

Reference: 17821

Client name: <REDACTED>

Address: <REDACTED>

Date: 5 January 2021

This is a sample case review. It was written for a real client. Please note that all cases are different and your review may differ in length, tone, style and content.

- 1.1** Thank you for your instructions to review your recent refusal of planning permission. Your application was for a two-storey side extension. The application (reference: <redacted>) was refused by Birmingham City Council on 10 December 2020.
- 1.2** I have taken a look at the plans that were submitted, the decision notice and the case officer's report. I have also had a look at some satellite images of your property and the surrounding area.
- 1.3** The Council has refused planning permission on the basis that the development would harm the character and appearance of the streetscene and would look out of place. The Council has no other concerns – it is not saying that the development will harm your neighbours, for example.
- 1.4** The Council has adopted planning guidance to say that two-storey side extensions should be no wider than 2/3 of the width of the existing house, that they be set back 1m from the front of the existing house and be set away 1m from the side boundary.
- 1.5** In your case, the extension is set back from the front by 1m and it is also set away from the boundary by 1m, so you have complied with the guidance in that respect. However, your extension is 6m wide, which is wider than 2/3 of the main house, which is 7.5m wide.
- 1.6** Though you do not comply with the guidance on this issue, that is not necessarily a problem. It is 'guidance' – not an absolute rule, and an exception can sometimes be justified.
- 1.7** In my judgement, an exception is justified here because your side garden is so large. Even after extending, there is 5m to the side boundary. In addition, the area has a mixed character – all the houses are different. As a result I think the extension would fit in quite well with streetscene.
- 1.8** In my professional opinion, your development would not harm the character of the existing house and the wider area and you should consider challenging the decision.
- 1.9** You could submit a new application to the Council, but it is likely they will only grant permission if you make the extension no wider than 2/3 of the main part of the house.
- 1.10** I recommend, instead, that you appeal this decision. You can find information on how to appeal a planning refusal on our website, or on the government's website (www.gov.uk/appeal-planning-decision).