



Appeal Decision

Site visit made on 23 July 2019

by S D Castle BSC(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2019

Appeal Ref: APP/Q4625/W/19/3227895

25 Kenilworth Road, Knowle, Solihull B93 0JB

- 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 Martin Carrington against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2018/02578/PPFL, dated 10 September 2018, was refused by notice dated 11 February 2019.
 - The development proposed is the demolition of an existing single storey two car garage and construction of a two storey dwelling, one storey being a basement and the other being a single storey above existing ground level.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description I have used above is amended from the application form to accurately describe that the development proposed includes the construction of a dwelling.

Main Issue

3. Whether the proposed development would preserve or enhance the character or appearance of the Knowle Conservation Area (KCA).

Reasons

4. The appeal site is located within the KCA. The site is to the rear of the dwellings on the northern side of Kenilworth Road and to the west of the rear gardens of the dwellings on Kixley Lane. A grass playing field is located to the north of the site, and other garden plots, including numerous outbuildings, are located to the west of the site. The site is largely laid to grass, with a summer house at the north western corner, an area of hardstanding to the south, and a single storey double garage in the south eastern corner. It is accessed via an existing shared driveway between the dwellings at 21 and 23 Kenilworth Road.
5. On my site visit, I noted that the immediate area surrounding the site is characterised by two-storey, pitched and tiled roofed, street facing dwellings, set along consistent building lines. The Knowle Conservation Area Appraisal 2007 (KCAA) identifies these features, amongst others, as key positive characteristics of the KCA. It is from such features that the significance of the conservation area derives.

6. The KCA Townscape Appraisal Map highlights the dwellings immediately to the south of the site, 29-35 Kenilworth Road, as locally listed buildings. These buildings are two-storey, with clay tiled roofs, predominantly facing brick, and include what appear to be original timber framing on a number of north facing gables. The KCA Townscape Appraisal Map also highlights the redbrick terraced dwellings immediately to the east of the site on Kixley Lane, and the redbrick dwellings (nos. 3-25) along the northern side of Kenilworth Road, as buildings that make a positive contribution to the KCA. Many of these buildings include prominent chimneys and elaborate brickwork.
7. The many historic dwellings identified above provide a strong frontage and presence in the street scene. Whilst there is variation in the width and depth of plots, backland or tandem development of dwellings is not characteristic of the KCA. The proposed dwelling, by virtue of its backland location, would be clearly contrary to the established character of the KCA of street facing dwellings, on consistent building lines, identified above.
8. The proposed building does not seek to replicate the design or materials characteristic of other surrounding dwellings in the KCA. The mono-pitch green roof, timber cladding, balcony and glass balustrades would not be reflective of the surrounding historic dwellings. These surrounding dwellings strongly display the materials and architectural forms identified by the KCAA as characteristic of the KCA. Given the incongruous design and the proximity of the development to the adjacent dwellings, the proposals would not conserve local character and distinctiveness, or create or sustain a sense of place.
9. The Council states that the KCAA recommends that gardens and green open spaces that contribute to the character of the KCA are maintained. The Council also asserts that the site has significance in representing private land behind and associated with 19th century and former earlier houses at the core of Knowle village. The appellant's heritage statement indicates that the site was probably an orchard or similar.
10. Whilst the proposed design seeks to minimise the prominence of the building, given the design noted above, it would be clearly perceived as a dwelling. The legibility of the historic layout and settlement form of the KCA, which also contribute to its significance, would be harmfully eroded by introducing a dwelling into this backland area. The lack of prominent public views of the dwelling would not mitigate this identified harm to the KCA.
11. For the reasons identified above, the development would fail to preserve the character and appearance, the statutory duty which is set out in s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore the significance, of the KCA as a designated heritage asset. It would, therefore, conflict with policy P16 of the Solihull Local Plan and policies D2 and VC3 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan 2018 – 2033 which, taken together, require development to preserve or enhance heritage assets, including conservation areas, as appropriate to their significance, conserve local character and distinctiveness, and create or sustain a sense of place.
12. There is agreement between the appellant and the Council that the harm to the KCA, as a designated heritage asset, would be less than substantial. I concur. Paragraph 196 of the Framework indicates that where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

13. The appeal proposal would provide an additional dwelling in a sustainable location and would add to the housing land supply. I afford such factors modest weight as public benefits in this case. However, these public benefits would fail to outweigh the considerable importance and weight I must afford to the identified harm to the Conservation Area.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

S D Castle

INSPECTOR