
Appeal Decision

Site visit made on 27 March 2023

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/P4605/D/23/3314138

155 Russell Bank Road, Sutton Coldfield B74 4RJ

- 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 Mrs Pavinder Kaur Thandi against the decision of Birmingham City Council.
 - The application Ref 2022/05234/PA, dated 29 June 2022, was refused by notice dated 21 November 2022.
 - The development proposed is a two-storey side, rear and forward extension with raised roof level.
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Decision

1. The appeal is allowed, and planning permission is granted for a two-storey side, rear and forward extension with raised roof level, at 155 Russell Bank Road, Sutton Coldfield B74 4RJ, in accordance with the application Ref 2022/05234/PA, dated 29 June 2022, subject to the following conditions:
 - 1) The development shall be commenced not later than 3 years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans:
 - 059-21-001 B Proposed Site Plan
 - 059-21-004 B Proposed Floor Plans
 - 059-21-005 B Proposed Elevations
 - 059-21-006 B Proposed Plans & Sections
 - 059-21-007 B Proposed Street Elevation
 - 3) The materials to be used in the construction of the external surfaces of the building shall match those of the existing house.
 - 4) The new accommodation hereby permitted shall not be brought into use until the window in the ensuite bathroom to bedroom 2 has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above floor level shall be capable of being opened. Once installed, the obscured glazing shall be retained thereafter.

Reasons

2. Russell Bank Road comprises a mixture of detached and semi-detached two-storey houses, built in the mid-20th century. The layout and style of the properties are broadly representative of that period. Whilst many of the

designs are based on repeated housetypes, there are nevertheless some significant variations between these in terms of footprint, roof form, height and elevational treatment. Overall, the street's character is pleasant but unremarkable.

3. No 155 Russell Bank Road is a three-bedroom detached house, with what was originally an L-shaped plan, including a forward-facing gable. Although the property is of a similar age to others in the street, its elevational treatment and materials are somewhat plainer and, to my mind, clearly less attractive than most. On my visit, I saw that a recently approved single-storey rear extension has now been largely completed, and an earlier detached garage and outbuildings have been demolished.
4. To one side of the appeal property is an electricity sub-station, comprising a rectangular brick building, set forward of the main building line, within a low, walled enclosure. Beyond this are Nos 151 and 153 Russell Bank Road, which are detached houses with distinctive, asymmetrical catslide roofs. On the other side of the appeal site, Nos 157 - 163 have mansard-style roofs, which are not a common feature elsewhere in the street.
5. The proposed development would include a 2-storey front extension infilling most of the space within the existing 'L', and also a side extension, mainly on two storeys, in place of the former garage. The existing roof would be replaced with a new crown roof. These additions would result in a building which would be wider and taller than the existing, and with a different plan form and roof shape.
6. There is no doubt that these proposed extensions and alterations would change the appeal property's size and visual appearance quite substantially. However, that does not mean that such a change must be for the worse. In this case the enlarged dwelling would fit comfortably within its plot, with adequate spacing from both side boundaries, and the new front elevation, with its two side wings set back from the retained central gable, would be well balanced. The fenestration would have an evident sense of order and rhythm. The addition of the proposed canopy porch would add a further touch of articulation to the front elevation. The increased depth, and the small increase in roof height, would be proportionate to the building as a whole. The roof's flat top would not be readily discernible from public views.
7. The appeal property, as thus extended, would be somewhat larger than most others in the street, but not to the extent of appearing unduly dominant. The existing building is set slightly above road level, but equally it lies below its neighbour No 153; these small differences are simply due to the natural slope of the land, and do not greatly affect the perception of dominance or otherwise. In terms of its general architectural styling, the appeal dwelling would be broadly consistent with that of its surroundings. The suggestion that it would be excessively contemporary has not been explained or substantiated; in my view, the design leans more towards the conservative than the modern. In any event, for the reasons outlined above, I consider that the development would fit sympathetically into the existing street scene. The remaining elements of the proposed scheme, at the rear of the building, are not objected to by the Council, and on this I see no reason to disagree.
8. Overall therefore, in design terms, my view is that the new architectural composition that would be created by the proposed scheme would be

acceptable. Indeed, given the shortcomings of the existing building, with its evident lack of visual interest and lack of contribution to the street scene, it seems to me that the development now proposed would represent an improvement.

9. I appreciate that the Birmingham Design Guide¹, adopted as a supplementary planning document in September 2022, advocates that extensions should respect the design of the existing building; as such, they should generally be smaller than the existing, and not substantially alter its appearance. There is no doubt that this is sound advice, that will be of benefit in the majority of cases. But the Guide itself acknowledges that there may be exceptions. In the present case, for the reasons that I have identified, there is a clear architectural rationale for the approach taken, resulting in an overall enhancement. In these circumstances, I find no conflict with the underlying aims of the Guide, including policy LW-16. Nor is there any conflict with Policy PG3 of the Birmingham Development Plan, adopted in January 2017, which seeks a high quality of design, reinforcing local distinctiveness and sense of place.
10. I note the Council's suggestion that the development would make the sub-station more prominent, but this seems inconsistent with their view that the design would make the appeal property itself too dominant. In my view the existing adverse visual impact of the sub-station would be unchanged. I have taken account of the concerns of neighbouring occupiers regarding the effects on light and outlook to adjoining properties, but given the orientation of the respective buildings, and the limited extent of the rearward projection at first floor level, I agree with the Council that the effects on living conditions would be acceptable. There is no evidence that any neighbouring trees would be adversely affected, or that the on-site parking available would be insufficient. I have also taken account of all the other matters raised, but I find nothing in these to alter my conclusion.
11. Conditions are necessary to require matching materials, to ensure a satisfactory appearance, and to require obscure glazing to one window, to avoid overlooking. A condition is also needed with regard to compliance with the submitted plans, for reasons of certainty.
12. Subject to these conditions, I conclude that the proposed development is acceptable, and that permission should therefore be granted.

J Felgate

INSPECTOR

¹ Including the 'Principles Document', and the 'Healthy Living and Working Places City Manual'