



Appeal Decision

Site visit made on 28 October 2019 by S Watson BA(Hons) MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 19 November 2019

Appeal Ref: APP/P4605/D/19/3234865

10 Firbeck Grove, Kingstanding, Birmingham B44 0ND

- 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 Mrs Angelina P against the decision of Birmingham City Council.
 - The application Ref 2019/02604/PA, dated 25 March 2019, was refused by notice dated 27 June 2019.
 - The development proposed is erection of two storey side extension basing on garage conversion.
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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 Issues

3. The main issues in this case are the effect of the proposal on the:
 - living conditions of the occupiers at No 8 Firbeck Grove, with particular regard to privacy; and,
 - the character and appearance of the street scene, by way of design and siting.

Reasons for the Recommendation

Living Conditions

4. The appeal site is located on the south side of a cul-de-sac and contains an end of terrace dwelling with a detached garage. Due to the circular form of the cul-de-sac, the house is at an angle to the road and its neighbouring property, No 8 Firbeck. The shared boundary is at an angle to both properties with the rear of each being closer to the boundary than the frontage. The proposal would include the replacement of the existing garage with a two-storey extension to provide additional accommodation, including bedrooms on the first-floor.

5. The proposal would result in a first-floor bedroom window significantly closer to the party boundary with No 8 than the existing windows. As the host-dwelling is angled towards the boundary, direct views would be afforded of the neighbouring property's rear garden area. While I note that views are likely to already be provided by the existing first-floor windows, these are set further from the boundary and so direct views would be more distant. In this way the proposal would have a significant impact on the current levels of privacy within the rear garden of No 8, in that it would be reduced. This would be likely to make the private outdoor space to the rear of No 8 less pleasant to use.
6. In light of the above I find that the proposal would not protect the living conditions of the occupiers at No 8 Firbeck Grove and this conflicts with Policy PG3 of the *Birmingham Plan 2031: Birmingham Development Plan (BDP)*, the guidance contained within the *Places for Living* supplementary planning guidance, and Paragraph 127 of the *National Planning Policy Framework* (the Framework) which collectively seek, amongst other things, to protect private external spaces and promote a high standard of amenity for existing and future users.

Character and Appearance

7. The end of Firbeck Grove is characterised by four blocks of uniform terraces, and a fifth central terrace which is different to the other and acts as a focal point. The terraces are set well back from the highway by deep gardens, and there are regular open spaces between each. The appeal site is at the end of the south-east terrace and its side elevation faces towards the entrance of Firbeck Grove. Therefore, although it is set back from the road, the side elevation is prominent in the street scene.
8. By way of the scale and prominent siting of the extension at the side of the house, the proposal would form a visually intrusive feature into the street scene and the approach along Firbeck Grove. The proposal would also, by way of its scale and form, not respect the relatively uniform and symmetrical appearance of the terraces within the cul-de-sac. Furthermore, by extending up to the boundary at two-storey height, the proposal would erode the openness of the plot which would be incongruous within the street scene.
9. I conclude that the proposal would be harmful to the character and appearance of the street scene in conflict with Policy PG3 of the BDP, the guidance contained within the *Extending your home, home extensions design guide* which has been adopted as a supplementary planning document by the Council and Paragraph 127 of the Framework, which collectively requires development to be of a high design quality and to contribute to a strong sense of place.

Conclusion and Recommendation

10. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR