



Appeal Decision

Site visit made on 27 January 2020 by S Watson BA(Hons) MSc

Decision by Kenneth Stone BSc(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/P4605/W/19/3239246

42 Grattidge Road, Birmingham B27 7AQ

- 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 Chris Morton against the decision of Birmingham City Council.
 - The application Ref 2019/04938/PA, dated 11 June 2019, was refused by notice dated 7 August 2019.
 - The development proposed is a new build detached house.
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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 character and appearance of the street scene; the effect of the proposed development on Highway safety, with particular regard to the provision of parking; and, whether the proposed development would provide acceptable living conditions for future occupiers, with regard to internal space.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is located at the end of a residential cul-de-sac, Grattidge Road, and partly fronts on to a parking area shared with the neighbouring three properties. The side of the appeal site and parking area fronts on to Gospel Lane, a through road. The appeal site itself contains a semi-detached dwelling with a garden that extends out into the landscaping strip separating the properties on the east side of the Gospel Lane from the highway. It appeared from my site visit that, other than boundary treatments, the soft and undeveloped nature of the strip had been retained. The proposed new dwelling would be within the side garden fronting Grattidge Road.
5. I note that to the north of the site, fronting on to Harrier Road, is a dwelling in a similar position to the proposal before me, and that there are buildings on the west side of Gospel Lane which are closer to the highway. However, the Harrier

Road property forms the beginning of the landscaping strip which then continues south to open fields, and the west side of Gospel Lane is not characterised by a deep verge or landscaping strip. The appeal site is therefore not directly comparable to these situations and I therefore give this matter little weight in the determination of this appeal.

6. The proposed new dwelling would, by way of its siting, significantly breach the building line running parallel with Gospel Lane and would therefore form a jarring break in the landscaping and undeveloped strip and its visual route south. In this way it would be a prominent and intrusive feature within the street scene, and which would not respect the sense of place provided by the landscaping strip along the east side of Gospel Lane.
7. There is a fence surrounding the appeal site, which to some extent reduces the openness of the landscaping strip. However, the impact of only the fence on the openness of the strip is significantly less than the cumulative impact of the proposed two-storey dwelling and the existing fence.
8. I conclude that, in light of the above, the proposed dwelling would be an intrusive feature which would be harmful to the character and appearance of the street scene. In this way the proposal would conflict with Policies PG3 of the *Birmingham Plan 2031: Birmingham Development Plan* (BDP), Policies 3.14C and 3.14D of *The Birmingham Plan: Birmingham Unitary Development Plan* (BUDP), the guidance within *Places for Living* supplementary planning guidance (PfL), and Paragraph 127 of the *National Planning Policy Framework* (the Framework).
9. The supplementary planning guidance *Places for All* was also referred to by the Council in their reason for refusal. However, this document was not submitted with the appeal and I have not therefore been able to take it in to account in the determination of this appeal.

Highway Safety

10. To the front of No 42, and the three properties to the south of it, is a parking forecourt. From the information available to me and my observations on site, it appears that the parking is unallocated. The forecourt is also shown, on the submitted plans, to be outside of the boundary of the appeal site. No parking provision has been shown for the proposed dwelling, although the appellant has suggested that the forecourt would be used.
11. As the parking forecourt is outside of the appeal site and the spaces are unallocated it is unlikely that parking for the proposed dwelling could be guaranteed. Moreover, in the event that the forecourt would be available for the proposed dwelling, I am not convinced that it would be sufficient to provide parking for five dwellings, while still allowing space for vehicles to safely manoeuvre. It is therefore likely that the development would result in vehicles being pushed on to nearby roads.
12. However, from my site visit it appears that on-street parking availability would be limited due to the layout of the surrounding road network and obstructions to parking, such as bus stops and the dropped kerbs on Grattidge Road. Parking on Gospel Lane is especially likely to impact on the efficient operation of the highway, which includes a bus route.

13. I find that the proposed dwelling would not have sufficient parking and would therefore harm the safe and efficient operation of the highway network around the site. As such the development would conflict with Policies PG3 and TP44 of the BDP and Chapter 9 of the Framework.

Living Conditions

14. The proposed house includes two bedrooms on the first floor, a larger at the front, and a smaller at the rear of the property. Neither room meets the requirements of the *Technical Housing Standards – Nationally Described Space Standards* (THS) for a double (or twin) bedroom, while only the larger room would meet the requirements for a single bedroom. From the information available to me it is clear that the smaller bedroom would be markedly smaller than the requirement of 7.5m² for a single bedroom.
15. Although the proposed smaller bedroom does not meet the space requirements of the THS, two bedrooms have been proposed and therefore, in line with requirement 10b one must be a double (or twin) bedroom. As referred to above, even the larger room would not be of a size to meet this requirement and therefore both bedrooms would be below the THS requirements. In light of this the proposed dwelling would provide a poor level of living accommodation and result in a less pleasant place to live.
16. I acknowledge that the proposed bedrooms would be of a size similar to the existing dwelling at No 42. However, from the Council's submission it appears that No 42 was approved prior to the THS being published and as such did not need to meet those requirements. I therefore give the size of the rooms in No. 42 limited weight. Moreover, although the appellant has suggested that amendments to the internal layout of the proposed dwelling could be made, I have considered the appeal as identified in the submitted plans as it was submitted to, and assessed by, the Council.
17. In light of the above, I find that the proposed development would provide insufficient bedroom floor space, and as such would not meet the requirements of the THS and would not comply with Policy 3.14C of the BUDP and the guidance within the Pfl supplementary planning guidance. Although the Council also referred to Policy PG3 in the reason for refusal I find that the policy is not directly relevant to this matter.

Other Matters

18. While I note that no objections or concerns, other than those raised above, have been made by the main or third parties, this cannot be taken as tacit support for the proposal before me.

Conclusion and Recommendation

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

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

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

Kenneth Stone

INSPECTOR