



Appeal Decision

Site visit made on 20 May 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/P4605/D/24/3339450

18 Anstey Fields, Erdington, Birmingham, B23 5RL

- 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 Mrs S Uzma against the decision of Birmingham City Council.
 - The application Ref is 2023/03112/PA.
 - The development proposed is single storey rear and two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development upon the character and appearance of 18 Anstey Fields and the surrounding area.
 - the effect of the development on highway safety.

Preliminary Matters

3. The Council stated they had received comments from their Transportation Development team highlighting concerns regarding the development scheme. These comments were not included in the original submission and therefore once they were received the appellant was invited to make comments. I have had full regard to any comments made.

Reasons

Character and Appearance

4. 18 Anstey Fields (No.18) is a detached house which fronts a single-track road adjacent to an area of open space in an established residential area. The house is set back a short distance from the road and has a prominent bay window on the front elevation. It has an attached garage accessed via a driveway and as such there is parking space alongside the building. Parking provision for other houses facing the track varies and includes garages set behind driveways and are integral to the buildings. The frontages to the houses also vary in appearance with grassed areas and hard standings some of which are used for car parking. Overall, the group of houses has a pleasant, ordered character.
5. The two-storey extension which incorporates a garage would be built over the driveway and parked cars would be displaced to a new area of hardstanding at the front of the house.

6. The single-track access road is narrow and there is little capacity for on road parking provision. The front elevation has a bay window which is a prominent characteristic of the host property. The reliance upon a parking space to the front of the dwelling would disrupt the prominence of the bay window and create a frontage dominated by parking. Whilst there is some car parking on the frontage of the houses fronting the track the proposed parking arrangements would result in the frontage having a cramped appearance. This is further exacerbated by the screening effect on the bay window.
7. In conclusion, the development would cause significant harm to the character and appearance of 18 Anstey Fields and the surrounding area. Therefore, it would be contrary to Policy PG3 of the Birmingham Development Plan 2031 and Policy DM2 of the Development Management Document 2021 which seek to ensure developments are of a high level of design and appropriate to the area. Additionally, the development does not accord with the Birmingham Design Guide Principles Document September 2022 and the Birmingham Design Guide Healthy Living and Working Places City Manual September 2022, City Note LW-21 which states that '*Property frontages should not be dominated by vehicle parking and hard landscape. An appropriate balance must be achieved between vehicle parking and landscaped front garden spaces.*' The development also conflicts with the National Planning Policy Framework which seeks to achieve well-designed and beautiful places.

Highway Safety

8. The proposed parking area identified on the submitted plans is of insufficient size to accommodate the length of a car. Therefore, a car parked in that position would encroach on the track. This would result in the passage of other vehicles and pedestrians being obstructed. Such an arrangement would be detrimental to the safety of those road users.
9. The appellant argues that there is a very low level of traffic on the track. Whilst this is not substantiated, given the number of houses, traffic volumes are unlikely to be high. However, this does not affect the likelihood of obstruction of the track which is the harm I have identified.
10. I therefore conclude that the proposal would result in harm to highway safety. The development conflicts with Policies PG3 and TP44 of the Birmingham Development Plan 2031 which seek to ensure that developments do not have a detrimental effect upon the safety of roads and streets in the local area. The development does not accord with the principles set out in Chapter 9 'Promoting Sustainable Transport' of the National Planning Policy Framework.

Other Matters

11. The appellant says that a single storey extension could be erected to the side of the house as permitted development. However, there is no information to demonstrate the impact such an extension would have on the parking arrangements serving the property. On this basis it has not been shown that such an extension would give rise to the harm which I have identified. Thus, it is not directly comparable to the appeal scheme.

Conclusion

12. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
13. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR