
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: 28th April 2020

Appeal Ref: APP/P4605/W/19/3232977

927A Queslett Road, Great Barr, Birmingham, B43 7DT

- 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 Allied Securities Limited against the decision of Birmingham City Council.
 - The application Ref 2019/02101/PA, dated 27 February 2019, was refused by notice dated 13 June 2019.
 - The development proposed is extension to retail space groundfloor creation of additional one bed dwelling first floor.
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Decision

1. The appeal is allowed and planning permission is granted for extension to retail space groundfloor creation of additional one bed dwelling first floor at 927A Queslett Road, Great Barr, Birmingham, B43 7DT in accordance with the terms of the application, Ref 2019/02101/PA, dated 27 February 2019 and the plans 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 approved plans listed: 30697 proposed floor plan and elevations, 30697 site and location plan.
 - 3) Prior to the occupation of the premises, a scheme of noise insulation between the commercial and residential premises shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the building and thereafter maintained.
 - 4) The use hereby approved shall only take place between the hours of 0900 - 1730 Monday to Saturday.
 - 5) No deliveries shall be taken at or dispatched from the site outside the hours of 0800 - 1700 Monday to Saturday.

Main Issue

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

Reasons

3. The appeal site comprises a corner plot adjoining a parade of shops at the junction of Queslett Road and Brockwell Road. The plot is set back from the

- road by some distance and is screened in part by an advertising hoarding. The parade itself comprises six retail units and is generally uniform in appearance.
4. The Council have expressed concerns that the extension proposed would create an unbalanced street scene. From what I saw on the site visit, the extension would be proportionate in scale and form to the existing parade. The scale of the proposed extension and siting would be in keeping with the remainder of the terrace and the retention of the existing building line to the front would ensure that there would be no harm to the overall street scene. Whilst I accept that the central gable feature referred to by the Council is a feature of the retail terrace overall, the roof form of the proposal before me would not detract from this central feature.
 5. In terms of the effect of the proposal on the building line fronting Brockwell Road, the corner of the plot is well screened by the advertisement hoarding and is physically separated from the established building line of Brockwell Road. As a result, the scale and proportion of the building would mean that the proposal would cause no harm to this building line.
 6. I therefore conclude that the proposal would accord with policy 3.14-3.14D of the Birmingham Unitary Development Plan (UDP) 2005 as well as policy PG3 of the Birmingham Development Plan (BDP) 2017 which seeks to, amongst other things, ensure a high standard of design. For the same reason, the proposal would also accord with Supplementary Planning Documents in the form of Places for All and Places for living.

Conditions

7. I have reviewed the suggested conditions put forward by the Council. I shall specify the approved plans for the avoidance of doubt and in the interests of proper planning. A condition suggesting the submission of details of a noise insulation scheme has been put forward by the Council. I am satisfied that such a condition is necessary and reasonable however, I have amended the wording put forward by the Council as I have no evidence before me in relation to dB restrictions, acoustic ventilation restrictions or plant and machinery.
8. The Council have also suggested a condition in relation to the opening hours of the commercial unit. I have amended these to accord with the opening hours as specified by the applicant on the application form as these are reasonable. The suggested delivery time restrictions are also considered to be reasonable and necessary.

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