

Appeal Decision

Site visit made on 26 April 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16TH May 2024

Appeal Ref: APP/P4605/D/24/3338114

65 Morven Road, Sutton Coldfield, Birmingham, B73 6NE

- 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 Paul Moyes against the decision of Birmingham City Council.
 - The application Ref 2023/05058/PA, dated 22 July 2023, was refused by notice dated 10 November 2023.
 - The development proposed is a rear extension and alterations to side elevation.
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Decision

1. The appeal is dismissed.

Main Issue

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

Procedural Matters

3. The Council's description of the proposed development in the decision notice differs from that set out in the application form. It describes the proposal as "Erection of two storey side and rear extensions, alterations to main roof and front elevation."
4. In relation to the proposal, the appellant states "the extension area was to come out...6.2 metres all along the property. It was agreed with the architect that the extension would be 6 metres from the original not 6.2 metres (this could be a condition of approval)."

Reasons

5. The appeal property is a two storey detached dwelling with an integrated single storey garage, the entrance to which steps forward of the main front elevation under a small pitched roof shared with the front door and hallway.
 6. The appeal property is situated within a comfortable garden plot, with a garden and driveway to the front and a longer garden to the rear. It is located in a residential area characterised by the presence of one and two storey detached dwellings in comfortable garden plots.
 7. The presence of gardens, small gaps between dwellings and views through to green spaces and trees provides for a notably green and spacious character.
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8. Whilst each dwelling in the area has distinctive features, during my site visit I observed numerous similarities between dwellings. These include similarities in respect of the angle of roof pitches and the use of brick, tile and render materials. This and the fairly regular spacing of dwellings, the common presence of gardens and the respectful treatment of build-lines presents an attractive uniform quality to the area.
9. Further to the above, I also noted during my site visit that, whilst many dwellings have been altered and/or extended, such changes tend to appear in keeping with the character of the host dwelling and the surrounding area.
10. The proposed development would extend the dwelling across its full width such that both sides of the dwelling would project for a considerable distance to the rear of the property at two storey height. Combined with a new first storey element towards the front of the dwelling above the garage, this would result in development of such scale that the proposal would appear to subsume the host dwelling.
11. Consequently, I find that the proposed development would unduly dominate host dwelling rather than appear as a subservient addition to it.
12. The harm arising from the above would be exacerbated as a result of the proposed new roof. The excessive projection of the two storey elements would require the roof to be pitched at a very shallow angle and this would serve to erode the original gable roof design.
13. Furthermore, the proposed roof would appear as an incongruous feature, at odds with the appearance of surrounding dwellings.
14. Taken together, I find that these factors would combine to the extent that the proposed development would be detrimental to the identified qualities of the area.
15. Consequently, I find that the proposal would harm the character and appearance of the area, contrary to the National Planning Policy Framework; to Birmingham Development Plan (2017) Policy PG3; to the Council's Development Management in Birmingham Development Plan Document (2021) Policy DM2; and to the Council's Birmingham Design Guide Principles Supplementary Planning Document (2022), which together amongst other things, seek to protect local character.

Other Matters

16. In support of his case, the appellant refers to the energy saving credentials of the proposal. Whilst these stand in favour of the proposed development they do not amount to something that outweighs the significant harm identified.
17. I note that the appeal property sits in a comfortable garden plot and has a relatively long rear garden. However, this is little different to the nature of most dwellings in the area and it is not something that reduces the harm identified above to any significant degree.
18. Also in support of his case, the appellant refers to various other developments in the vicinity. However, none of these comprise developments and circumstances so similar to the proposal before me as to provide for direct

comparison. Notwithstanding this, I have found that the proposal would result in significant harm and this is not something that is mitigated by the presence of other developments elsewhere.

19. The appellant refers to his health conditions and states that the proposal will benefit his relatives. I note and am sympathetic to these points. However, when considered together with all of the above, it is my conclusion that the proposal would result in harm to local character and that this is not something that is outweighed by other factors.

Conclusion

20. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR