



Appeal Decision

Site visit made on 27 May 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 June 2025

Appeal Ref: APP/P4605/W/25/3360092

257 Hagley Road, Edgbaston, Birmingham B16 9NA

- 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 Mrs Jessica Jones against the decision of Birmingham City Council.
 - The application Ref is 2024/01658/PA.
 - The development proposed is described as the Installation of a modular self-service launderette facility and associated works (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On my site visit I observed that the development which is the subject to this appeal had taken place. I am satisfied that the submitted plans reflect the development which has taken place and I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - a) whether the development preserves or enhances the character or appearance of the St Augustine's Edgbaston Conservation Area; and,
 - b) the noise effects of the development on nearby receptors.

Reasons

St Augustine's Edgbaston Conservation Area (the StAECA)

4. The StAECA is a small Conservation Area comprising predominantly residential streets that are centralised around the Parish Church of St Augustine of Hippo. It is understood that the Council have not produced an Appraisal or Management Plan for this Conservation Area. However, the appellants submission has been supported by a Heritage Statement¹ (the HS). The HS is thorough and provides a good understanding of the StAECA and its elements of significance. This identifies that the area was predominantly developed in the 19th Century as a residential suburb. Insofar as relevant to this appeal I find the significance of the StAECA is founded on its historic origins as a planned Victorian suburb, along with the overall architectural quality of the buildings it contains.

¹ Prepared by AB Heritage (dated 04/02/2025)

5. No.257 Hagley Road (No.257) is a large detached two-storey building which was built in the 19th Century. The building is constructed from red brick and retains much of its original period detailing. The character and appearance of the building is consistent with other buildings within the wider StAECA which includes numerous buildings of similar age, scale, and materials, with a variety of period detailing. Part of the site frontage to No.257 is open, allowing for views of the building from Hagley Road, across the forecourt. The remainder of the frontage is well landscaped, which heavily screens the building when viewed from the junction of Rotton Park Road.
6. Hagley Road defines part of the southern boundary of the StAECA. Hagley Road is a busy arterial route into/from Birmingham city centre. The immediate context of the appeal site contains numerous road signs, traffic signals and street lighting, while a bus shelter is located nearby. No.257 is in use as a Bed & Breakfast, while a row of hotels are located between the site and St Augustine's Road. There is a variety of business signage and frontage activity associated with these uses. While this part of the StAECA has a more commercial feel, such characteristics and context do not undermine the positive contribution that No.257 makes to the overall character and appearance of the StAECA.
7. The laundry facility has been positioned immediately adjacent to No.257 on the front courtyard. Wider visibility of the unit is generally limited due to its modest scale and the expanse of screening landscaping. However, the unit is visible from Hagley Road to the front of the property. From here, there are unobstructed views of the unit over the open frontage of the site. The unit has a boxlike form and, due to its use, has design elements which are utilitarian in appearance. It is finished with a predominantly grey colour and has a variety of signage and motifs which cover much of its front and side elevations. The degree of signage make the elevations somewhat visually busy. While modest in scale, the appearance and form of the unit contrasts markedly with the traditional red brick elevations of the building and the period detailing of its elevations. The very close siting of the unit to No.257, and its design, means that it attracts attention away from the positive characteristics of this building. As such, I consider that the unit has a harmful effect on the character and appearance of the StAECA.
8. The commercial use of the site and neighbouring properties, along with the busy nature of Hagley Road, means that there is a variety of associated paraphernalia in the area. Clearly, the development is provided in this context which, to some degree, lessens the prominence of the development. However, the laundry unit has a distinctly different form and appearance to existing paraphernalia and, in any event, it only adds to the level of visual clutter in this part of the StAECA.
9. It has been suggested in the HA that decals can be added to reduce the contrast between the unit and No.257. However, I have not been provided with any indication of how these would appear or could visually relate to No.257. Therefore, I cannot be satisfied that this suggestion would mitigate the effects of the development to an acceptable level. In such circumstances, it would not be appropriate for me to require such detail by condition.
10. For the reasons given above, the development fails to preserve or enhance the character or appearance of the StAECA. Therefore, the development is contrary to Policies PG3 and TP12 of the Birmingham Development Plan 2031 (2017) (the

BDP). Together, amongst other things, these require that development responds to local context, including heritage assets, and that developments affecting designated heritage assets should be determined in accordance with the Framework.

11. The impact of the proposal would be relatively localised and the harm to the StAECA identified above would be less than substantial. The Framework makes clear in paragraph 215 that where a development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. I return to this in the overall planning balance.

Noise

12. As noted above, Hagley Road is one of the main arterial routes into/from Birmingham city centre. As such, there is an underlying high level of activity within close proximity to the appeal site. The submitted Noise Report² (the NR) identifies that the nearest receptor as being within No.257 at first floor level. This receptor is very close to the position of the laundry unit. While the premises is in use as a Bed & Breakfast, and not residential, I consider that it would be reasonable for occupants of the site to expect a good standard accommodation, including its noise environment.
13. The NR indicates that predicted noise levels are 8 decibels below typical background noise levels during the day time. Given the level of activity in the area, I agree that these conclusions appear to be reasonable. Therefore, I am satisfied that the development does not result in an adverse noise effect on nearby receptors during those hours. However, during night time hours, the NR identifies that predicted noise levels are 10 decibels above the typical background noise level. This change is likely to be highly perceptible to occupiers of the B&B, particularly given the close proximity of the unit to the nearest receptor. It is likely therefore, that occupiers of No.257 would suffer from an unacceptable level of noise disturbance from the unit. While other receptors have not been considered in the NR, it is possible that occupiers of other nearby uses, i.e. the adjacent hotel, may also be affected by noise during the night time.
14. It has been advanced that the adverse noise effects of the development could be overcome through limiting the hours of operation of the unit. It is suggested that a planning condition could be imposed to limit the hours of use to between 07:00 and 23:00 only. The Council have indicated³ that the suggested condition has been internally reviewed and that the condition would be necessary to prevent noise disturbance. Therefore, if I were minded to allow the appeal, I consider that such a condition to prevent the use of the unit during night time hours, when noise effects are identified as being unacceptable, would address the concerns that I have identified.
15. For the above reasons the development has an unacceptable noise effect on nearby receptors. However, the issue could be addressed by condition. Such a condition would meet the relevant tests, and therefore the development complies with Policy PG3 of the BDP and Policy DM2 of the Birmingham Plan 2031 –

² Prepared by KP Acoustics Ltd (dated 23/08/2024)

³ Paragraph 7.6 of the Councils Statement of Case

Development Plan Document (2021). Together, amongst other things, require that development does not have an unacceptable adverse impact on the amenity of occupiers and neighbours.

Other Matters

16. The HS⁴ indicates that laundry unit serves those living in temporary accommodation locally and that the unit is one of the appellants busiest facilities. It is advanced that the facility provides an essential service to the wider community which is a public benefit of the development. I accept that such a development would be a beneficial facility to parts of the local community, and it would bring associated environmental, social and economic benefits. These are clearly public benefits of the development to which I can attach weight in favour of the development. However, I do not have any evidence to substantiate its level of use, or the demographics of those who rely on the facility. The lack of evidence in this regard, therefore, limits the weight that I can attach to these benefits.

Planning Balance and Conclusions

17. I have identified that the proposed development would cause less than substantial harm to the significance of the StAECA. The preservation of heritage assets is a matter to which I am required to attach considerable importance and great weight. The scheme would deliver some public benefits associated with the provision of a service to the local community. However, I can only attribute moderate weight to these public benefits and, therefore, I consider the benefits to be insufficient to outweigh the great weight which must be attached to the identified long-term harm to the heritage asset.
18. For the above reasons, the development conflicts with the development plan and with the provisions of the Framework in relation to heritage assets. There are no material considerations which indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

D Cleary

INSPECTOR

⁴ At 6.2.2