
Appeal Decision

Site visit made on 21 February 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2022

Appeal Ref: APP/P4605/D/22/3290077

65 Pereira Road, Birmingham, B17 9JA

- 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 and Mrs Pandey against the decision of Birmingham City Council.
 - The application Ref 2021/06553/PA, dated 21 July 2021, was refused by notice dated 22 October 2021.
 - The development proposed is a hip to gable loft conversion including rear dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal was submitted alongside another appeal¹ for a very similar proposal to the adjoining semi-detached property No.63 Pereira Road. I have considered each appeal both jointly and individually.

Main Issues

3. The main issues are the effect of the development on i) the character and appearance of the dwelling and its surroundings and ii) living conditions of occupiers of No. 63 Pereira Road with particular regard to overlooking.

Reasons

Character and appearance

4. Pereira Road is an attractive, well planned, residential street comprising a range of dwellings of similar age, materials, design and appearance, set back behind front gardens/parking areas, with long rear gardens. With the exception of number 50 Pereira Road, which appears to be a later detached infill dwelling, all of the properties are, or were originally, semi-detached houses with red tiled, hipped or half hipped, roofs. The hipped roofs are a positive and distinctive characteristic of the area that accentuate the space between the buildings and are particularly important where that space has already been reduced by the introduction of two-storey side extensions close to or up to the site boundaries.
5. The appeal property has an existing two-storey side extension with a hipped roof constructed almost up to the boundary. Neighbouring No.67, which is

¹ APP/P4605/D/22/3290075

slightly higher than the appeal property, also has a two storey side extension built almost up to the boundary. The proposed hip to gable extension would fill much of the limited space remaining between the roofs and this would harmfully detract from the overriding character and appearance of the street scene.

6. The hip to gable extensions proposed to Nos. 63 and 65, when taken with the existing roof extensions to each property, would triple their original ridgeline width. This cumulative increase to the scale, bulk and massing of the original roof would significantly and harmfully detract from the original design of the appeal properties and that of the neighbouring dwellings.
7. The proposed rear dormer would be set in from the side of the new roof, set up from the eaves and would not exceed the ridge height. It would not be visually prominent in the street scene and large rear dormers are not uncommon in the area or unacceptable in principle. However, altering the prevalent roof form in the area to accommodate such a development would be harmful for the reasons I have already explained above. The need to alter the roof form to accommodate the dormer is also a clear sign that it is too large and would not respect the scale, form and design of the original dwelling. Other similar house types in the area have smaller dormer windows to the rear that fit within the original or an extended hipped roof space, demonstrating that it is possible to provide an additional bedroom in the roof space without the need for a hip to gable alteration.
8. I walked the full length of Pereira Road and acknowledge the variety of dwellings, extensions and roof forms that exist. The appellant accepts that some of these alterations were most likely permitted development and therefore outside of the full control of the Local Planning Authority. The proposal before me is not permitted development and must be determined in accordance with the development plan unless material considerations indicate otherwise. The other extensions and alterations I saw in the area did, for the most part, retain a hipped roof form and/or space between roofs. They are not directly comparable to the proposal currently before me in terms of increased roof massing and would not in my view justify a determination other than in accordance with the development plan.
9. Although the adjoining houses at Nos. 63 and 65 have lost some of their original symmetry due to previous alterations, these changes have not resulted in any significant level of harm. I accept that the proposals, if completed jointly with matching materials, would partially restore some symmetry by having matching roof lines. However, the same could be achieved with new matching hipped roofs. Completing the proposals individually would result in a further loss of symmetry causing even greater harm to the original character and appearance of the dwellings and their surroundings.
10. I therefore conclude on this matter that undertaken either on its own or jointly with the adjoining semi-detached house the proposed development, by virtue of the cumulative increase of existing and proposed extensions to the scale, massing and bulk of the roof, the width of the ridgeline and decrease in the gap between roofs would harmfully detract from the original design of the dwelling and the prevalent character and appearance of the area. Consequently the development would not accord with policy PG3 of the Birmingham Development Plan 2017 or saved paragraphs 3.14 C and D of the Birmingham Unitary

Development Plan 2005, which amongst other things seek to ensure that new development responds appropriately to local distinctiveness and context.

Living conditions

11. The proposed dormer roof extension would include a large Juliette balcony style window opening, which like any other upper floor window would inevitably overlook the rear gardens of nearby properties to either side of the house. There are no dwellings directly behind the appeal site. It is clear from the submitted drawings that no openings would project from the rear wall of the dormer and that no external usable balcony space would be created. Consequently the proposed dormer openings would result in no greater level of overlooking or loss of privacy than any other window, including those in the existing first floor rear elevation of the property. I note that no such overlooking objection was raised by the council in relation to the rear dormer windows proposed in the adjoining dwelling.
12. In respect of this matter I therefore find no conflict with saved paragraph 3.14C of the Birmingham Unitary Development Plan 2005 or with the Places for Living Supplementary Planning Guidance, which is guidance rather than policy and appears to relate primarily to new housing developments as opposed to house extensions.

Conclusion

13. For the reasons given above the appeal is dismissed.

Rachael Bartlett

INSPECTOR