
Appeal Decision

Site visit made on 25 September 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/Q4625/W/24/3342321

31-33 Station Road, Knowle, Solihull B93 0HL

- 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 Bond Property Investments Ltd against the decision of Solihull Metropolitan Borough Council.
 - The application Ref is PL/2023/01711/PPFL.
 - The development proposed is described as 'demolition of single storey shop extension and extension at rear - creation of wider access from Station Road, access driveway with associated parking and landscaping and erection of 3 x two storey houses at rear.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Knowle Conservation Area (CA).

Reasons for the Recommendation

4. Local buildings are predominantly two-storey with pitched roofs. Although it has a single-storey flat-roof later side extension, the appeal property otherwise matches these characteristics and it has been designated as a positive building in the CA. The Station Road Area is an attractive zone of late 19th and early 20th century terraced buildings close to the road edge. There is some more modern development adjacent and to the rear. Plot sizes and widths vary exactly but street frontage gaps tend to be limited to either side roads or, where there are blocks of buildings, narrow. This lends a closeness and high density to development across the Station Road frontage particularly. These matters combine to form a high quality and traditional consistency to the street scene that contributes positively to the significance of the CA.
 5. The retention of this feel is reinforced by the Solihull Metropolitan Borough Council Residential Backland Development Supplementary Planning Document (SPD) which sets out, amongst other things, that vehicular accesses need to be of a scale and appearance that is acceptable in the context of the local street
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- scene, and that overly wide entrances that would have a harmful impact on the street scene will not be acceptable.
6. The proposal would remove the uncharacteristic later side extension to the frontage building which would be positive. However, the access to the proposed dwellings would be immediately next to the same for Station Court. While no new access would be created and the existing vehicular crossing and pavement arrangement would be unchanged, there would result a considerable gap between the buildings that front Station Road. This would be of a similar width to the entrance to St Johns Close opposite. This would not be reflective of the street scene's emphasis on narrowness in this regard and it would, as a result, erode the quality of its traditional consistency.
 7. There is a large gap between Nos 22 and 26 Station Road, which contains the access road which serves the retirement home to the rear. However, within the gap is also a driveway for No 26 and an area of landscaping between it and the access road. The landscaping helps to break up the impression and reduce the starkness of the gap's size. The one between Nos 25 and 31 would contain two access roads separated only by two brick piers, and there would be a small area of landscaping adjacent to the side of No 31. These elements would be insufficient to provide any significant relief or detract acceptably from the visual impression of the gap and how it would open up onto Station Road.
 8. Although adjacent to the appeal site, the Station Court development is outside of the CA although its effect on its setting was assessed as part of the application. The Council concluded that the development would not cause harm thereto as a building that detracted from the setting of the CA would be replaced with one that would reflect buildings therein. The development at No 25 therefore does not justify the appeal proposal.
 9. My attention has also been drawn to a planning application, which was subsequently dismissed at appeal, for three houses to the rear of No 49 Station Road¹. The reasons for refusal did not include the effect of the gap between 47 and 49 Station Road. However, the gap is significantly less than the one that would be between Nos 25 and 31, and the gap was even described as narrow by the Inspector. As such, the scheme at No 49 is not directly comparable to the proposal before me.
 10. The proposed development would fail to preserve or enhance the character or appearance of the CA. The harm would be localised and therefore, in the context of the approach in the National Planning Policy Framework 2023 (the Framework), the harm to the significance of the CA would be less than substantial. Nevertheless, it is a matter of considerable weight and importance. In such circumstances, the Framework provides that the harm should be weighed against the public benefits of the proposal.
 11. The provision of three additional units would only make a small meaningful difference to the existing housing stock and thus choice and mix for local people. Economic advantages to the local area would also arise from the construction and occupation of a new house, although these would be temporary and limited again by the scale of the scheme. The area to the rear of No 31 is designated as one for enhancement in the Knowle Conservation Area Appraisal 2007. However, and while the dwellings themselves may go

¹ Planning application ref. PL/2020/02024/PPFL; Planning appeal ref. APP/Q4625/W/21/3277222

some way to satisfying this, they would not be the source of harm I have identified which, in any case, would relate to a place outside of said area for enhancement. Overall, I attach moderate weight to the public benefits of the appeal scheme. This would not, consequently, outweigh the harm I have found above and the weight which should be ascribed to it.

12. The proposal would conflict with Policies P15 and P16 of the Solihull Local Plan 2013, insofar as they require development proposals conserve and enhance local character, respect the surrounding built and historic environment, and preserve or enhance heritage assets. The proposal would also fail to accord with Policies E2 and D1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan 2019, which require proposals to have no unacceptable impact on the character and appearance of an area and CA and the aims of the SPD which I have set out above.

Other Matters

13. The Council raise no concerns with regard to matters including highway safety and the living conditions of the occupiers of neighbouring properties. However, these would result in a lack of harm and as such carry neutral weight.
14. The appeal site was outside of the red line boundary for the site to the rear of 25 Station Road during the application for the Station Court development², and as such any potential development options or consideration of the current appeal site would have fallen outside the scope of the application at the time.
15. The appellant states that if the appeal proposals are not accepted there is a real prospect that the appeal site would either remain unused or returned to its former use as a car park and car display area using the current access, and that this would not be ideal on highway grounds. Given the current use of the site as a car park and storage area, it is not clear how this would cause any harm to highway safety.

Conclusion and Recommendation

16. The Council is not able to demonstrate the supply of housing sites required by the Framework. Paragraph 11(d)(i) suggests, in this situation, the most important policies are out of date and planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance, which includes heritage assets as set out in footnote 7, provides a clear reason for refusing the development proposed.
17. In this case, the proposed development would cause less than substantial harm to the CA. This would conflict with section 16 of the Framework, which explains that heritage assets should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
18. A clear reason for refusing the development proposed therefore exists which is not outweighed by public benefits, and consequently the presumption in favour of sustainable development does not apply in this particular case. I am not, consequently, taken to the second part of paragraph 11.

² Planning application ref. PL/2020/00411/PPFL

19. The proposal would be contrary to the development plan and there are no material considerations, including the approach of the Framework and worthy of sufficient weight, that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR