The Planning Inspectorate

Appeal Decision

Site Visit made on 20 October 2020 by S Watson BA(Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2021

Appeal Ref: APP/Q4625/D/20/3257514
224 Station Road, Balsall Common, Solihull, CV7 7EE

- 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 Stephan Jones against the decision of Solihull Metropolitan Borough Council.
- The application Ref PL/2020/00574/MINFHO, dated 9 March 2020, was refused by notice dated 25 May 2020.
- The development proposed is to erect detached garden shed.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was carried out by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The appellant's description of proposed works is lengthy and contains superfluous information, including describing the site and the merits of the proposal. I note that the Council described the proposal as set out in the banner above and as this is more concise and accurate, and as both parties have used this description, neither would be prejudiced by my use of it also.

4. The appellant points to policies and guidance mentioned in the Council's decision notice which he considers the proposal complies with. My reading of the notice is that those referred to on page 2 are policies and guidance that the proposal was assessed against and it is clear from the refusal reason that the Council considered that there was no conflict with Policy P14 relating to amenity or Policy B3 of the Berkswell Parish Neighbourhood Development Plan 2019. Accordingly, these policies have not been determinative in this case.

5. While a copy of the Council's delegated report may not have been available on the Council's website, a copy was provided with the Council's appeal documents. The appellant was given the opportunity to comment on the delegated report and as such I find the appellant's case has not been prejudiced by this.

Main Issue

6. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

7. The appeal site contains a detached dwelling which is set at the back of the plot but fronts on to Station Road. The street scene is predominantly open, and I did not notice, during my visit, any buildings within the surrounding front gardens.

8. The proposed shed would be located forward of the building line in an open and prominent position close to the back of the pavement. Whilst it would be behind a hedge, the section of hedgerow around the proposal is young and provides only limited screening. It would likely take some time for this to mature and provide effective screening and, nevertheless, could easily die or be removed, so cannot be relied upon to screen the proposal. Given its prominent siting the shed would be an intrusive, alien feature in an otherwise open street scene.

9. I also noted during my site visit that there were two existing sheds serving the site. Given these sheds, the scale of the garden, and the lack of substantive evidence to the contrary, I find it unlikely that a further building would be required to support the upkeep of the garden as alleged. I acknowledge that due to the siting of the house it would not be practical to erect a shed behind the property. These matters do not provide justification for the new shed.

10. In light of the above I conclude that the proposed development would be an intrusive and prominent feature which would be harmful to the character and appearance of the surrounding area. As such it would conflict with Policy P15 of the Solihull Local Plan which expects development to achieve good quality design and conserve the quality of the streetscape. The proposal would also conflict with the guidance, on the siting of garages and detached buildings set out in the House Extension Guidelines supplementary planning document, as well as the design requirements of Paragraph 127 of the National Planning Policy Framework, which amongst other matters seeks to ensure that developments are sympathetic to local character, including the surrounding built environment.

Recommendation

11. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

R C Kirby

INSPECTOR