



Appeal Decision

Site visit made on 3 March 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2023

Appeal Ref: APP/Q4625/D/22/3312185

158 Bills Lane, Shirley, Solihull B90 2PQ

- 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 Pegg against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2022/01596/MINFHO, dated 26 July 2022, was refused by notice dated 27 September 2022.
 - The development proposed is a detached double garage and amended drive access onto Bills Lane.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a detached house located in a residential area where properties are of a similar style and period typically set back on their plots with parking areas and gardens to the front. Some properties in the same area are open at the front with no form of enclosure and others, like the appeal property, have a front hedge and other vegetation such as trees and shrubs.
4. I agree with the appellant that the house frontages in this location are largely open plan with mature trees and shrubs planted in many front gardens. This arrangement, together with the comparable building line, creates a largely uniform, spacious and uncluttered appearance to the street scene that contributes positively to the local character of the area. Further, the green spacious appearance to the front of properties along this part of the lane sits comfortably next to the large area of woodland opposite and adds to the overall verdant character of the area.
5. The proposed development would introduce a detached double garage to the front of the appeal property. Notwithstanding the proposed hipped roof design and materials to match the existing house, due to its size and in particular its siting it would significantly erode the existing spacious appearance at the front of the property. The existing trees, hedge and shrubs and any proposed landscaping scheme along the frontage of the appeal site would not adequately screen or soften the proposal and in any case such features are not permanent and may change over time. Consequently, the proposed double garage would

be a highly prominent and visually obtrusive feature in the street scene that would be incompatible with the established pattern of development along this part of Bills Lane.

6. The appellant has drawn my attention to an appeal decision from 2005 which granted planning permission for a detached garage at Grange Wood Cottage. However, Grange Wood Cottage is located along a different part of Bills Lane, on the opposite side of the road beyond Bills Wood, is set back some distance from the road and, unlike many of the other properties in the area, its frontage is enclosed by a boundary fence, a solid wooden gate, some walling and extensive vegetation. The circumstances at Grange Wood Cottage are materially different and do not justify harmful development at the appeal site.
7. I also appreciate that the proposal has local support from neighbours and would not be detrimental to highway safety or the living conditions of neighbouring residents. However, these matters are neutral factors that do not justify the harm I have identified.
8. Overall, I conclude that the proposal would have a harmful impact on the character and appearance of the area and would conflict with Policy P15 of Solihull Local Plan - Shaping a Sustainable Future, December 2013 which seeks to ensure development proposals conserves and enhances local character, distinctiveness and streetscape quality. It would also be contrary to the Council's House Extensions Guidelines Supplementary Planning Document which highlights that the construction of garages between the house and the road are not normally acceptable unless it can be accommodated in an unobtrusive position that would not form a prominent feature. The proposal would also conflict with the National Planning Policy Framework which seeks to ensure that development is sympathetic to local character.

Conclusion

9. For the reasons given above I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Rawle

INSPECTOR