



Appeal Decision

Site Visit made on 7 September 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2021

Appeal Ref: APP/P4605/D/21/3276460

5 Rodbourne Road, Birmingham B17 0PN

- 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 Tony Tse against the decision of Birmingham City Council.
 - The application Ref 2021/01222/PA, dated 12 February 2021, was refused by notice dated 8 April 2021.
 - The development proposed is a new front porch.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). I have asked for further comments from parties and, where received these have been considered. The revised Framework does not, however, materially alter the national policy approach in respect of the main issues raised in this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and area.

Reasons

4. The area is characterised by uniform pairs of semi-detached dwellings and short terraces set back from the highway with a bay window to the ground floor. Although some dwellings have been altered, for example painting or rendering the red brick, the single projecting bay window has remained a key characteristic of the street scene creating a pleasant balance and rhythm.
5. No 5 is a mid-terraced property, and the proposed development would remove the existing bay window and replace it with a single storey extension that would extend across the majority of the host dwellings front elevation. Whilst the extension is relatively modest in scale and, as a whole, is subservient to the host dwelling, the loss of the bay window and replacement with wider extension, upsets the aforementioned pleasant rhythm and balance. It would accordingly result in an incongruous addition to the street scene and thus be harmful to the character and appearance of the area.
6. I note the comments made by the appellant regarding examples of similar extensions in the area and I viewed some of these nearby during my site visit. However, the Council has advised that they have not given permission to such

extensions and they have not necessarily been given planning permission. If they do not benefit from permission, that would be a matter for the Council to address as necessary. Nonetheless, for that reason, and as they are not so prevalent to alter the broadly consistent character of the area, they do not alter my reasoning above.

7. As such, the proposal would conflict with Policy PG3 of the Birmingham Development Plan 2017, saved policies 3.14C and 3.14D of the Birmingham Unitary Development Plan 2005, and the guidance contained within the Extending Your Home Supplementary Planning Document 2007. In summary those provisions seek, amongst other things, to ensure good design and developments that create a positive sense of place and local distinctiveness. The proposal would also conflict with paragraph 130 of the National Planning Policy Framework which seeks good design sympathetic to local character.

Conclusion

8. I accept, as the appellant puts it, that the proposal would provide for a more comfortable dwelling for the family to enjoy, and I accept that boundary features and the form of nearby properties would partially screen the proposal from certain vantage points. Nevertheless those points are insufficient to outweigh my finding regarding adverse effects on character and appearance. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR