



Appeal Decision

Site visit made on 10 April 2024

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th April 2024

Appeal Ref: APP/G4620/W/23/3333849

616 Bearwood Road, Smethwick B66 4BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Coakley against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref is DC/23/68408.
 - The development proposed is 'pursuant to planning applications DC/20/64484, DC/22/66692 and DC/23/67938, proposed three-storey rear extension to accommodate an additional four single-occupancy bedsits; together with bicycle parking facilities, refuse and recycling storage, and external staircases'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr and Mrs Coakley against Sandwell Metropolitan Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. It is not a matter in dispute that planning permission for conversion of the upper floors of the appeal building to a House in Multiple Occupation (HMO) remains extant (Refs APP/G4620/W/18/3212761 and subsequently DC/22/66692). Also, that the site benefits from planning permission for a two-storey rear extension and change of use to accommodate an eight person HMO (the fallback scheme) (Refs DC/20/64484, DC/22/66692 and DC/23/67938).
4. In the event that the appeal is unsuccessful it appears likely that the fallback scheme would be implemented. Therefore, it represents a valid fallback position to which I afford considerable weight.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the proposed development would provide adequate living conditions for future occupants of the proposal, with particular regard to access to kitchen facilities.

Reasons

Character and Appearance

6. No 616 is within a run of terraced properties on Bearwood Road. These building frontages show a high degree of uniformity of design. Whilst there is greater variation in form at the rear of the building, there are common features. For example, in rear buildings projecting from the main terraced built form there is a predominance of pitched roofs with rear facing gables. The adjacent building to the north comprises a two-storey flat roof building, extending along the length of its boundary with the appeal site. Whilst a substantial built form, due to the absence of windows on the elevation visible from Adkins Lane, it is unobtrusive in the street scene.
7. There is also commonality in the palette of materials at the rear of the appeal site, comprising red brick and tiled roofs, with some white render. This helps the buildings to blend with the street scene. It also ensures that the rear built form remains subservient to the main built form of the terrace. Consequently, the predominance of traditional form and uniformity of materials is a positive defining feature of the character and appearance of the area.
8. The proposed development would appear to match the length of the two-storey development that exists to the rear of No 618. That building has a pitched roof and rear facing gable. However, the appeal proposal would result in a noticeably higher ridge height to provide three, rather than two storeys of accommodation. Consequently, the presence of the rear extension at No 618 would not shield the proposed third storey from view from Adkins Lane.
9. Although not the main shopping street, Adkins Lane adjoins a bus station and is opposite a public park. As such it is an area of relatively high footfall and there are views into the appeal site from the public realm. From there, although lower in height than the main terraced building's roof, the proposal would appear as a conspicuous addition. This would be emphasised by the proposed flat roof design and absence of a gable end.
10. The prominence of the proposal would be further highlighted by the proposed vertical metal cladding along the length of the third storey. Rather than reducing the bulk of the building, the introduction of a new type of cladding material would draw attention to the excessive height of the proposed built form. This would be further emphasised by the use of vertical fins on third storey windows which would also appear stark and unfriendly.
11. The fallback scheme would broadly match the height of the two-storey building to the rear of No 618. As such, the use of vertical fins on first floor side facing windows permitted in that scheme would not be particularly apparent from the surrounding area. It would also have a pitched roof and rear facing gable, in keeping with the traditional form that is characteristic here. As the appeal scheme would be more harmful than the fallback scheme, the fallback scheme does not alter my reasoning on this main issue.
12. Given the degree of setback between the appeal scheme and houses on Herbert Road, and the absence of windows on the proposed rear elevation, I am not persuaded that the proposal would be particularly intrusive in views from the rear of houses on Herbert Road.

13. Nevertheless, for the reasons given, the proposal would unacceptably harm the character and appearance of the surrounding area. As such, it would conflict with Policy HOU2 and ENV3 of the Black Country Core Strategy (February 2011), and Policy EOS9 of the Site Allocations and Delivery Development Plan Document (December 2012). Amongst other matters, these require developments to achieve high quality design having regard to the character of the locality. It would also conflict with paragraph 135 of the Framework. This includes a requirement for proposals to add to the quality of an area and be sympathetic to local character.

Living Conditions

14. The appeal scheme would provide basic kitchen facilities within each bedroom, along with a table and chair. In addition, a communal kitchen and modest seating area would be provided at groundfloor level. Although access would be from an external door, its location at groundfloor level close to the main residential access to the building would nonetheless provide a modest social space for occupants of the appeal scheme.
15. Accordingly, the proposal would provide acceptable living conditions for its future occupants, with particular regard to access to kitchen facilities. No specific development plan policies were drawn to my attention in respect of this main issue. However, the proposal would accord with paragraph 135.f. of the Framework. This seeks to ensure developments are inclusive and accessible and achieve a high standard of amenity for existing and future users. It would also accord with paragraph 96 of the Framework, which seeks to ensure developments are inclusive and promote social interaction.

Other Matters

16. The proposal could provide relatively affordable living accommodation for 12 people in an accessible location. Construction of the proposal would provide short term benefits to the local and wider economy. The occupants would be likely to stimulate consumer spending, boost local labour supply and help to support local services, which would all constitute modest benefits in social and economic terms. I see no reason to doubt that future occupants of the proposal would integrate well with the local community.
17. However, implementation of the fallback scheme, whilst providing for four less people than the appeal scheme, would be likely to deliver broadly similar social, economic and environmental benefits. It would also achieve investment in the appeal building, but without unacceptable harm to the character and appearance of its surroundings. Moreover, making effective use of the land as supported by chapter 11 of the Framework, should not be at the expense of achieving good design.
18. Relative to the fallback scheme, the appeal scheme would provide an additional communal kitchen of modest benefit to future occupants of the proposal, and provide for four additional people. However, that is not sufficient to outweigh the enduring harm to the character and appearance of the surroundings from the proposed additional storey. An absence of harm in respect of matters such as ecology, impacts on the living conditions of neighbours and an absence of objections from nearby local residents are neutral considerations.

Conclusion

19. Therefore, the proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Rachel Hall

INSPECTOR