



Appeal Decision

Site visit made on 8 October 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2019

Appeal Ref: APP/Q4625/W /19/3232667

Land adjacent to 18 Grendon Road, Olton, Solihull B92 7EL

- 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 Ross Holmes against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/00629/PPFL, dated 4 March 2019, was refused by notice dated 14 May 2019.
 - The development proposed is a new 4 bedroomed dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Olton Conservation Area (CA).

Reasons

3. The appeal site was last used as part of the large rear garden associated with 35 St Bernards Road. However, the land has now been substantially fenced off to distinguish it from that area of the garden immediately to the rear of the dwelling. The land has a pedestrian access gate to the rear side boundary where this is alongside the turning head of Grendon Road. The site lies within the CA, the significance of which arises from the architectural and historic interests of the mixture of Victorian, Edwardian and Arts and Crafts styled residential buildings, their layout and landscaping cover.
4. As the site is located within the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the CA.
5. The main parties agree that the proposed development would reflect the siting, designs and finishes visible within Grendon Road, a residential cul-de-sac identified as being a neutral zone within the wider CA. I saw nothing to disagree with those conclusions. In the context of Grendon Road, the proposed development would deliver a sympathetic extension of the cul-de-sac but would give rise to losses to the existing landscaping present within the site. This currently contributes to a closing green vista at the head of the road; however, the parties also agree that the impact on landscaping and its contribution to

- the CA could be mitigated by a suitable standard of replacement planting to preserve the appearance of the Grendon Road streetscape.
6. In the context of the St Bernards Road frontage, where dwellings generally fill their plot widths, views to the rear of the properties are highly restricted and the presence of a new dwelling within a subdivided plot would not be readily apparent from this part of the CA. Subject to mitigation planting the appearance of the CA would therefore be preserved.
 7. Notwithstanding the above, the appeal site is located within an area defined as being a core element in the *Olton Conservation Area – Analysis of its Character and Appearance* document (ACA). This sub-area of the CA is recognised as creating part of its essential character. The ACA highlights that the extensive rear gardens to properties on St Bernards Road and elsewhere are a characteristic feature of this part of the CA and reflect the social history of the time of its laying out. The document identifies that the loss of the deep plots has detracted from the overall character of the CA and that the grain of the original plot layouts should therefore be preserved.
 8. It is clear that the development would further erode the original character of the CA as it would directly reduce the length of the original plot. To my mind, it would therefore adversely affect the characteristic historic grain of development and, in turn, fail to preserve or enhance the character of the CA. Whilst numerous examples of incursions into the original large plots are present in the locality, including the existing development on Grendon Road, many of these pre-dated the Conservation Area designation and I therefore consider that this should attract little weight against the further erosion of the significance of the wider CA. Furthermore, to allow the appeal development would, in visual terms, extend the area identified as having a neutral contribution to the CA into a core element area which would not be in the best interests of preserving the appearance of the CA.
 9. At the time of my site visit a new fence had been erected across a substantial width of the site that appeared to be in the location of the proposed rear boundary for the new dwelling and no 35. However, I consider the physical separation of the appeal site from the original dwelling and lack of maintenance to the existing landscaping on the appeal site is not a significant factor in the consideration of this appeal.
 10. In the context of the National Planning Policy Framework (the Framework), the extent of overall harm of the proposal is less than substantial given the nature of the development. Paragraph 196 of the Framework advises that such harm should be weighed against the public benefits of the proposals including securing optimal viable use.
 11. In this case, the appeal proposal would deliver a single private dwelling and would add to the housing land supply for Solihull. However, as a single unit this would be of very limited public benefit both in terms of housing delivery or any associated economic contribution.
 12. In terms of other benefits, as above, the effect of the proposed development on Grendon Road would only preserve the existing neutral character subject to replacement landscaping and therefore be of limited public benefit. The recognised local heritage value of no 35, the significance of which derives directly from its architecture, would remain unaffected by the proposed

development. Furthermore, I am provided with little evidence of the public benefits arising as a direct consequence of the proposed development to any future maintenance or improvement to enhance the significance of no 35, or any suitable mechanism to deliver it.

13. My attention has also been drawn to an appeal decision¹ at 33a and 35 St Bernards Road which included residential development on the appeal site and adjoining land. Whilst I acknowledge that the current appeal proposal has a reduced site area which would also limit the degree of harm previously identified, it would also limit the public benefit arising from the development.
14. Taking all of the above factors into account, either collectively or individually, I conclude that the limited public benefit arising from the proposed development would fail to outweigh the harm I have identified to the character of the CA.
15. For the reasons above, the development would fail to preserve the character or appearance of the CA and would result in a negative effect on the historic significance of the designated heritage asset. The proposal therefore conflicts with Policies P15 and P16 of the Solihull Local Plan (2013) which, amongst other matters, seek to preserve or enhance local character and distinctiveness and protect heritage assets. It would also be at odds with the heritage aims of the Framework.

Conclusion

16. Taking all matters into consideration, I conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR

¹ Reference APP/Q4625/W/15/3011292