

Appeal Decision

Site visit made on 23 November 2021 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2022

Appeal Ref: APP/P4605/D/21/3277297

37 Colebourne Road, Birmingham B13 0EZ

- 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 Mrs Razia Karim against the decision of Birmingham City Council.
 - The application Ref 2021/00235/PA, dated 6 January 2021, was refused by notice dated 5 May 2021.
 - The development proposed is erection of single and two storey rear extensions, loft conversion with rear balcony and alteration to roof.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have been provided with a further opportunity to make submissions in respect of the publication. No comments were received from either party.
4. The description of development in the header above is taken from the Council's Decision Notice as this more accurately reflects the development proposed than the description given on the application form.

Main Issue

5. The effect of the proposed development upon the character and appearance of the dwelling and the street scene.

Reasons for the Recommendation

6. No 37 is a two-storey dwelling with a dual pitched hipped roof. The surrounding dwellings are similar in appearance and hipped roofs of various designs are a common feature in the area. The appeal property is one of a group of dwellings of very similar design, despite various alterations. The consistent appearance of the dwellings and specifically the roof form gives the road a distinct character and positively contributes to the appearance of the street scene.

7. The proposal would significantly increase the pitch of the roof and substantially increase its bulk. This would introduce an incongruous roof form into the street scene which would detract from the appearance of the dwelling and the consistent roof form locally. Whilst the neighbouring dwelling has enlarged its roof over the smaller hipped section, the pitch and overall scale remains largely consistent with neighbouring properties, and is considerably smaller in bulk than the appeal proposal. Due to the significant change in roof form, the proposal would not fit in with the type and style of roofs in the area.
8. The submitted plans appear to be inaccurate, with the front elevation showing squared off sections of flat wall either side of the front section of roof, but the side and rear elevations showing pitched roofs in the same locations. If walls are proposed at roof level these would be visible from the road and further add to the incongruity of the proposed roof form.
9. The proposed balcony would be partly set into the roof, creating an awkward relationship with the surrounding roof form and extending across the width of the dwelling. Due to its scale and design, it would be clearly visible from neighbouring properties and would further detract from the appearance of the host dwelling.
10. The proposed single storey rear extension would not be visible from the road and would be of similar scale to existing extensions to neighbouring properties. As a result, it would not harm the character and appearance of the dwelling or the street scene. It would however be linked to the proposed first-floor rear extension, incorporating part of the balcony, and therefore the two elements would not be easily severable. Consequently, it would not be possible to issue a split decision in this instance.
11. Accordingly, the proposed alterations to the roof form would harm the character and appearance of the dwelling and the street scene. Consequently, the proposal would be contrary to Policy PG3 of the Birmingham Development Plan (adopted 2017) and saved paragraphs 3.14C-D of the Birmingham Unitary Development Plan (adopted 1993). These policies expect new development to reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context.
12. Furthermore, the proposal would conflict with the advice on roof extensions in the Extending Your Home – Home Extensions Design Guide Supplementary Planning Document (adopted 2007), and with paragraph 130 of the Framework insofar as it states that development should add to the overall quality of the area and be visually attractive as a result of good architecture.

Other Matters

13. The appellant suggests that the proposal was refused due to overlooking, however this did not form part of the Council's reasons for refusal. Nevertheless, privacy concerns were raised by a neighbour. The proposed balcony would potentially provide views into the rooflights of the rear extension of No 35, however this could be addressed by privacy screens, which could have been secured by planning condition if the proposal were otherwise acceptable. Consequently, the potential harm to the living conditions of neighbouring occupiers could be satisfactorily mitigated.

Conclusion and Recommendation

14. There are no material considerations that indicate that the appeal should be determined other than in accordance with the development plan. For the reasons given above, the proposal would not accord with the development plan as a whole and, having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

L McKay

INSPECTOR