

# Appeal Decision

Site visit made on 23 May 2022 by T Bennett BA (Hons) MSc

## **Decision by Martin Seaton BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 July 2022**

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### **Appeal Ref: APP/P4605/D/22/3295293**

#### **207 Southgate Road, Birmingham, B44 9AH**

- 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 Shazad Iqbal against the decision of Birmingham City Council.
  - The application Ref 2021/09909/PA, dated 18 November 2021, was refused by notice dated 14 January 2022.
  - The development proposed is for the erection of single storey side extension.
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### **Decision**

1. The appeal is allowed and planning permission is granted for the erection of single storey side extension at 207 Southgate Road, Birmingham, B44 9AH in accordance with the terms of the application, Ref 2021/09909/PA, dated 18 November 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin no 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 Location Plan, Block Plan, Proposed layout 1281/01 and Proposed elevations 1281/02.
  - 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 host dwelling.

### **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.

### **Main Issue**

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and street scene.

### **Reasons for the Recommendation**

4. The appeal site comprises a two storey semi-detached property that has previously benefitted from a two storey side extension. The site sits within an established residential area in a prominent corner position at the junction of Southgate Road and Oscott School Lane. The area is characterised by red brick semi-detached properties similar to the appeal property, many having previously had various forms of side extensions.

5. The large corner plot of the appeal property is of a size more generous than the majority of other plots in the street scene, and is capable of accommodating the additional single storey side extension. This would lead to the property occupying the full width of its plot whilst continuing the front building line of the host property, characteristic of most properties that have had extensions in the vicinity.
6. The combination of the corner plot and set back position of the property from the street reduces the perceived scale and size of the front elevation, with the existing boundary treatment providing some limited visual mitigation. In this context, the development would not appear prominent, cramped or as an overdevelopment of the site. I also find that the use of materials to match those on the existing building would assist in assimilating the extension with the host property.
7. The Council state that the proposal would further detrimentally unbalance the pair of semi-detached properties. However, to the contrary the proposal would provide an element of visual balance to the combined properties as the adjoining property already has a single storey side extension. Furthermore, on my site visit I saw several examples of side extensions which were different to those on the adjoining property. In this context it would not appear incongruous or harmful to the street scene or host property.
8. I acknowledge that the proposal would be sited forward of the building line of the properties on Southgate Road, and therefore in this regard would not accord with the Extending Your Home, Home Design Guide Supplementary Planning Document (2007) (SPD). However, I am mindful that the SPD provides guidance only and the building line has already been impacted by the previous two storey side extension. Furthermore, despite coming forward of the building line, the open character of the junction would be retained. This is due to the angled relationship the appeal property has with the properties on Southgate Road, along with the single storey nature of the proposal which would sit lower than those properties to the rear.
9. For the reasons above, the proposed development would not cause harm to the character and appearance of the host dwelling and street scene. It would therefore accord with policy PG3 of the Birmingham Development Plan (2017) which requires development to respond to the site conditions and the local area context. It would also accord with the National Planning Policy Frameworks core planning principles of always seeking to secure high quality design. The proposed development would also comply with the general principle of the SPD which is to encourage development that is respectful to its surroundings and host property.
10. The Council suggested that the proposed development would be contrary to policy DM2 of the Development Management in Birmingham Plan (2021). However, as this policy relates to amenity, it is not considered pertinent to the main issue addressed within this decision and consequently has not been determinative in this appeal.

### **Other Matters**

11. No concerns were raised by the Council in relation to the living conditions of the occupiers of neighbouring properties regarding loss of light, outlook and

privacy. From the evidence before me and my observations on site, I have no reason to disagree with this conclusion.

12. The Council in their decision report refer to a similar scheme that was refused but I do not have any further details of this application. In any case, I have determined the appeal on its own merits based on the evidence before me.

### **Conditions**

13. In addition to the standard conditions requiring a time limit for commencement of development and adherence to the approved plans, the Council has suggested a condition requiring the use of materials to match the existing building. In the interests of preserving the character and appearance of the host property and street scene, this condition is necessary.

### **Conclusion and Recommendation**

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed and planning permission granted subject to the conditions listed above.

*T Bennett*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and subject to the conditions as listed, the appeal is allowed.

*Martin Seaton*

INSPECTOR