
Appeal Decision

Site visit made on 11 October 2021 by A J Sutton BA (Hons) DipTP MRTPI

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2021

Appeal Ref: APP/Q4625/D/21/3276072

62 Chester Road, Castle Bromwich, Solihull, B36 9BU

- 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 Nazakat Ali against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2021/00018/MINFHO, dated 4 January 2021, was refused by notice dated 12 May 2021.
 - The development proposed is described as 'Erection of single storey rear, side and forward extensions. Two storey side extension and detached outbuilding to rear.'
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of single storey rear, side and forward extensions, two storey side extension and detached outbuilding to rear, at 62 Chester Road, Castle Bromwich, Solihull, B36 9BU, in accordance with the terms of the application, Ref PL/2021/00018/MINFHO, dated 12 May 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location Plan Drawing No. 001 Rev A, Proposal Plans Drawing No. 002 Rev A and Proposed Building Plans Drawing No. 003.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling and maintained as such thereafter.
 - 4) The first-floor side elevation window, in the development hereby permitted, shall be fitted with obscured glazing and contain no opening and retained as such thereafter.

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.

Application for Costs

3. An application for costs was made by Mr Nazakat Ali against Solihull Metropolitan Borough Council. This application is subject of a separate Decision.

Preliminary Matters

4. 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.
5. I have made a minor amendment to the description of development in this decision in the interest of clarity.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons for Recommendation

7. The appeal property is a semi-detached dwelling set well back from the Chester Road, and in a prominent elevated position in the street. It is in a line of mainly detached mid 20th Century properties. Although individual in detail, they are unified by their architectural style which is typical of this period. This positively characterises this mature suburb.
8. The Framework states that the creation of high quality, beautiful places is fundamental to what the planning and development process should achieve, and it identifies good design as a key aspect of sustainable development. Decisions should ensure, amongst other matters, that developments are visually attractive as a result of good architecture and are sympathetic to local character.
9. The proposed single storey rear extension would be modest in depth and height. It would therefore not appear a disproportionate or incongruous addition to the host dwelling at this aspect of the property.
10. The proposed two-storey side extension would be set well below the main ridge of the roof. It would, as a result, not compete with the front gable protrusion and would appear subservient to the original dwelling when viewed from the street. The unusual double gable profile of the side extension would be largely screened by the form of No 64. The proposed hipped roof at the front would be sympathetic to the design aesthetic of the property and would also partially screen the blocky edge of the rear loft extension. Consequently, the proposed design would be respectful of the architectural style of the dwelling and would not harm the appearance of the host property.
11. The side extension would match the footprint of the existing garage. It would also roughly match that of No 60 which has already been extended to the side. In this regard the proposal would not unbalance any existing symmetry with this dwelling.

12. The proposal would increase the volume and footprint of the dwelling. However, most of the driveway and space to the front of the property would be retained and there would also be a reasonable proportion of rear garden space. Therefore, the development would not harmfully alter the locally distinct existing plan form and layout of the property and would not appear an overdevelopment of the plot. Moreover, the resultant dwelling, with at least five bedrooms, would be similar in scale and mass to surrounding large dwellings and in this respect would not be out of keeping with the character of the area.
13. I therefore conclude that the proposal would be a sympathetic design which would not have a harmful effect on the character and appearance of the host property and the area. It would not therefore conflict with policy P15 of the Solihull Local Plan 2013, which amongst other matters, requires that all development proposals will be expected to achieve good quality, inclusive and sustainable design. It would also be consistent with design policies of the Framework.

Other Matters

14. The rear building line of No 64 is stepped back from that of No 62 and I also saw that the properties are divided by a high fence at this boundary.
15. The rear single-storey extension would be stepped in a considerable distance from the shared boundary with No 64. Therefore, it would not appear overbearing to occupants of No 64 when they are in rear habitable rooms of their property or when they use their rear garden. The favourable aspect of the dwellings would also ensure that this element of the proposal, would not result in a harmful loss of light in these parts of No 64.
16. The two-storey side extension would be close to the shared boundary with No 64, but it would not extend beyond the footprint of the existing side elevation of No 62 at the rear. The outlook from rear windows of No 64 would therefore not be significantly changed. Furthermore, the only window at this proposed elevation would have obscured glazing. Therefore, the occupants of No 64 would not experience a loss of privacy when using their rear garden or when in rear rooms of their house.
17. The proposed outbuilding would be sizeable. However, it would be set well away from both side boundaries and the single storey form would be substantially screened by the high boundary fences. It would also not be out of character, in terms of size and design, with other outbuildings observed in the area. It would be positioned at the end of the rear garden so that it would not block light from reaching rear habitable rooms of neighbouring properties. Moreover, similar to other nearby properties, such an addition would be for incidental use associated with the dwelling and I find no compelling evidence that its presence would result in anti-social behaviour.
18. The proposal would retain a garage and would not substantially encroach into the front driveway. Therefore, there appears to be adequate off-street parking provision for the resultant large family dwelling.
19. I observe no evidence that the proposal would result in harm to significant trees in the area. This matter has therefore not been a determinative factor.

20. Any harm arising from the existing loft extension at the appeal property is a matter outside the scope of this appeal and has not informed this recommendation for this reason.
21. Planning permission would be required for a change of use to a care home. The proposal before me comprises an extension to a dwelling and my recommendation is limited to the proposal submitted. This matter is therefore not relevant to this appeal.
22. Proposals are considered on their own merits. I note the proximity of the Conservation Area and am content that the appeal property is sufficiently distant from the designated heritage asset so that the proposal would not cause it harm. I find in this case that the proposal would not be harmful in its immediate area and would be compliant with Local Plan policies in respect to design. Allowing this appeal would therefore not provide justification for future harmful proposals in the area and this matter has not been decisive in this appeal.

Conditions

23. In addition to the statutory requirement time limiting the consent, conditions requiring that the development must accord with the approved plans and controlling materials to be used are necessary in the interest of certainty and to protect the character and appearance of the area. A condition requiring obscured glazing with no opening at the window on the side elevation is also necessary to protect the privacy of occupiers of the neighbouring properties. I have slightly altered the suggested wording of this condition, so it is more precise.
24. The Council suggested a condition limiting the use of the outbuilding to ancillary to the enjoyment of the house. Such a condition is not necessary because if the building was used for other purposes to this, it is likely that a separate planning permission would be required. Accordingly, I have not imposed the suggested condition.

Conclusion and Recommendation

25. 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 allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

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

Zoe Raygen

INSPECTOR