



Appeal Decision

Site visit made on 11 November 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2024

Appeal Ref: APP/Q4625/D/24/3348096

168 Station Road, Knowle, Solihull B93 0ER

- 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 Adam Winn against the decision of Solihull Metropolitan Borough Council.
 - The application Ref is PL/2024/00325/MINFHO.
 - The development proposed is garden wall.
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Decision

1. The appeal is allowed and planning permission is granted for garden wall at 168 Station Road, Knowle, Solihull B93 0ER in accordance with the terms of the application, Ref PL/2024/00325/MINFHO subject to the following conditions:
 1. The development hereby permitted shall be carried out in accordance with the following approved drawings: PAL.016 REV B
 2. The amendments to the front garden wall and gates approved by virtue of this permission shall be carried out within 3 months of the date of this decision.

Preliminary Matters

2. The description of development on the application form includes words that are not an act of development. For clarity I have omitted these words relating to the retrospective nature of the application from the description in my heading and formal decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises a large semi-detached property. Properties on the west side of Station Road comprise large dwellings which are set back from the road. Within this stretch of Station Road boundary treatment typically comprises mature hedges, which, in addition to planting within front gardens, results in a pleasant, spacious and verdant character to the area.
5. The appeal proposal relates to the erection of a garden wall and gate following the removal of the front boundary hedge. The enclosure is of a similar height to the hedges within the road and of similar materials to the modern host dwelling. Nonetheless, its form and materials contrast significantly with the enclosures which characterise the surrounding area. Given this, it is an

uncharacteristic and somewhat incongruous element in its location, detrimental to the otherwise cohesive and verdant character of the area.

6. My attention has been drawn to a planning permission for the retention of the front wall and gates¹. That permission shows a development of a similar form with horizontal boarding above a solid boundary wall. I attribute significant weight to this as a fallback position. The appeal proposal seeks to replace the approved horizontal boarding with railings between the pillars. This would appear more open than the approved enclosure and less bulky and dominant within the street scene. Therefore, as a matter of planning judgment, I find that the appeal proposal would be less harmful to the character and appearance of the area than the fallback position.
7. Consequently, although conflict arises with those aims of Policy P15 of the Solihull Local Plan (2013) which sets out that development proposals will be expected to achieve good quality, inclusive and sustainable design, and with the House Extensions Guidelines (2010), which states that boundary walls and fences adjacent to the road should harmonise with the character and local distinctiveness of the street scene, I attach considerable weight to the fallback position in this case. The appeal proposal would provide an improvement in design when compared to the fallback position. This factor outweighs the conflict with the development plan in the particular circumstances of this case.

Other Matters

8. I see no reason to suppose that my decision in this case would set a precedent. Differing circumstances would represent matters to be considered were other similar proposals to be advanced in the future.

Conditions

9. I have had regard to the conditions suggested by the Council. It is necessary to specify the approved plans in the interest of certainty. Additionally, in the interests of the character and appearance of the area it is necessary to specify the timeframe by which the proposed amendments to the boundary treatment shall be carried out.

Conclusion

10. For the reasons given above, I conclude that notwithstanding the conflict with the development plan, there are material considerations that outweigh the conflict and therefore the appeal should be allowed.

N Robinson

INSPECTOR

¹ Application reference PL/2023/01434/MINFHO