
Appeal Decision

Site visit made on 18 March 2020

by Christa Masters MA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th April 2020

Appeal Ref: APP/P4605/D/19/3241623

11 Merrishaw Road, Birmingham B31 3SL

- 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 David Charles Clarke against the decision of Birmingham City Council.
 - The application Ref 2019/06108/PA, dated 19 July 2019, was refused by notice dated 4 October 2019.
 - The development proposed is single story front and side elevation. Extending out 1.5 metres with hip roof.
-

Decision

1. The appeal is allowed and planning permission is granted for single story front and side elevation. Extending out 1.5 metres with hip roof at 11 Merrishaw Road, Birmingham B31 3SL in accordance with the terms of the application, Ref 2019/06108/PA, dated 19 July 2019, and the plan submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: DC/2018/01 rev 02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. I have taken the appellant's name from the appeal form. I have also used the description of development as it appears on the application form.

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a semi-detached dwelling located in an established residential area. The properties are generally uniform in appearance, however there are a number of existing residential extensions of varying designs and styles in the area which all contribute to the local character.

5. The proposed extension would extend 1.5m to the front of the property and along the side return. The Council's concern relates specifically to the design of the extension which the Council consider would create an overly dominant and incongruous feature. From what I saw on the site visit and as set out on the plan before me, the proposal would be proportionate in scale and form to the host property. It would be subservient to the scale of the original dwelling. The extension would provide a primary and secondary means of access to the property and the fenestration detailing proposed would ensure that the main access to the property is legible in the overall street scene. Taking into account these design features, as well as the distance the property is set back from the public footpath, I am of the view that the proposal would also maintain the character and appearance of the area. As a result, I am unable to conclude that the proposal would have a materially harmful effect on the host property or the street scene generally.
6. I therefore conclude that the proposal would accord with policy 3.14C-3.14D of the Birmingham Unitary Development Plan (UDP) 2005 as well as policy PG3 of the Birmingham Development Plan (BDP) 2017 which seek to, amongst other things, ensure that the scale and design of the proposal respects the surrounding area. For the same reasons, the proposal would also accord with the Supplementary Planning Document (SPD) Home extensions design guide, March 2007 which requires, amongst other things, that proposals respect the appearance of the local area as well as taking into account the style, character and appearance of the original dwelling.

Other Matters

7. A third party has raised a concern in relation to the effect of the proposal on the living conditions of the occupiers of a neighbouring property. The Council have concluded that the proposal would conform with the 45-degree design code as specified within the Council's SPD document and I can see no reason to reach a different conclusion on this matter.

Conditions

8. I have reviewed the suggested conditions put forward by the Council. I shall specify the approved plan for the avoidance of doubt and in the interests of proper planning. A condition requiring the materials to match those used on the existing building is also necessary and reasonable in the interest of the character and appearance of the area.

Conclusion

9. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed, and planning permission granted.

Christa Masters

Inspector