

Appeal Decision

Site visit made on 9 March 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29th March 2023

Appeal Ref: APP/P1805/D/23/3314864

17 May Lane, Hollywood, Birmingham, B47 5NX

- 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 Richard Grimes against the decision of Bromsgrove District Council.
 - The application Ref 22/00390/FUL, dated 15 March 2022, was refused by notice dated 13 December 2022.
 - The development proposed is: extensions to existing dwelling over garage and to rear of property; formation of office space in loft, creation of rear facing dormer window and reconfiguration of internal layout.
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Decision

1. The appeal is allowed and planning permission is granted for extensions to existing dwelling over garage and to rear of property; formation of office space in loft, creation of rear facing dormer window and reconfiguration of internal layout at 17 May Lane, Hollywood, Birmingham, B47 5NX in accordance with the terms of the application Ref 22/00390/FUL, dated 15 March 2022, subject to the conditions set out in the attached Schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and its surroundings.

Reasons

3. The appeal property is a semi-detached dwelling set on the northern frontage of May Lane. To the west of the appeal property, at the junction of May Lane with Fieldways Close, stands another similar pair. To the east of the site are about half a dozen detached dwellings of varying designs, including two with front projecting gabled extensions or protrusions, one single storey and the other two storeys.
4. Beyond the detached dwellings is a modest terrace of older cottages, standing almost at the back of pavement in contrast to the houses to the west, which are well set back from the highway. Opposite are small terraces of relatively modern linked properties, with stepped roofs, reflecting their position on a hill.
5. Having regard to what I saw, as summarized above, the appeal property's surroundings does not display a homogeneity of design, and the pairs of semi-detached dwellings evident do not represent the norm.

6. Unlike the pair of dwellings to the west, the appearance of the pair of which the appeal property forms a part has been considerably modified over time. Both properties display added projecting porches/entrance halls – each is of a different, contrasting design. The attached, next-door property comprised in the pair has a two storey hipped extension, and also displays a wrap-around front/side extension. The outcome in visual terms is that of a considerably modified and imbalanced pair of dwellings in terms of its appearance.
7. The element of the proposal which causes the Council's principal design concerns is the side extension with its associated front projecting gable. Taking account of its design guidance¹, particularly its content on subservience, I do not share the Council's concern. In my view, the proposed extension's scale, massing and height would render it plainly secondary and proportionate to the mass and scale of the host property and the pair as a whole. I consider this to be a neat design solution which would add interest to and enhance the appearance of the imbalanced pair. If built, the extension would sit harmoniously in its visual and spatial context.
8. I therefore conclude that the proposal, if built, would not harm the character or appearance of the host property or its surroundings. Accordingly, no conflict arises with those provisions of policy BDP19 of the Bromsgrove District Plan directed to achieving high quality design in development and to enhancing the character and distinctiveness of the local area.

Conditions

9. I have considered the Council's suggested conditions and agree that, in the interests of visual amenity, a condition in respect of external materials is necessary.
10. It is also necessary, in the interests of certainty, that the development shall be carried out in accordance with the approved plans.

Other matters

11. I have noted and taken into consideration the references to the *National Planning Policy Framework* and the importance attached to good design. I find no conflict with that guidance in this case.
12. The Council raised no objection to the other elements of the scheme, including the proposed rear dormer, for the reasons set out in the officer report. I have no reason to disagree with the Council's assessment on this score.
13. The appellant has pointed me to several precedents for similar developments in the area, which the Council says are not of significance because most are not within the appeal site's sphere of visual influence. I did not travel to see those examples cited other than the gable projection a few doors to the east of the appeal property. Instead, the appeal has been determined on its specific merits having regard to the provisions of the development plan and other material considerations.

¹ The Bromsgrove District High Quality Supplementary Planning Document (SPD)

14. No other matter raised is of such strength or significance as to outweigh those considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1). The development hereby permitted shall begin not later than three years from the date of this decision.
- 2). The development hereby permitted shall be carried out in accordance with the following approved plans and illustrations: Ref Nos 001; 100; 101; 102; 103; 104; 105; 201; 203; 204; 205; 206 and 207.
- 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 building.