
Appeal Decision

Site visit made on 11 December 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024.

Appeal Ref: APP/P4605/D/23/3331483

142 Rosemary Hill Road, Sutton Coldfield, Birmingham B74 4HN

- 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 White against the decision of Birmingham City Council.
 - The application Ref 2023/04647/PA, dated 10 July 2023, was refused by notice dated 2 October 2023.
 - The development proposed is garage, swimming pool and gym.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council has not raised any issue regarding the proposed swimming pool and gym building to the rear of the property subject to clarification regarding the impact on trees. I have no reason to disagree. The main issue therefore is the effect of the proposed garage on the character and appearance of the area.

Reasons

3. The appeal site is a detached property in an area characterised by dwellings of varying architectural styles. A unifying feature is the setback of dwellings from the highway by front gardens and driveways free from development. The boundary of the property is marked by a wall and vegetation.
4. Whilst the boundary wall and railings of the dwelling would provide some screening for the proposed garage it would not fully obscure the development from view. It would be clearly visible within the street scene and as such appear as an incongruous addition at odds with the prevailing character of the area. The solar energy panels proposed as part of the scheme do not alter my view or outweigh the harm I have identified.
5. The appellant has made reference to other garages to the front of dwellings in support of their case. I did not see any in the vicinity of the site on my site visit that would support the proposal. In any event, each case is determined on its own merits and my assessment is based on the information before me.
6. The development would harm the character and appearance of the area. As such it would conflict with the part of Policy PG3 of the Birmingham Development Plan 2017 which requires new development to positively respond to the local area context. It would also conflict with the part of Policy DM2 of

the Development Management in Birmingham DPD 2021 which requires all development to be appropriate to its location.

Conclusion

7. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR