



Appeal Decision

Site visit made on 15 November 2022

by Samuel Watson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2022

Appeal Ref: APP/P4605/W/22/3301966

5 Wavenham Close, Birmingham, Sutton Coldfield B74 4NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Daniel Adams against the decision of Birmingham City Council.
 - The application Ref 2022/00817/PA, dated 2 February 2022, was refused by notice dated 30 March 2022.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site is a long plot with a relatively narrow frontage set at a bend in Wavenham Close, it contains a bungalow set back from the road by a parking area. Wavenham Close is characterised primarily by bungalows set closely together along a fairly strong building line. However, the dwellings within the street scene are not uniform, with a variety of architectural styles and rooves. Although there are two-storey dwellings present along Wavenham Close, these are within a short row and are read as a group. While there are also two-storey dwellings on other nearby roads, these are not read in connection with Wavenham Close.
4. The host dwelling has a low-slung gabled roof which results overall in a dwelling that is of a comparable height to the immediately neighbouring dwellings. The proposal would significantly increase the height of the dwelling by way of an additional floor that would raise the proposed eaves to a similar height to the ridgelines of the neighbouring properties. The increased height would also raise the bulk of the dwelling beyond the ground floor, changing its relationship with the bungalows it is read against. The gable ends and partial flat roof, both of which would be visible within the street scene, would further exacerbate the visual bulk of the upper floors above the neighbouring properties. The cumulative height and bulk of the proposed dwelling would be an incongruous and prominent feature within the street scene to the detriment of its character and appearance.

5. Although, as noted above, there are two-storey dwellings on Wavenham Close, these are within a group and consequently, there is a sense of consistency within that row that would not be afforded to the proposal. I am also mindful of the discrepancies between the Council and appellant's measurements of the height of the proposed building, but this does not alter my findings. Similarly, the lack of accommodation within the roof does not alter the harm raised above.
6. Given the varied character and appearance of the dwellings along Wavenham Close, the modern architectural style and external materials of the proposed dwelling would be in keeping with the surrounding area. Likewise, the changes to the footprint of the building would also not be harmful to the character and appearance of the street scene. However, I do not find the design to be so exceptional as to enhance the character and appearance of the street scene or outweigh the harms identified above.
7. In light of the above, the proposal would harm the character and appearance of the surrounding area by way of its height and bulk. It would therefore conflict with Policy PG3 of the Birmingham Plan 2031: Birmingham Development Plan (the BDP, January 2017) which requires developments to, amongst other things, be of a high-quality design that contributes to and reinforces the sense of place and responds to the context of the local area. It would also conflict with the guidance on design and context contained within the Places for Living Supplementary Planning Guidance. The proposal would also not comply with the National Planning Policy Framework, including paragraph 130 which seeks developments to be sympathetic to local character and the built environment, maintaining a strong sense of place.

Other Matters

8. Although I note a lack of objection from Council members, a lack of objection does not preclude me from carrying out an assessment. I am mindful that there may be a need for family housing within the area, and that the proposed dwelling would be of a sufficient size to accommodate a family. However, the host dwelling already provides sufficient accommodation for a family and as such the proposal would not provide an increase in this provision. Although the proposed solar-panels may be of some benefit, with regard to low-carbon energy generation, it has not been demonstrated that the proposal before me would be necessary to install solar panels.
9. The appellant has referred to permitted development rights for upward extensions, and that that the appeal site benefits from these. However, I have not been provided with any substantive evidence to demonstrate this to be the case, or what sort of extension could be achieved. I understand that the host dwelling does not meet current building regulation standards and that it would not be feasible to achieve these at the existing dwelling. As it has not been demonstrated that permitted development rights could be used or could achieve a similar outcome to the proposal before me, I find a fallback position does not exist.
10. Two recent permissions, for potentially similar works at 7 Wavenham Close and 43 Knighton Road, have been brought to my attention. However, no details have been provided of either scheme and so I cannot be certain of the context behind the permissions or the details of either scheme.

Conclusion

11. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR