



Appeal Decision

Site visit made on 6 September 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 29th September 2022

Appeal Ref: APP/Q4625/D/22/3301334
100 Grange Road, Olton, Solihull B91 1DA

- 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 Osman Aslam against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2022/00246/MINFHO dated 9 February 2022, was refused by notice dated 17 May 2022.
 - The application is for two storey rear extension and front extension with internal reconfiguration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the impact of the proposal upon the character and appearance of the area and the impact of the proposal upon the living conditions of neighbours.

Reasons

3. The appeal property is a detached house of late 20th century suburban design located approximately midway along Grange Road. Grange Road runs in roughly an east west direction from St Bernard's Road. St Bernard's Road appears to form something of a spine route through the Olton Conservation Area with Grange Road running at right angles downhill from there. The property is part of a row of modern detached houses that are sited so as to stagger somewhat along the street. Despite this they each have a relatively regular plot width and are set back some distance from the road frontage with foliage, trees and shrubbery providing a softening appearance.
4. The existing property is something of an asymmetrical design with an integral but protruding garage to its left hand side and a mix of materials using off white render and reddish brick. To the side the neighbouring property has seemingly been extended with a simple gable extension that has protruded somewhat in front of the appeal property itself making the appeal site more recessive within its plot. To the opposite side of the property there is a large hedge seemingly marking a small change in level before the hipped roof of the neighbouring property becomes noticeable. To the rear the property has a long garden with a small lean too element to its rear ground floor elevation with other windows facing out towards the lawn.

5. The proposal before me seeks to enlarge the existing house to both front and rear so as to substantially increase the living accommodation within. This would include a large kitchen diner with large windows facing onto the garden and a roof conversion with five pitched roof dormer windows serving an office, bedroom and gym.
6. The design aesthetic of the property would be substantially altered through the introduction of a full height pitched roof glazed atrium feature that would give light into the circulation spaces within and serve all the three storeys of the house. The roof form of the proposed design would be partially pitched to the front and rear but, presumably in order to keep the overall height low, a large area to the top of the roof would be flat.

Impact of the proposal upon the character and appearance of the area

7. The Olton Conservation Area was designated in September 1980 and it appears that the extant Conservation Area Appraisal was last revised in 2005. In considering this appeal I am therefore required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Act is reflected in The National Planning Policy Framework (The Framework), which illustrates the positive contribution that heritage assets can make to the creation of sustainable and economically viable communities.
8. Olton appears to have Medieval origins but much of what makes it distinctive today is its high quality early suburban development that consists primarily of Victorian and Edwardian properties of various scales, from villas to small terraces. Many of the distinctive characteristics are therefore dictated by both the architectural details, materials and quality of these designs as well as a strong influence of the Arts and Crafts movement. Such features as Mock Tudor gables and simple neo vernacular forms utilising simple materials such as red brick and render are therefore common. Although most properties occupy relatively regular plots, these plots are generally well proportioned and heavily and richly landscaped, often using hedges or low walls to demark their frontages.
9. The adopted Conservation Area Appraisal document identifies a major threat to this architectural and historic significance of the area as being through insensitively designed buildings or infill development. I saw on my site visit that the overall character of the area still predominates however despite some newer interventions whose appearance I consider fails to abide to the overall characteristics as identified above.
10. The case before me would result in a series of large extensions that would, perhaps intentionally, contrast with the overall character of the area. Although materials could be conditioned, I consider that the overall scale, height, flat roof and full floor to roof glazed gable would introduce something of a contrived design that would fail in terms of scale or proportion to relate to its surrounding context. Even were the glazed gable feature to be considered a modern interpretation of a traditional gable, it would still fail to respect the fundamentals of quality or proportion that is so important within the more traditional designs nearby.

11. Further to this the proposed flat roof would introduce a large and noticeable roof form that would be largely alien within this context where full pitched or hipped roofs still predominate. As a result, the flat roof would appear as a contrived roof form whose principal purpose appears to me to be to disguise the excessive overall massing of the proposals.
12. Although I consider that there would be numerous ways in which to extend this property, perhaps to a significant degree, that could respond well to the character of the area, I consider that the proposal before me would represent a poor design response to its context and would introduce harm to the character and appearance of the Conservation Area though representing a poor infill development.
13. As a result the proposal before me would introduce harm to the historic environment and would fail to preserve or enhance the character or appearance of the Olton Conservation Area through its largely unresponsive design and overdevelopment of the plot. As such I consider the proposal would be contrary to Policies P15 of the Solihull Local Plan (2013) that seeks to conserve and enhance the character, streetscape and quality of new developments within the built and historic environment.

Impact of the proposals upon the living conditions of neighbours.

14. The proposal would extend the property to a relatively large extent and much of this added structure would run alongside the common boundary with its neighbours. Neighbouring residents at number 98 have raised concerns with regards the impact of the proposal upon their living conditions through both overshadowing and over looking.
15. In considering the impact of the proposed extensions I consider that only a relatively small proportion of the proposed two storey building would protrude beyond the front and rear facades of number 98. The Architect's plans show clearly that the proposed front extension would abide by an approximate 45 degree angle to the neighbour's front window and the first floor rear extension would only slightly protrude beyond the rear building line of the two properties. The rest of the rear extension would be a single storey structure and would therefore have little appreciable impact especially when constructed behind the existing boundary treatment.
16. Nevertheless, I consider that there could be some slight overshadowing of a limited area of rear garden of number 98 on a late summers evening. Similarly, there could be some modest overshadowing of the rear elevation of number 102 Grange Road in the early morning. I consider however that these impacts would be comparable to the existing situation due to the angle of the sun at certain times of year and the orientation of the properties themselves.
17. To the front also the protrusion forward of number 98 may result in some modest impact upon late afternoon sun to rooms here, however any loss of daylight here would be mitigated due to the generally southerly orientation of the properties and the existing hedge. As such I conclude that there would be only very limited impact upon the living conditions of neighbours through loss of sunlight or overshadowing.
18. I note the neighbours concerns regarding overlooking. Whilst I consider it unlikely that such overlooking could occur from the proposed side elevation

windows, most of which would be secondary, I consider that a condition to secure these windows as being obscured glass would suffice in mitigating such an impact. In terms of the potential overlooking from the proposed rear windows, I consider that this situation largely exists already and that the proposal would not result in any added disbenefit to neighbours through this proposal.

19. In considering the effect of the proposal upon the living conditions of neighbours therefore I find such little harm to the current situation so as to lead me to the conclusion that the proposal would comply with Local Plan Policy P14.

Other Matters

20. The Appellant has directed my attention to other such developments of a similar nature within close proximity to this site. The Appellant's appeal statement also outlined several other harmful additions to the Conservation Area that they feel has undermined any special or architectural merit to which the area possesses.
21. I saw on my site visit that the area has seen some development of a similar nature to the scheme before me. I understand that one such property is located within the Conservation Area boundary. However, I have no details before me as to the precise nature of these proposals or the process that lead to this scheme gaining planning approval. As such I can give these examples only limited weight.
22. In terms of the overall quality and character of the area I saw that the Olton Conservation Area does still exhibit a high degree of architectural quality within its historic buildings. Although I saw some less sensitive design that have undoubtedly eroded this significance I do not consider that the presence of such examples justifies the need for more similarly harmful additions that would erode this special character further.

Conclusion

23. Although I have found no harm to the living conditions of neighbours through this proposal that could not be satisfied through an appropriately worded condition, the harm that I have identified to the character and appearance of the area is significant enough to lead me to conclude that the appeal before me should fail.

A Graham

INSPECTOR