



Appeal Decision

Site visit made on 2 June 2020

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2020

Appeal Ref: APP/Q4625/D/20/3244099

28 Woodford Avenue, Castle Bromwich, Solihull B36 9BG

- 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 Yahya Khan against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/02585/PPFL, dated 5 October 2019, was refused by notice dated 2 December 2019.
 - The development proposed is first floor side and dormer roof extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council, in its decision notice, includes reference to its Supplementary Planning Document: House Extension Guidance (February 2010) (the SPD). I have afforded some weight to that document due to its role in supporting the relevant development plan policies.

Main Issue

3. The main issue is the effect of the proposed side extension on the character and appearance of the surrounding area.

Reasons

Main issue

4. The proposed side extension would, like the existing ground floor, extend very close to the side boundary with No 30 Woodford Avenue and its side garage which itself is very close to that boundary. There is therefore only a small gap between the adjacent garages of Nos 28 and 30, particularly at the front, as is the case with other neighbouring properties on the same bend in the road. The width of the gap at first floor level between Nos 28 and 30, as seen from the street, is therefore very similar to the combined width of the two garages. Similar first floor gaps exist between the other semi-pairs of dwellings on the appeal site side of Woodford Avenue in the vicinity.
5. As No 30 does not have a similar first floor side extension to that proposed, the proposal would therefore not be so close to the side of the first floor of No 30 as to cause a terracing effect. Furthermore, were a planning application submitted in the future for such an extension to No 30 it would have to be considered on its merits by the Council.

6. Nevertheless, due to the relationship between Nos 28 and 30 referred to above, the proposed side extension would significantly and noticeably reduce the gap between the two properties at first floor level. This would stand out in the context of Woodford Avenue's streetscene in the vicinity of the site which, particularly on the side of the appeal property, is distinctly characterised by those similar wider gaps above both garages of adjacent semi-pairs of dwellings referred to above. Those existing gaps, between similarly designed semi-pairs of dwellings, create a pleasant degree of uniformity, rhythm and sense of spaciousness within the streetscene, which the proposal would break. That gap reduction would also be clearly apparent when viewed along the street from the approaches to the site, due to the proposed extension being set back only by a fairly small amount from the main front elevation of the house. For these reasons, the proposed first floor side extension would have a significantly jarring effect within the streetscene.
7. Whether or not other homeowners in the vicinity, with or without existing gaps between their properties at ground floor level, were to decide to apply for planning permission for a first floor side extension is not a matter for speculation in my consideration of this appeal on its own merits. Furthermore, where there are larger existing gaps between other dwellings in the vicinity than is the case with Nos 28 and 30, I cannot speculate as to whether or not any future proposals for side extensions to those properties would harmfully detract from the character and appearance of the surrounding area.
8. There are a small number of other properties in the wider similarly designed estate, as identified by the Appellant, that have been extended to the side at first floor level which I saw. However, their circumstances in terms of the relationship to neighbouring properties, design or location within the particular street are different to those relating to the appeal proposal. They are also very much in the minority within the estate. As such, regardless of the planning circumstances under which they may have been considered by the Council, those other extended properties have not fundamentally changed the character and appearance of the estate, including Woodford Avenue itself.
9. Some of those other properties referred to by the Appellant as having gained planning permission for two storey side extensions, including one in Woodford Avenue (No 38), remain to be built. As I have also not received details of those proposals, I am therefore unable to make a comparison with the proposed appeal scheme and so have afforded little weight to such permissions.
10. The Appellant refers to different and less restrictive policies applying to the nearby adjacent planning authority. However, I have determined this appeal on its merits taking account of the policies and guidance applicable to this case.
11. Due to the proposed first floor set back of the front elevation from that of the main house and the set down from the main ridgeline, the proposal would have a degree of subservience to the existing host dwelling. However, that would not mitigate the harm I have otherwise found would be caused in respect of the reduced first floor gap between Nos 28 and 30.
12. For the above reasons, the proposed side extension would cause unacceptable harm to the character and appearance of the surrounding area. As such, it would be contrary to policy P15 of the Solihull Local Plan – Shaping a Sustainable Future (December 2013) and the SPD which together, amongst

other things, require development proposals to conserve and enhance local character, distinctiveness and streetscene quality and to ensure that they respect the surrounding built environment.

Other matter

13. The Appellant claims that the Council has acted inconsistently compared with the decisions taken on planning applications for other two storey side extensions on the estate. However, I have considered this appeal on its own merits taking account of all the evidence submitted and my observations.

Conclusion

14. I acknowledge the benefit of extending dwellings to accommodate growing families. However, that does not outweigh the unacceptable harm I have found would be caused by the proposed side extension to the character and appearance of the surrounding area.
15. Therefore, for the above reasons, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR