
Appeal Decision

Site visit made on 11 February 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 February 2025

Appeal Ref: APP/Q4625/D/24/3356133

52 Avenue Road, Dorridge, Solihull, B93 8JZ

- 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 Simon Stanley against the decision of Solihull Metropolitan Borough Council.
 - The application Ref is PL/2024/01399/MINFHO.
 - The development proposed is for the erection of boundary treatment including railings to the front with access gates and brick piers set back from the road.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of boundary treatment including railings to the front with access gates and brick piers set back from the road at 52 Avenue Road, Solihull, B93 8JZ in accordance with the terms of the application, Ref PL/2024/01399/MINFHO, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location and Block Plan, Proposed Site Plan (Rev 3), Elevations Existing and Proposed (Rev 3).

Preliminary Matters

2. There have been changes to the National Planning Policy Framework (the Framework) since the determination of the planning application. Having reviewed them, I am satisfied that as far as their substance relates to the main issue in the appeal, further consultation with the main parties would not be necessary since they have not materially affected or prejudiced the cases of the parties. I have proceeded on this basis, with reference to the 2024 version of the Framework.
3. In relation to the description of development, I have omitted wording which references previous submissions for reasons of clarity.

Main Issue

4. The main issue is the effect of the proposed boundary treatment on the character and appearance of the area.

Reasons

5. The appeal property is a large detached dwelling located within a residential area of Solihull. The property is set back from the highway with a large in-out driveway providing access to Avenue Road. The front boundary comprises of a hedge and greenery. Surrounding development generally comprises of large, detached dwellings on spacious plots. Frontages include soft landscaping such as hedges and trees which often somewhat screen the properties when viewed from the highway. There are also examples of low walls, fencing, railings and gates supported by brick piers within the surrounding area.
6. The proposed development would result in the creation of railing fencing and gates supported by brick piers across the front boundary of the appeal site. The railing fencing would be set back from the highway to the front of Portuguese laurel hedging which would replace the existing hedging. The gates would similarly be set back into the site. This set back would help soften the appearance of the proposed development when viewed from the street.
7. The proposed development may be of a greater height than other examples in the area, however, in the context of the size of dwellings, their plots and the height of surrounding hedging and trees, its height would not be excessive. In addition, the nature of the railings which would be open in design, in comparison to a more solid type of fencing, would further soften the visual impact of the proposed development when viewed as part of the street scene. The design of the railings would still allow views of the site from the street, therefore largely preserving its openness. I also note that numerous properties within the area are somewhat screened from the highway by tall hedges and trees. I am therefore not persuaded that the proposed development would have a significantly negative impact on the character of the area, nor would it appear as an overly dominant feature in the street scene.
8. I note that concerns have been raised by the Council regarding the colour of the proposed development. The case officer report explains that where railings are implemented elsewhere in the street scene, the impact is less due to the use of black estate fencing which is softer visually when integrated with planting. I however note that there are examples of solid gates which are not black in colour, as well as facing brick walls, within the area. I therefore do not consider that the proposed grey colour would result in material harm to the character and appearance of the area.
9. The proposed brick piers are similar to other examples within the area. Moreover, they are well set back from the highway. I therefore do not consider that these would be detrimental to local visual amenity.
10. For the above reasons, I conclude that the proposed boundary treatment would complement the overall character and appearance of the area. Accordingly, I find no conflict with Policy P15 of the Solihull Local Plan (2013); Policy D1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan 2018-2033 (2019) or the House Extension Guidelines Supplementary Planning Document (SPD) (2010). These policies and guidance seek to ensure that development proposals achieve good quality, inclusive and sustainable design that conserves and enhances local character, distinctiveness and streetscape quality. I also find no conflict with the aims and objectives of the Framework in this regard.

Conditions

11. To meet legislative requirements, a condition shall be imposed to address the period for commencement. A condition requiring compliance with the submitted plans is necessary for reasons of certainty.

Conclusion

12. For the reasons given above the appeal should be allowed.

S Burch

INSPECTOR