



Appeal Decision

Site visit made on 18 February 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2020

Appeal Ref: APP/P4605/D/19/3241565

1A Mayland Road, Edgbaston, Birmingham B16 0NG

- 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 Stephen Kular against the decision of Birmingham City Council.
 - The application Ref 2019/06995/PA, dated 14 August 2019, was refused by notice dated 23 October 2019.
 - The development proposed is first floor storey extension and loft conversion and single storey rear extension.
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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 in this case is the effect of the proposal on the character and appearance of the host property, and the local area, having particular regard to its design.

Reasons for the Recommendation

4. The site sits in a residential area comprised of modest sized two-storey detached, and semi-detached dwellings set back from the road, with mature landscaped front and rear gardens. More recent developments in the locality comprise two-storey detached and semi-detached houses, three storey town houses and apartments. The density of properties close to the appeal site is low compared with the more modern estates.
5. The host property is a steeply pitched, wide fronted, dormer style bungalow set in a large plot to the rear of properties in Mayland Road and Portland Road. The design of the appeal property does not fit naturally with the local vernacular and has its own bespoke design. It incorporates design features,

including brick pillars and chimneys that reflect its period providing architectural cohesion.

6. The proposal would remove many of these existing features and replace them with more mundane design elements, arranged in a random manner, resulting in a scheme that lacks overall cohesiveness. The increase in height of the dwelling that would occur as a result of the proposal would be small, however the new extensions would significantly increase the bulk and mass of the dwelling, introducing a large flat roof element to the rear which would not reflect the appearance and character of the host property, or indeed the extended dwelling. The extensions would introduce double height front and rear elevations, resulting in a significant change to the appearance of the building. Given the above I find that the proposed extensions would engulf the original property.
7. The consequence of the proposal would be a design of dwelling that does not respond positively to the character and appearance of the existing host property. The contribution that it makes to the quality of the area would be diminished as a result. Although not visible from a public place, the resultant dwelling would be visible from neighbouring properties and their gardens. The proposal would be likely to reduce the appreciation nearby occupiers have of the attractive environment within which they live.
8. The appellant has drawn my attention to several developments within the vicinity of the site, and others further afield. The context for each development did vary significantly and consequently, and I was not able to make any direct comparisons with the appeal proposal. I saw nothing to persuade me that the appeal proposal is acceptable in this case. Accordingly, I can only attach very limited weight to these examples in my consideration of this appeal. Each planning application and appeal is determined on its merits.
9. In light of the above, I conclude that the design of the proposal would be harmful to the character and appearance of the host property, and the local area contrary to Policy PG3 of the Birmingham Plan 2031 Birmingham Development Plan, and saved paragraphs 3.14 C – D of the Birmingham Plan, Birmingham Unitary Development Plan 2005, which amongst other matters seeks developments that demonstrate high design quality, are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment. Moreover, the proposal conflicts with the design guidance within the Home Extension Design Guide Supplementary Planning Document - March 2007 which requires extensions to compliment the scale and style of the existing dwelling. These policies and guidance are in broad conformity with the National Planning Policy Framework which sets out that good design is a key aspect of sustainable development, and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
10. I acknowledge that the appellant has tried to work with the Council in addressing its concerns particular with regard to overlooking issues in the design of the proposal. The absence of harm to nearby occupiers' living conditions however carries neutral weight in this case.

11. I note that the appellant has concern that the property has limited thermal insulation in the walls and roof space and uses single glazing and that the extension and refurbishment of the property would provide an opportunity to increase the thermal performance of the building to modern standards. However, it is likely that this could be achieved using methods which do not require the proposed development. This matter does not outweigh the harm to that I have identified above.

Conclusion and Recommendation

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

J Gunn

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.

RC Kirby

INSPECTOR