



Appeal Decision

Site visit made on 18 January 2022

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2022

Appeal Ref: APP/Q4625/W/21/3277781

14 Spring Lane, Hockley Heath, Solihull B94 6QX

- 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 D Skinner against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2021/00496/PPFL, dated 12 February 2021, was refused by notice dated 17 June 2021.
 - The development proposed is described as the demolition of existing dwelling and replacement with two additional dwellings.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a detached single storey dwelling. This building is typical of the development in the immediate area, the street scene of which is generally characterised by evenly spaced single storey dwellings with small gaps in between. Dwellings are set back from the highway with parking and/or garden area to the front giving the area a spacious character. Although some dwellings have been altered over time with the addition of porches and garages, these are modest in scale and single storey. The appeal site is located close to a bend in the road where two storey dwellings begin. The appeal site also comprises the side gardens between No 14 and No 16 Spring Lane which contribute to the spacious character and provides a visual and physical separation between the single storey and two storey dwellings.
4. The proposed development would see the removal of the existing single storey dwelling and the construction of three two-storey detached dwellings. This would noticeably reduce the spacious feel to this area, filling the gap between the single storey and two storey buildings which contributes positively to the character and appearance of the area. This would upset the pleasant rhythm and balance of this part of Spring Lane. It would accordingly result in a cramped appearance to the street scene and thus be harmful to the character and appearance of the area.
5. As such, it would conflict with Policies P5 and P15 of the Solihull Local Plan (2013) which seek, amongst other things, to ensure that development

conserves and enhances local character, distinctiveness, and streetscape quality. The proposal also conflicts with paragraph 130 of the National Planning Policy Framework (the Framework) which seeks good design sympathetic to local character.

Other Matters

6. I note the comments in the appellant's submission regarding the technical difficulties faced during the application's presentation to Committee. However, this is a matter for the Council and does not have a bearing on the consideration of the appeal.

Planning Balance

7. The Council is unable to demonstrate the supply of housing required by the Framework. In this situation, paragraph 11 of the Framework sets out that the most important policies should be considered out of date and, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
8. The development would give rise to harm to the character and appearance of the area. I would ascribe this harm substantial weight as it would be wide ranging and long lasting.
9. The proposal would provide employment through the construction phase which, by its nature, would be a short lived benefit. Further modest benefits would result from the additional support to the vitality of the local community from the future occupiers of the dwellings. The dwellings would make a very modest contribution to the supply of housing towards helping to address the Council's shortfall.
10. Taking these benefits together, and for the reasons I have given, I would afford them limited weight. As such, the adverse impact of granting permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development for which the presumption in favour applies.

Conclusion

11. For the above reasons, there are no relevant material considerations, including the approach of the Framework, that are worthy of sufficient weight that would indicate a decision otherwise in accordance with the development plan. It is for this reason that the appeal should be dismissed.

Tamsin Law

INSPECTOR