



Appeal Decision

Site visit made on 11 August 2025

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

Appeal Ref: APP/Q4625/W/25/3366991

10 Stanway Road, Shirley, Solihull B90 3JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Raj Gore (R & G World) against Solihull Metropolitan Borough Council.
 - The application Ref is PL/2024/00616/PPFL.
 - The development proposed is the conversion of a semi-detached dwellinghouse into 4 apartments, with demolition of an existing garage and the construction of a new two storey side extension and single storey rear extension with a roof dormer.
-

Decision

1. The appeal is dismissed and planning permission is refused for the conversion of a semi-detached dwellinghouse into 4 apartments, with demolition of an existing garage and the construction of a new two storey side extension and single storey rear extension with a roof dormer at 10 Stanway Road, Shirley, Solihull B90 3JE.

Procedural Matters and Background

2. Section 78 of the Town and Country Planning Act 1990 (as amended) provides that an applicant may appeal if the Council has not given notice of its decision on a planning application within the statutory period (or within an extended period if agreed in writing).
3. The appellant sets out his concerns regarding delays in the Council's handling of his application, which resulted in correspondence with a Member of Parliament, and which led to this appeal against non-determination under S78 of the Act. Be that as it may, I have dealt with the scheme before me on its planning merits.
4. Whilst the Council did not issue a decision, its email dated 14 July 2025 includes an officer report which sets out a recommendation for refusal, and which it states would have formed the evidence base and content of the decision notice if the appeal had not been submitted. I have had regard to that report, and to representations from interested parties, in framing the main issues.
5. Finally, as both principal parties refer to planning permission at the property for a two storey side extension, a single storey rear extension and a front canopy¹ ('the approved scheme'), I requested those plans from the appellant, and I have had regard to that decision in my reasoning.

¹ Ref: PL/2020/00030/MINFHO

Main Issues

6. The main issues are the effect of the proposal on:

- The character and appearance of the host property and the area; and
- The safety and convenience of highway users, with particular regard to vehicular parking.

Reasons

Character and appearance

7. Although there is an apartment block at the end of Stanway Road close to its junction with Stratford Road, I observed that the properties are overwhelmingly laid out in a regular pattern of two storey semi-detached pairs, which are of a broadly similar style, and which are set back from the tree-lined highway. The space between the front of the buildings and the pavement often includes off-road parking. Whilst a few of those spaces are entirely hard surfaced, more typically they include some vegetation. These attributes all contribute to the area's coherent, repetitive, and landscaped character.
8. The host and 12 Stanway Road ('No 12') form a fairly typical semi-detached pair. As No 12 has had a hip to gable extension, that element in this scheme would restore a degree of symmetry to the pair.
9. However, unlike No 12, this proposal includes a two storey side extension, which would be set back slightly from the host's front face and set down from its ridge. Whilst it would have a shorter front face compared to the approved scheme, it would be deeper. That depth, along with its side and rear facing gables, would give it a markedly greater scale and mass. Its long side elevation would be prominent and bulky in views approaching along Stanway Road from the west, and would give it a domineering and awkward relationship with the much lower adjacent bungalow. This part of the scheme would also appear markedly at odds with the fairly regular pattern, form and proportions of the semi-detached pairs which typify the road.
10. Compared to the approved scheme, the proposal would also include a rear dormer which, whilst broadly mirroring the dormer at No 12, would add further to its bulk and complexity. Having regard to cumulative impacts, the dormer, side extension, hip to gable extension, front canopy and single storey rear extension, would give the resultant property an eclectic, incoherent form. It would be much larger than the approved scheme, and very little of the original property's style and proportions would remain legible.
11. The host's front boundary wall and hedgerow would also be removed, and the area between the building and the pavement would be entirely hard surfaced. That surface treatment and the absence of vegetation would give the frontage a harsh and unalleviated appearance, which would be cluttered when occupied by cars and refuse bins, and which would jar with the landscaped character of the streetscene.
12. For these reasons, notwithstanding the proposed use of matching materials, and the respect for the established building line, the proposal would significantly harm the character and appearance of the host property and the area. It would thereby conflict with Policies P5 and P15 of the Solihull Local Plan 2013 ('SLP'). Amongst other things, and in general terms, these require development to conserve and

enhance local character, distinctiveness and streetscape quality, having regard to matters such as scale, massing, density and landscaping.

13. It would also conflict with the stance at paragraph 135 of the National Planning Policy Framework 2024 ('Framework') that, whilst appropriate innovation or change should not be prevented, new development should be sympathetic to local character, including the surrounding built environment and landscape setting.

Safety and convenience of highway users

14. The site is located close to a range of facilities, including bus stops with services to Solihull and Birmingham. This is therefore an accessible location where the occupants would not necessarily require a car to meet their day-to-day needs, particularly given the proposed cycle storage facilities. In that context, the Council, including its Highway Officer ('the HO'), set out that its standards require just one off-road car parking space per unit².
15. The plans at Appendix E of the appellant's statement show four off-road parking spaces to serve these 4 apartments. However, whilst the number of spaces and their dimensions would satisfy the Council's standards, there would be no central access or gap between them, there would be only a very narrow gap between them and the front of the building, and one space would be next to the proposed bin collection area.
16. Thus, despite the absence of an objection from the HO, I share the Council's concerns that the layout would be cramped, and that circulation space for people using the parking spaces, taking bins to and from the collection area, and accessing the building, would be very tight and awkward. Given those concerns, the layout may result in some drivers seeking to park on the road and, on occasions, bins could be positioned on the pavement, where they would obstruct and cause a hazard to pedestrians, including those who are visually impaired or who have mobility issues.
17. Numerous residents attest to local on-road parking congestion and inconsiderate parking on pavements and blocking accesses, partly as a result of people parking here for work or to use the services on Stratford Road. Although it represents just a snapshot in time, there were many cars parked on Stanway Road, including the pavement, at the time of my visit. Whilst this issue predates the planning application, it nevertheless comprises an existing highway characteristic.
18. As part of the scheme, the existing dropped kerb in front of the site would need to be extended, thus resulting in the loss of an on-road parking space. Consequently, and given my findings above, there would be a modest increase in on-road parking pressures in an area which already experiences significant congestion. Planning conditions, including a requirement for a Waste Management Plan, would not overcome the deficiencies in the proposed layout.
19. Having regard to the limited scale of the proposal and its limited impact, the scheme would have a modestly harmful effect on the safety and convenience of highway users. On this issue, there would therefore be a limited conflict with SLP Policy P8 which requires proposals to have regard to transport efficiency and highway safety, and which seek to prevent a reduction in the safety of highway

² Vehicle Parking Standards and Green Travel Plans Supplementary Planning Document

users. There would be a similar level of conflict with the Framework's stance at paragraphs 115 and 116 that safe and suitable access shall be achieved for all users, and that there should not be an unacceptable impact on highway safety.

Other considerations

20. As I have few details of the approved scheme of conversion and extension to form four flats at 36 Hazeloak Road³, I am unable to draw any meaningful comparisons between it and the scheme before me. In any event, its approval does not change my conclusions regarding the harm that this proposal in this area would cause.
21. SLP Policy P5 sets out the need to maintain an appropriate housing land supply. Whilst this scheme would increase supply by making an efficient use of land and increasing housing density, as it would not maintain local character and distinctiveness it would not comply with that policy. Although the appellant states that there is a shortage of affordable apartments in the area for young adults entering the workforce, I have no cogent evidence to indicate that that need is greater than for other forms of accommodation, or that these apartments would be more affordable to rent compared to other properties.
22. The Council acknowledges that its 2.13 year housing land supply falls substantially below the Framework's requirement. The scheme would result in a small net increase of three units, and this benefit therefore carries moderate weight in its favour.
23. In circumstances where the Council cannot demonstrate an appropriate housing land supply, Framework paragraph 11 sets out that policies which are most important for determining the application are out-of-date, and that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes. I return to this below.

Planning Balance and Conclusion

24. I have found that the scheme would result in limited harm to the safety and convenience of highway users and that, as it would not be well-designed, it would cause significant harm to the character and appearance of the host property and the area. It would therefore conflict with the development plan.
25. Whilst the scheme would contribute to housing supply and make an efficient use of land in a sustainable location, the combined harms it would cause would significantly and demonstrably outweigh its moderate benefits, when assessed against the policies in the Framework taken as a whole. It does not therefore benefit from the Framework's presumption in favour of sustainable development.
26. For these reasons, and having regard to all other matters raised, including representations by interested parties, the appeal is dismissed.

Chris Couper

INSPECTOR

³ Ref: PL/2017/02518/PPFL at Appendices K and L of the appellant's statement