



Appeal Decision

Site visit made on 9 November 2021 by A J Sutton BA (Hons) DipTP MRTPI

by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/P4605/D/21/3279209

2 Metchley Park Road, Birmingham, B15 2PG

- 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 Gurmail Gakhal against the decision of Birmingham City Council.
 - The application Ref 2021/04196/PA, dated 8 May 2021, was refused by notice dated 2 July 2021.
 - The development proposed is described as 'Proposed new outbuilding and new boundary wall and gates.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

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

Preliminary Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have had the opportunity to make submissions on this matter, but no substantive comments were made. I have determined the appeal in accordance with the revised Framework.

Main Issues

4. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the safety of road users and pedestrians using Metchley Park Road.

Reasons for Recommendation

Character and Appearance

5. The appeal property is a detached dwelling in a prominent corner location. The street and its immediate surroundings are characterised by large, detached dwellings facing, and set back from the road, with strong boundary walls and

hedges and open access to front drives. The mature vegetation in gardens and in the street contributes to a sense of space and openness in the area.

6. The appeal property differs somewhat to other properties on the Metchley Park Road due to its corner plot and the extended private garden space to the side. However, I saw that the plan form of the dwelling and development layout in the plot is similar to neighbouring properties, and in combination with such features as its double integrated garage and ungated access it is generally consistent with the distinct character of this spacious suburban area.
7. The proposed high, double panel gates would be supported by tall brick piers. When conjoined with the existing high hedge and fence, this would create a solid boundary along the entire front of the property. In this respect it would appear an incongruous addition in a street generally defined by ungated accesses. Moreover, the solidity of the gates and height of the bulky piers would result in a greater sense of enclosure than is apparent at the only other gated access close to the appeal property, at No 8. Consequently, it would appear a distinctly uncharacteristic feature in this prominent part of the street scene. This harmful erosion of the street's spacious character would be partially screened by the hedge from certain vantage points, but the unsympathetic addition would fail to retain an existing consistent feature and the open texture of the area.
8. The proposed double garage and outbuilding would be single storey, which would be less visually impactful than the previously refused outbuilding which was two storeys.¹ However, it would extend a significant length along the front boundary of the appeal property. Furthermore, although the main bulk of the building would be screened by the hedge and fence, a significant proportion of the large mass and full length of the roof plane would be visible above the boundary treatment. The proposal would result in an uncharacteristic pattern of development and plot layout in an area where garages are generally integrated, and outbuildings do not sit significantly forward of dwellings. The large, incongruous feature and resultant inconsistent pattern of development would be visible from numerous vantage points, in particular at the nearby roundabout and where the land rises at the junction of Somerset Road.
9. I therefore conclude that the proposal would be out of keeping and would harm the character and appearance of the area. It would conflict with policy PG3 of the Birmingham Development Plan (Development Plan) and Paragraph 3.14C-D of the Birmingham Unitary Development Plan (UDP) and guidance set out in the Extending your Home Supplementary Planning Document, which amongst other matters collectively state that all new development will be expected to demonstrate high design quality contributing to a strong sense of place. It would also be inconsistent with the design policies of the Framework.

Highways Safety

10. The host property has access on to a straight stretch of Metchley Park Road, close to a roundabout which is an intersection of four residential roads. There is a school located on Somerset Road, close to the appeal property. Although the flow of traffic on the road appeared steady at the time of the site visit, given the proximity to an intersection which provides access to a number of local routes, and the surrounding land-uses, the section of road near the appeal

¹ Ref 2020/06963/PA

property is likely to be busy with pedestrians and road users at peak times, particularly during school drop off and pick up.

11. The proposed gates would be set into the site. However, this set back would be insufficient to allow vehicles turning into the drive to be clear of the highway whilst opening and closing the gates. It would result in vehicles blocking the pavement and protruding into the carriageway. This would periodically affect the free movement of vehicles exiting the roundabout and pedestrians using the pavement immediately near the access of No 2. In this regard the scheme would introduce a significant increase in the potential for conflict between road users and pedestrians that could result in crashes or injuries close to the road intersection and at the front of No 2.
12. The appellant has offered to alter the position of the gate. However, no plans have been submitted as part of this appeal to allow consideration of this matter. Therefore, this matter has not informed this recommendation.
13. I therefore conclude that the proposal would have a harmful effect on the safety of road users and pedestrians using Metchley Park Road. It would conflict with policies PG3 and TP44 of the Development Plan which collectively promote the efficient, effective, and safe use of the transport network. It would also be contrary to policies of the Framework which require development to provide safe and suitable access to the site for all users.

Conclusion and Recommendation

14. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be dismissed

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore dismissed.

RC Kirby

INSPECTOR