



Appeal Decision

Site visit made on 10 December 2019

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/Q4625/W/19/3237827

**Land to the rear of 55 Union Road, Elizabeth Grove, Shirley,
Solihull, B90 3BU**

- 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 Joshua Wharton against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/00891/MINFDW, dated 4 March 2019, was refused by notice dated 10 July 2019.
 - The development proposed is demolition of existing detached garage and outbuildings and erection of dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The site is within an established residential area and there is some variation in the size and design of dwellings in the vicinity. I saw on my site visit that there is a distinct linear character to the development along Union Road. The appeal site however is set back, behind this existing development, with its access and frontage on to Elizabeth Grove, which has a very different character and appearance.
4. There is little built frontage to the initial section of Elizabeth Grove from its road junction with Union Road. The road itself is also narrower, with pavement only being provided to the side opposite the site. There is mature hedge to both sides of the road, mature trees in the highway verge and within the generous rear gardens of properties that front Union Road, and it is this landscaping that is the predominant feature of the street.
5. The built development within Elizabeth Grove, adjacent to the site, is predominantly single storey. It is set back from its frontage and in a linear arrangement, that almost parallels that of the development along Union Road. This layout and the mature landscaping result in the site and surrounding area having a spacious, open and verdant character and appearance.

6. There are existing timber structures within the appeal site, though they are single storey and not substantial or visually dominant features within the street scene. The existing boundary treatment and planting also largely screens them from view, and as such the site retains an open and spacious character.
7. The proposal is for a two-storey dwelling which would be significantly higher and have a substantially greater bulk than the existing structures. The dwelling would also not reflect the size, design or siting of existing development in the surrounding area.
8. It would be visually detached from the linear arrangement of development on Union Road and appear as an isolated and incongruous addition in the street scene. Whilst it is acknowledged that the height of the proposed dwelling has been kept low, with provision of the first-floor accommodation partially within the roof space, the dwelling would still be a substantial structure, and this would therefore do little to reduce its dominance when viewed from the street.
9. The dwelling would also be in close proximity to the site frontage and whilst some existing hedging and trees could be retained, due to its height, overall bulk and limited setback it would be a prominent feature and erode the current open, verdant character and appearance of the site.
10. Considering its layout, siting, size and design the proposed dwelling would be a dominant and conspicuous feature when viewed from the street. It would be at odds with the established pattern and character of development in the vicinity and result in unacceptable harm to the open character and appearance of the site and surrounding area.
11. The development would therefore conflict with Policies P5 and P15 of the Solihull Local Plan, 2013 (LP), which seek to ensure new development contributes to enhancing local character and distinctiveness, achieving a high quality of design and ensuring the scale, massing and layout respects the surrounding built environment, conserving and enhancing local character, distinctiveness and streetscape quality. For the same reasons the development would not accord with the design policies of the National Planning Policy Framework (the Framework).
12. I note that Policy P5 of the LP and the Framework emphasise the need to support the efficient use of land and the proposal would provide an additional dwelling. Whilst I have taken this into account, I do not consider this benefit would be sufficient to outweigh the harm I have identified.
13. Furthermore, that the proposal may incorporate sufficient outdoor garden space and separation to existing properties would have a neutral effect, and therefore do not weigh in favour of the appeal.

Conclusion

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

A Denby

INSPECTOR