utilising renewable sources of energy and water. This is not however specific to the proposal or its location, and I have therefore given it limited weight in the decision. The existing garden, within which the proposal would be located, may well be too large for the current occupier to maintain, but this personal matter is not one which adds weight in support of the appeal.
8. Having taken into account all other matters raised, none carry sufficient weight to alter the decision, and my conclusion is based on the evidence before me in terms of policy as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Stephen Roscoe

INSPECTOR

³ Birmingham City Council: Supplementary Planning Document: Mature Suburbs - Guidelines To Control Residential Intensification: February 2008