



Appeal Decision

Site visit made on 4 April, 2025

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025.

Appeal Ref: APP/G4620/D/25/3360499

Whitehaven, 6 Hill Lane, Great Barr, Birmingham B43 6NA

- 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 Mr Inderjit Sanghera against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref is DC/24/69937.
 - The application is for proposed double garage and landscaping to foregarden.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the area.

Procedural Matter

3. The description of development used in the heading above differs from that used by the Council on their Decision Notice and is the description used in the original application form that I consider just as well reflects the nature of the development proposed.
4. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 (updated 7 February 2025) whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.

Reasons

5. The appeal property is a large detached house apparently dating from around the 1930's. The house is of four bays with a bay fronted gable to one end and an integral garage to the opposite. The house is set within a sizeable front garden that has double access through an ornate wall and railing boundary treatment and this frontage area.
6. The property is set slightly back from its immediate neighbours but nevertheless there is present a fairly regular front building line whereby most properties align along a similar aspect, all with generous open space to their

frontages. I consider that this is a key characteristic of the streetscene here and also compliments the landscape edge of the park opposite.

7. The proposal before me seeks permission to erect a new, single storey pitched roof detached double garage to a part of this front garden which would nearly abut the front boundary. The structure would have a conical pitched roof and would be constructed out of complimentary materials to the main house. A small area of landscape would be provided for alongside the front boundary whose wall and railings would be altered to remove vehicular access here but would still accommodate a pedestrian gate.
8. The proposed garage would measure around 6m x 6m square, its eaves height would be approximately the same height as the top of the ground floor windows to the main house and the highest point of the conical roof would be around the same height as the eaves of the main house.
9. In assessing this scheme, I have taken note of the Council's Design Policy ENV3 of the Black Country Core Strategy and Policy SAD EOS9 of the Site Allocations and Delivery Development Plan Document both of which reflect the Framework in their approach to well designed development being based upon a sound understanding of context and a sensitive response to the character of an area.
10. With this in mind, I saw on my site visit that the openness of frontage gardens, albeit with landscape and boundary treatments partially obscuring them, provide a positive contribution to the overall character of the street. Despite the proposed matching materials and traditional design, the proposed garage would introduce a large structure set far in front of the appeal property and its associated building line along the street. This would introduce a structure that would be largely incongruous, prominent and harmful to the overall character of the streetscene here.
11. Despite the proposed presence of landscaping to somehow hide this building, the siting, scale, massing and height of the structure would still appear obvious within this context and as such the policy requirements outlined above cannot be met.
12. Although I note the examples of some other somewhat similar schemes for garages or outbuildings that would appear to protrude in front of other houses nearby, I do not have the precise information before me so as to enable me to fully understand the reasons behind these examples. I note however that there are few within such a regular streetscene as this and that the no two sites are directly comparable to the one before me. As such, I can only give these examples very limited weight and their presence does not outweigh the harm that this scheme would cause in this particular context.
13. Ultimately, the proposal before me would not contribute in a positive manner to the character and appearance of the area and it would be contrary to Policy ENV3 of the Black Country Core Strategy and Policy SAD EOS9 of the Site Allocations and Delivery Development Plan Document as well as the aspirations for good design as advanced in the Framework. As such this appeal must fail.

Conclusion

14. As such, for the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR