



Appeal Decision

Site visit made on 13 August 2025

By G Powys Jones FRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2025

Appeal Ref: APP/P4605/D/25/3367672

917 Aldridge Road, Oscott, Birmingham, B44 8NY

- 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 Sunil Sharma against the decision of Birmingham City Council.
 - The application Ref is 2025/02053/PA.
 - The development is a single storey detached outbuilding.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey detached outbuilding at 917 Aldridge Road, Oscott, Birmingham, B44 8NY in accordance with the terms of the application, Ref 2025/02053/PA subject to the following conditions:
 - i). *The development hereby permitted shall be completed in accordance with the following approved plans: Ref 1001-01 and 1001-02.*
 - ii) *The outbuilding hereby permitted shall only be used for purposes incidental to the use of the dwelling known as 917 Aldridge Road.*

Preliminary and Procedural Matters

2. The outbuilding is intended as a replacement for another which, for the most part, has been demolished. The new outbuilding, sited in the appeal dwelling's rear garden, is partially built, although works have ceased. I shall therefore treat the appeal as if the original application had been made to retain that part of the building already built and to complete it in accordance with the submitted plans.
3. Based on the preliminary information provided by the main parties, the site visit was arranged as one where entry to the site was not required. However, it became apparent during my visit that a closer inspection of the site was needed in order to make an appropriate assessment. The appellant was at home when I called and allowed entry to the rear garden. No-one was at home at Nos 2 & 3 Fairyfield Croft, two bungalows sharing a boundary with the appeal site. However, I could see the appeal site clearly at close quarters in the open gap between the bungalows. I am therefore satisfied that I saw all I needed to see to enable me to proceed to a decision.

Main Issues

4. The main issues are the effect of the proposed development on: (a) the character and appearance of the host property and its surroundings, and (b) on the living

conditions of the residents of Nos 2 & 3 Fairyfield Croft with particular reference to light and outlook.

Reasons

Character and appearance

5. The appeal property, a detached dwelling, stands alongside a busy highway in a suburban area in the north of the City. The building would replace another outbuilding at the end of the rear garden. Judging from what remains of the former building, the submitted OS plans and images on Google Earth, the former building has a significantly larger footprint than the replacement.
6. The new outbuilding would be built on two levels, having two rooms, one a games room and the other a store, at a lower level. The new and slightly elevated slab of the former is in place, and side walls have been erected. The lines of the new walls follow those of the mostly demolished original outbuilding. Most of the outbuilding would have a shallow pitched ridged roof, whilst the storeroom element would have a flat roof. The walls would be bricked, and the pitched roof tiled.
7. The Council objects to the scale of the outbuilding, which it says would dominate the host property and detract from the visual amenities of the area. However, it is smaller than the outbuilding replaced, and cannot be seen from the front, from the street. Indeed, it is not noticeable from the public realm, since the land to the west is fenced off with signs warning the public against entry on account of danger. There are also some trees on the western boundary of the site. Neighbours alongside in Aldridge Road would have become accustomed to the sight of the original outbuilding, and the replacement would represent a smaller building and, on account of its design, a visual improvement. Enough open garden area remains to serve the host property, more than before given that the outbuilding's footprint is reduced.
8. I conclude that the outbuilding is an acceptable replacement, being effectively screened from most public vantage points with minimal visual impact, and having no harmful effect on the character and appearance of the host property and the wider scene. Accordingly, no conflict arises with those provisions of policy PG3 of the Birmingham Development Plan (BDP) and policy DM2 of the Development Management in Birmingham Development Plan Document (DPD) requiring high quality design and for development to be appropriate to its location.

Living conditions

9. The two bungalows to the south sharing a boundary with the appeal site derive access from Booths Lane along a private drive. They have small rear gardens and a high, solid timber fence demarcates the boundary between the bungalows and the appeal site. The outbuilding would be sited immediately to the north of the fence. The replacement outbuilding's walls have taken shape, so that the proposed ridge height is clearly discernible.
10. The bungalows have windows in their northern elevations, but the feature dominating the northern outlook from the rear of the bungalows is the fence, which is to remain. The outbuilding's roof would be higher than the fence, but only marginally so and by not so much as to materially affect the currently available outlook from the bungalows or their rear gardens.

11. The Council says that the bungalows' light would be affected but does not explain why. No readings or calculations have been provided, so my assessment is necessarily subjective, based on that seen. Sunlight to the bungalows would not be materially affected given the continued presence of the high fence, and that the outbuilding would be sited northwards of the bungalows. The presence of the fence may also affect daylight, but since the outbuilding would only protrude marginally above, current levels of daylight within the bungalows would not be harmfully reduced.
12. I therefore conclude that the living conditions of the residents of 2 and 3 Fairyfield Croft would not be harmfully affected by the outbuilding. Accordingly, no conflict arises with those provisions of DPD policy DM2 requiring development not to result in unacceptable adverse impact on neighbours

Conditions

13. Since the development has begun the Council's suggested condition regarding the timing of its commencement is unnecessary. In the interests of certainty, it is important that the development is completed in accordance with the approved plans, and a condition to this effect is imposed. Materials are specified in the plans, and the brick used can be seen on the site. The Council's suggested condition in this regard is therefore not considered appropriate.
14. I consider that an additional condition is necessary, in the interests of certainty, to clarify the use of the outbuilding.

Other matters

15. Reference has been made to other development plan policies but those to which I have referred are considered the most appropriate in the particular context of this case.
16. A small opening had been inserted in the outbuilding's western wall, presumably meant as a future window. This is not shown on the submitted plans and the permission granted by reason of this successful appeal should not be construed as authorising the opening.
17. All other matters raised in the representations have been considered, including the Council's references to the Birmingham Design Guide SPD and the views of the residents of the two bungalows in Fairyfield Croft, but none is of such strength or significance as to outweigh the considerations leading to my conclusions.

G Powys Jones

INSPECTOR