



Appeal Decision

Site visit made on 4 April 2023

by S A Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 June 2023

APP/Q4625/W/22/3297624

100 Monastery Drive, Olton, Solihull B91 1DP

- 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 Valerie Ping against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2021/02961/MINFHO, dated 22 January 2022, was refused by notice dated 7 March 2022.
 - The development proposed is described as: Amendments to existing approved application PL/2021/00163/MINFHO: Addition of a 31m³ dormer to the rear, addition of roof lights to the front roof, two rear windows on the first floor changed for full-height windows, increase in size of the rear kitchen extension. Original approved dimension was 3.72m, and the built kitchen measures 4.1m, due to a foundations issue. Changes in the size of south elevation ground floor windows in order to comply with the conditions set in the original approved application. Chimney stack which was originally removed until roof level has now been completely removed above roof level. A bathroom window has been blocked up on the first floor north elevation. House has been completely rendered in order to hide the mismatching bricks all around the house.
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Decision

1. The appeal is dismissed insofar as it relates to the addition of a 31m³ dormer to the rear and planning permission is refused.
2. The appeal is allowed insofar as it relates to the addition of roof lights to the front roof, two rear windows on the first floor changed for full-height windows, increase in size of the rear kitchen extension, changes in the size of south elevation ground floor windows, removal of chimney stack, blocking up of the window on the first floor north elevation and rendering. Planning permission is granted on land at 100 Monastery Drive, Olton, Solihull B91 1DP in accordance with the terms of the application, Ref PL/2021/02961/MINFHO dated 22 January 2022, and the plans submitted with it so far as they are relevant to that part of the development hereby permitted and the conditions attached at Schedule 1.

Application for costs

3. An application for costs was made by Ms Valerie Ping against Solihull Metropolitan Borough Council. This is the subject of a separate decision.

Preliminary Matters

4. The development proposed was originally described in the application form as that given in the banner heading above. Superfluous words which are not acts of development have been removed for clarity.

5. An enforcement notice was issued on 30 March 2022 for an alleged breach of planning control. The matters referred to are: the alteration and additions to the dwelling house on the land, including front and rear extensions, a dormer roof extension, rooflights, changes to fenestration, removal of a chimney, porch addition/alterations, and external tiling; and a breach of conditions 1 (compliance with approved drawings) and 3 (use of matching materials) of planning permission ref: PL/2021/00163/MINFHO dated 24.03.2021. This is the subject of a separate appeal decision reference APP/Q4625/C/22/3297630.

Main Issue

6. This is the effect of the development on the character and appearance of the dwelling and the wider street scene.

Reasons

7. The appeal relates to a detached house of suburban design located at the northern end of Monastery Drive, close to the junction with Grange Road. It, like its immediate neighbours on Monastery Drive and those it shares a boundary with on Grange Road, are large properties within spacious plots. The north end of Monastery Drive displays modern detached houses set back from the road with open frontages planted with trees and shrubs providing a softening appearance. The houses display differing architectural asymmetrical designs which adds to the visual interest of the area. As the road progresses south, bungalows dominate one side and the frontage space between the residential properties and the road lessens and their architectural features become more uniform. Dwellings along Monastery Drive display a variety of materials in their construction with reddish brick and light coloured render being the dominant feature.
8. The appeal property, formerly of brick and render construction, has been extended to both the front and rear and fully rendered in white. The roof has been raised and on the rear roof slope is a large dormer roof extension to one side. While elements of the recent works were subject to planning approval under planning permission ref PL/2021/00163/MINFHO, development including the construction of the dormer, the addition of roof lights and alterations to fenestration, an increase in the depth of the rear single storey extension, alterations to the porch, removal of a chimney stack and full rendering of the property have taken place. These were the subject of an application for planning permission ref PL/2021/02961/MINFHO to regularise the development, which was refused by notice on 7 March 2022.
9. The Council's decision notice concluded that 'the rear facing dormer as built together with its external white render, would, due to their appearance, size, scale and massing, amount to a poorly designed addition to the property and overdevelopment of the site that would be harmful to the character and appearance of both the host property and the wider street scene.'
Notwithstanding this, I shall look at each element of the proposal in respect of its impact upon the character and appearance of the dwelling and the wider street scene.
10. To the front of the property, alterations to the porch have resulted in a hipped roof instead of a gable with eaves at a slightly higher level and partially enclosed side elevations. To the rear, the flat roof single storey extension has been extended by some 400mm in depth. There are several alterations to the

fenestration on the property that include additional openings on the front and rear roof slope and larger openings on the rear elevation at first floor. The enlarged openings are in the form of two floor to ceiling windows to which Juliet balconies have been added. The Juliet balconies are fully glazed with a horizontal metal bar at the top and bottom. Their purpose is to provide safety and they appear not to enable access to the flat roof.

11. The design of the porch sits comfortably with the wide and open property frontage and the enlarged rear extension has a limited visual impact on the appearance of the property and the character of the wider street scene. The alterations to the windows are not visually harmful to the property or to the character and appearance of the wider area. The original property is shown as having two chimneys, one being external and on the side of the building and the other being an internal chimney positioned centrally and visible on the front roof slope. While the side chimney remains in situ, the central chimney has been removed. Although two chimneys feature on several of the surrounding properties, they do not define the characteristics of the dwellings to such an extent that loss of the feature would be harmful to the character of the area.
12. The dwelling has been entirely rendered and painted white and this formed part of the reason for the refusal of the application for planning permission. I viewed several properties within the locality that were rendered and painted in various light colours, including white. While I accept that this is more modest on most of these properties, I consider that because the appeal dwelling is set back from and at the end of the road, its prominence is diminished somewhat and the overall effect of the fully rendered exterior is neutral on the appearance of the house and the character of streetscene. Furthermore, the painting of the exterior of the building would be permitted by Schedule 2, Part 2, Class C of the Town and Country Planning (General Permitted Development) Order 2015 as amended.
13. Overall, on the above matters I find that the alterations that have taken place have a limited effect on the character and appearance of the dwellinghouse and wider street scene. In this respect the development conserves and enhances local character and streetscape quality and there is no conflict with Policy P15 of the Solihull Local Plan 2013.
14. Notwithstanding my views on the above, the roof extension in the form of a dormer to the rear slope is a prominent form that has substantially altered the aesthetics of the property. Although situated on the rear roof slope, its height, scale and design draw the eye from both the public and private realm. Its contrived design fails in terms of scale and proportion to relate to the dwellinghouse and to its surrounding context. Being constructed to the outer wall it has the appearance of another floor rather than an extension into the loft space. In this respect it dominates the building and fails to respect the fundamentals of quality or proportion that is so important within the more traditional designs nearby. The dormer extension represents poor design, and this has a substantially harmful impact on the character and appearance of the dwellinghouse and the wider street scene.
15. The dormer roof extension conflicts with Policy P15 of the Solihull Local Plan 2013, which amongst other things, expects development to achieve good quality design. It is also in conflict with the overarching principals of good design in the National Planning Policy Framework.

Planning Conditions

16. In the absence of conditions supplied by the Council as part of the appeal, the conditions set out in the accompanying schedule are based on those contained within the Council's report to Committee. Where necessary, I have amended the wording of the suggested conditions, in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance.
17. As the development has commenced, a time limit condition is not necessary. A condition specifying approved plans/documents is necessary for the avoidance of doubt and in the interests of certainty. The condition to restrict openings and control glazing of the side windows above ground floor level is deemed reasonable to restrict overlooking. The restricted use of the roof area of the ground floor is necessary to protect privacy of occupiers of neighbouring properties.

Conclusion

18. For the reasons given, and having taken all other matters into consideration, I conclude that the appeal should be allowed in part and dismissed in part by allowing the addition of roof lights to the front roof, two rear windows on the first floor changed for full-height windows, increase in size of the rear kitchen extension, changes in the size of south elevation ground floor windows, removal of chimney stack, blocking up of the window on the first floor north elevation and the rendering. The remaining development is contrary to the development plan as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding.

S A Hanson

INSPECTOR

Schedule 1

- 1) The development hereby permitted shall be carried out and completed in accordance with the following approved plans and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission: 553-2 REV ZB; 553-4 REV ZB; 553-7 REV ZB; 553-8 REV ZB; 553-9 REV ZB; and 553-10 REV ZC insofar as they relate to the addition of roof lights to the front roof, two rear windows on the first floor changed for full-height windows, increase in size of the rear kitchen extension, changes in the size of south elevation ground floor windows, removal of chimney stack, blocking up of the window on the first floor north elevation and the rendering of the house.
- 2) The windows to be installed in the side elevations above ground floor level shall be obscurely glazed, and non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall thereafter be permanently retained in that condition.
- 3) The roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

END.