



Appeal Decision

Site visit made on 2 September 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2024

Appeal Ref: APP/P4605/D/24/3346775

55 Yateley Avenue, Birmingham B42 1JJ

- 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 Gurdeep Sohanpal against the decision of Birmingham City Council.
 - The application Ref is 2024/00803/PA.
 - The development is single storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (2023) (the Framework). The consultation and draft Framework do not constitute Government policy or guidance. However, they are capable of being material considerations in appeals. Notwithstanding this, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of the consultation.

Main Issue

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

Reasons

4. The site is within a predominantly residential area. Some properties in the area have been extended or altered notwithstanding this there is in general a harmony to the design of properties. The appeal site is a two-storey semi-detached property, situated on the corner of Yateley Avenue and Yateley Crescent.
5. A single storey side element exists at the property which also projects forward of the principal elevation. Notwithstanding this the proposed extension would substantially increase the mass of the building on a prominent corner plot, elongating the built form. Whilst other single storey side extensions are obvious in the streetscene they are, in general, smaller in scale and not comparable to the proposal before me.

6. I observed during my site visit that the appeal site contains an outbuilding to the side of the property which is screened to a degree by existing boundary treatments. Whilst the removal of the existing outbuilding would benefit the streetscene the design and scale of the proposed development which would replace the outbuilding would be bulky and stark on the modest corner plot which would be incongruous to the streetscene.
7. I also observed two storey side extensions on properties within the immediate area, however these are not comparable to the proposed development and not a prevailing design feature in the area.
8. I conclude that the proposed development would harm the character and appearance of the area.
9. There is conflict with Policy PG3 of the Birmingham Development Plan (2017) and Policy DM2 of the Birmingham Development Plan Document DPD (2021) which seeks amongst other things to ensure developments create a positive sense of place appropriate to its location.
10. There is also conflict with the Birmingham Supplementary Plan Document (2022) which amongst other things seek to ensure development respect the appearance of a property and local area.
11. There is conflict with the Framework which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings.

Other Matters

12. The appellant has highlighted that the proposed development is required due to the personal circumstances of the occupants. I have not been provided with evidence to demonstrate that the proposed development would be the only way to fulfil the needs of the appellant, I therefore give this limited weight.

Conclusion

13. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR