

Appeal Decision

Site visit made on 24 September 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2024

Appeal Ref: APP/P4605/D/24/3349914

1 Ansell Way, Birmingham, B32 2AU

- 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 Parminder Keilah against the decision of Birmingham City Council.
 - The application Ref is 2024/02326/PA.
 - The development proposed is a new front porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant states that the Council took an extended period to reach a decision on the application and that this affected the overall process. This is a matter between the appellant and the Council.

Main Issue

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

Reasons

4. The appeal property is a two storey detached brick-built dwelling. It is located in a residential area, within a modern housing estate characterised by the presence of predominantly two storey detached and semi-detached dwellings, albeit there are two three-storey blocks of flats nearby.
 5. Dwellings tend to be set back only a short distance from the road, but with larger gardens to the side and/or rear. As a consequence, the front elevations of dwellings appear particularly prominently in their surroundings.
 6. The appeal property is situated in a prominent position on a corner plot, at the head of Ansell Way adjacent to its junction with Martineau Drive. Its front elevation faces Ansell Way and is set back behind railings and a short front garden area.
 7. The appeal dwelling's neat front façade, with two modest ground floor bays and a simple roof above a front door with windows to either side, presents an
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attractive face to Ansell Way and the entrance to the dwelling appears in keeping with the small, simple porches of surrounding dwellings.

8. The proposed development would comprise a large, wide porch that would project well forward of the two ground floor bays. I find that the width, forward projection and overall scale of the proposal would result in it appearing as a bulky and ungainly addition.
9. The proposal's width and overall bulk would result in it appearing out of proportion with the two modest bays. It would overwhelm them to the extent of disrupting and dominating the appeal dwelling's front façade. Consequently, the proposed development would appear out of character with the host dwelling's attractive, simple form and incongruous in relation to the dwelling's its closest neighbours.
10. The harm arising from this would be exacerbated as a result of the prominent position of the appeal property, such that the projecting, bulky and incongruous proposal would be widely visible in its surroundings and would draw attention to itself as an unduly dominant addition.
11. Further to the above, I find that the significant forward projection and bulk of the proposal would result in a development that would dominate the small garden space between the appeal dwelling's front elevation and garden railings. This would result in the dwelling appearing unduly cramped within its plot.
12. Taking all of the above into account, I find that the development harms 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

13. In support of the proposal, the appellant refers to other developments elsewhere. However, there is nothing before me to demonstrate that the circumstances relating to these are so similar to those of the proposal before me as to provide for direct comparison. Notwithstanding this and in any case, 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.

Conclusion

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

N McGurk

INSPECTOR