



Appeal Decision

Site visit made on 17 September 2019 by Andreea Spataru BA (Hons) MA

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2019

Appeal Ref: APP/P4605/W/19/3230936

56 Elmwood Road, Sutton Coldfield, West Midlands B74 2DF

- 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 Ryan Pearson against the decision of Birmingham City Council.
 - The application Ref 2018/08247/PA, dated 8 October 2018, was refused by notice dated 30 January 2019.
 - The development proposed is described as "New build 3 bedroom dwelling. Resubmission".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. 56 Elmwood Road is a semi-detached, brick built, hipped roof two-storey dwelling located on a corner plot, at the junction of Elmwood Road and Allmyn Drive, in a predominantly residential area. The appeal dwelling is set-back from the road and set-in from the side boundary, has single storey extensions to the front and side, a double bay window column to the front, a single storey outbuilding to the side, a large garden to the rear and side and a private drive to the front. Neighbouring property No 58 Elmwood Road is located on the corner plot opposite the appeal site and has similar characteristics to the appeal property. The siting of these dwellings in relation to the roads contributes to the openness of the junction.
 5. Neighbouring properties are generally two-storey, wide, semi-detached dwellings similar in scale and design to the appeal dwelling. The consistency in the form and scale of the buildings is a feature that makes a significant contribution to the character and appearance of the area.
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6. The proposal seeks the construction of a detached, two storey dwelling to the side of the appeal dwelling. The existing structures located to the side of the appeal dwelling would be demolished as part of the proposed works. The dwelling would face Elmwood Road but would have the main entrance to the side, from Allmyn Drive. The vehicular access would also be from Allmyn Drive, to the rear/side of the proposed dwelling. A garden would be provided to the rear.
7. The width of the plot, and the form and scale of the dwelling, particularly when viewed in relation to the wide, semi-detached dwellings located on Elmwood Road, would be at odds with those of neighbouring properties. The introduction of a detached, narrower dwelling to the side of No 56 Elmwood Road would disrupt the existing pattern of development and the dwelling itself would appear as an incongruous, cramped addition which would harmfully affect the character and appearance of the area.
8. I note that the dwelling would respect the building line of Elmwood Road and the eaves and ridge height of No 56. It would also match the materials of the adjoining dwelling and incorporate features of the street scene, such as the front bay window. The appellant also indicates that the existing high fence would be replaced with low level fencing and soft landscaping to create more openness to the corner of the site. However, these elements are not sufficient to mitigate the harm that I have identified.
9. The appellant has drawn my attention to an approved application¹ for a two-storey extension, which could be built to the side of No 56, however no details of this extension have been provided. Nonetheless, whilst a two-storey extension would increase the scale and mass of the host dwelling, it would not be directly comparable with a detached dwelling. A new dwelling in this location along with its associated infrastructure would have a considerably greater impact on the character and appearance of the area as a result of its form and use. Thus, I can only give limited weight to this fallback position.
10. I note that the development would not affect the living conditions of the occupiers of neighbouring properties and that there were no objections from the Highway Authority. However, these do not lend positive weight to the development. Similarly, whilst the proposal would make use of land within a settlement and is in a sustainable location for housing, this must be balanced with other impacts a development can have, and in this case the identified harm is an overriding consideration.
11. Accordingly, I conclude that the proposal would adversely affect the established pattern of development, thus resulting in significant harm to the character and appearance of the area. Therefore, the development would be contrary to Policies PG3 and TP27 of the Birmingham Development Plan 2017, and saved paragraph 3.14D of the Birmingham Unitary Development Plan 2005, which require, amongst other things, that developments reinforce local characteristics, integrate into their surroundings, and make a positive contribution to the public realm and sense of place.

¹ Application reference: 2016/04377/PA

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

P J Davies

INSPECTOR