
Appeal Decision

Site visit made on 22 October 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2019

Appeal Ref: APP/Q4625/W/19/3234320
16 Cornyx Lane, Solihull B91 2SJ

- 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 Peter McManus against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/00522/MINFDW, dated 21 February 2019, was refused by notice dated 5 July 2019.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice did not refer to any development plan policies. However, from the officer report it is clear that Policies P5 and P15 of the 2013 Solihull Local Plan (the SLP) are most relevant to my determination of the appeal.

Main Issue

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

Reasons

4. The appeal site is the side garden of No 16, a two-storey semi-detached house situated on Cornyx Lane at its junction with Newfield Close. No 16 is a modestly-sized dwelling in an area that exhibits different styles and ages of dwellings. The group of which No 16 is part is typical of the 1970s, with houses well set back from the street giving the area an open and spacious feel.
5. The new dwelling would be similar in design and materials to No 16 although slightly smaller, and unlike No 16 and its group it would be detached. A small driveway would be accessed from Newfield Close. The dwelling would continue the existing building line of the group of properties on Cornyx Lane, but would have a blank side elevation close to the pavement of Newfield Close and would be set some way forward of the other houses in that street.
6. The flank wall of the proposed dwelling would be very close to the back of the footway along Newfield Close. As a result, it would introduce a significant sense of enclosure into the street and would impinge on the sense of spaciousness at

the junction. This would be especially noticeable when seen from within Newfield Close, when views back towards Cornyx Lane would appear particularly constrained. The dwelling would be smaller than the immediately adjacent semi-detached houses, and the garden would be markedly narrower. The combined effect of this would be that it would appear cramped on its plot, where it would be out of keeping with the scale, massing and layout of its immediate neighbours on Cornyx Lane and Newfield Close. The dwelling would therefore be unsympathetic to the prevailing character of the area.

7. I therefore conclude that the proposal would be harmful to the character and appearance of the area. It would conflict with Policies P5 and P15 of the SLP, which among other things require new housing development to be well-designed, and to respect and enhance local character including regarding scale, massing, density and layout. For the same reasons it would conflict with the requirements of Section 12 of the National Planning Policy Framework (the Framework), which seek to encourage good design.

Other Matters

8. The appellant has indicated that the proposed dwelling would be intended as a small starter home, and has referred to other starter home developments nearby. However, at issue is not the size of the proposed dwelling in itself, but the effect of its design and siting in particular on the character and appearance of the surrounding area. The provision of a starter home does not justify allowing a development which I have found would be harmful to the character and appearance of the area.
9. The Council acknowledges that it cannot demonstrate a 5 year supply of housing land. There would be limited social and economic benefits associated with the construction and occupation of a new dwelling in a location which has good access to services. However, one house would make a minimal contribution to meeting any shortfall.
10. On the other hand, I have identified that there would be significant harm to the character and appearance of the area. I therefore conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh its limited benefits, and the proposal would not represent the sustainable development envisaged by the Framework.

Conclusion

11. I have found that the proposal conflicts with the development plan and there are no other considerations, including the advice of the Framework, to outweigh this conflict. For this reason, the appeal is dismissed.

M Cryan

Inspector