



Appeal Decision

Site visit made on 21 July 2020

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2020

Appeal Ref: APP/Q4625/D/20/3249815

11 Chadbury Croft, Hillfield, Solihull B91 3UY

- 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 and Mrs V Garikapati against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2020/00025/MINFHO, dated 6 January 2020, was refused by notice dated 20 March 2020.
 - The development proposed is single and 2 storey extensions to dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the living conditions of the neighbouring properties No. 9 and No. 15 Chadbury Croft with specific reference to outlook and light.

Reasons

3. No. 11 Chadbury Croft is a 2 storey detached dwelling which sits in a cul de sac location. No. 11 and the neighbouring property, No. 15, stand slightly back from No. 9 Chadbury Croft on a curved building line.
4. The proposed rear extension would be the full width of the dwelling. The extension would be close to the boundaries of both neighbouring properties and project a notable amount beyond the rear elevation of both dwellings.
5. The scale of the development and its location in relation to the position of the neighbouring properties would mean that it would breach the 45 degree line referred to in the Council's House Extension Guidelines Supplementary Planning Document (SPD). Given the overall scale, mass and proximity of the development to the boundaries with the neighbouring properties, it would also appear overbearing when viewed from the habitable rooms at the rear of No. 9 and No. 15.
6. The appellant has made reference to a Council decision on another site in support of their case. I do not know the full details of that case. However, it is in a different location where the circumstances are likely to be different. In any event, each case is determined on its own merits and my assessment is based on the information before me.

7. Despite the amendments to the scheme prior to its determination by the Council, the development would harm the living conditions of the neighbouring properties. As such it would conflict with Policy P14 of the Solihull Local Plan which requires new development to, amongst other things, protect and enhance the amenity of existing occupiers of houses. It would also conflict with the relevant parts of the SPD.

Conclusion

8. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR