



Appeal Decision

Site visit made on 15 May 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2020

Appeal Ref: APP/P4605/W/20/3244601

664 King Edwards Wharf, King Edwards Drive, Birmingham B16 8FX

- 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 K Goodchild against the decision of Birmingham City Council.
 - The application Ref 2019/04011/PA, dated 10 May 2019, was refused by notice dated 10 July 2019.
 - The development proposed is roof conservatory and new staircase to upper roof terrace.
-

Decision

1. The appeal is allowed and planning permission is granted for roof conservatory and new staircase to upper roof terrace at 664 King Edwards Wharf, King Edwards Drive, Birmingham B16 8FX in accordance with the terms of the application, Ref 2019/04011/PA, dated 10 May 2019, and the plans submitted with it, subject to the following conditions:
 - 1) the development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) the development hereby permitted shall be carried out in accordance with the approved plans, Ref: 1868-P-01, 1868-P-02, 1868-P-03, 1868-P-04 and 1868-P-05.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located on King Edwards Drive and adjacent to the Birmingham Canal Old Line. The area is characterised by large high rise buildings, with most upper floors appearing to be in residential use. During the site visit it was apparent several buildings exhibit rooftop or otherwise elevated features. Namely decked areas with glazing, conservatories and stairways. This was particularly evident at the opposite end of the same building subject to the appeal. Standing on King Edwards Drive, and looking in a south westerly direction, the appeal site is positioned in the foreground and can be viewed in context against a backdrop of buildings. They all show differences in appearance, each using variations of brick, render, metal, glass and wood construction. Consequently, although buildings have a similar basic form, there is established variation in details of appearance.

4. The development would introduce features not dissimilar to other examples in the immediate vicinity. The design and siting of the conservatory makes use of the roof top void and does not go beyond the scale of flanking structures, thereby assimilating with the existing built form to mitigate any perception bulk. The roof top glazing and spiral staircase are sufficiently modest in scale, whilst their lightweight construction preserves the fundamental appearance of the building's roofscape. In essence, the development duplicates (both in terms of materials and scale) much of the existing rooftop features on the opposite end of the same building. This creates symmetry, resulting in a balanced built form. The varied appearance of the area means the receiving environment is generally more tolerant of modest changes to a building's design, which further reinforces the development's acceptability.
5. The Roundhouse is a Grade II listed building located to the north west of the site. Intervening structures and differences in scale mean it is not viewed in the same context as the development. Consequently, neither the listed building nor its setting would be affected.
6. Overall, the development preserves the character and appearance of the area and in doing so complies with Policy PG3 of the Birmingham Development Plan 2017 and saved Paragraphs 3.14C and 3.14D of the Birmingham Unitary Development Plan 2005. Among other things, the policies aim to secure good urban design that reinforces local distinctiveness.

Conditions

7. The council did not put forward suggested conditions. However, a number of conditions are necessary. The standard conditions setting out the time limit for implementation, and requiring compliance with the approved plans are necessary to provide certainty. The Canal and River Trust's comments have been considered but given the minimal scale of development a condition securing a Construction and Environmental Management Plan is not necessary.

Conclusion

8. For these reasons, the appeal is allowed, and planning permission is granted subject to conditions.

Liam Page

INSPECTOR