



Appeal Decision

Site visit made on 1 March 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2022

Appeal Ref: APP/P4605/D/21/3288536

89 Douglas Road, Acocks Green, Birmingham B27 6HH

- 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 Michael Manifold against the decision of Birmingham City Council.
 - The application Ref 2021/07943/PA, dated 9 September 2021, was refused by notice dated 4 November 2021.
 - The development proposed is dormer loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for dormer loft conversion at 89 Douglas Road, Birmingham B27 6HH in accordance with the terms of the application, Ref 2021/07943/PA, dated 9 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250; Site Layout Plan 1:500; and Proposed Floor Plans & Elevations Drawing No 89.2
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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 Matter

3. The Development Management in Birmingham Development Plan Document (DMB) was adopted after the appeal was submitted. Both parties have been given the opportunity to submit comments on the change in policy context and the Council has provided what it considers to be the relevant policy from the DMB. The policies referred to in the decision notice from the Birmingham Unitary Development Plan (adopted 1993) have been superseded by the DMB.

Main Issue

4. The effect of the proposal upon the character and appearance of the dwelling and the area.

Reasons for the Recommendation

5. No 89 is a two-storey end terrace dwelling with a gable end roof. The houses in the street scene are similar in appearance. The proposed dormer would extend across almost the full width of the rear roof slope but would be set slightly below the ridge. Overall, it would effectively replace the rear roof slope.
6. The gap between No 89 and 87 is very narrow and, as a result, the flank wall of the proposed dormer would not be particularly visible within from Douglas Road. The houses along Alexander Road to the rear of the site are similar in scale and appearance to those on Douglas Road. Because the dwellings to the rear of No 89 are tall, terraced properties there are no locations where the proposal would be visible from that road.
7. There is a footpath between the two roads at the other end of the terrace to the appeal property and there would be glimpsed views of the proposed dormer from this. Nevertheless, there are several dwellings with large dormers of various designs in close proximity to the appeal site which are also visible from the footpath. Consequently, the proposal would not introduce an alien or harmful feature into the area in this glimpsed view.
8. This advice contained within the Extending Your Home Supplementary Planning Document (SPD) (2007) states that dormer windows should not dominate the appearance of the roof of the property and should be built in proportion with the size of the overall roof. Moreover, they should be in keeping with the house and the roof. Due to the scale of the dormer window it would be contrary to the SPD advice. Nevertheless, given the prevalence of large dormer windows in the area and the limited viewpoints from which it could be seen, the proposal would not harm the character of the area.
9. Furthermore, its bulk would be broken up by the large rear extension, and it would not appear overly dominant in relation to the already substantially extended rear elevation. As a result, it would not harm the appearance of the dwelling. Nevertheless, I find no harm from the proposal to the character and appearance of the dwelling or the area. Therefore, the minor conflict with the SPD would not warrant the refusal of the proposal, in this instance.
10. Consequently, the proposal would accord with Policy PG3 of the Birmingham Development Plan 2031 (adopted 2017) which expects proposals to be designed to respond to site conditions and local area context. Moreover, the proposal would not conflict with DMB Policy DM2 which, although primarily related to amenity, requires development to be appropriate to its location. Furthermore, the proposal would accord with the general design policies of the National Planning Policy Framework.

Conditions

11. In addition to the statutory commencement condition it is necessary in the interest of certainty for the development to be carried out in accordance with the approved plans. Furthermore, it is necessary in the interest of the character and appearance of the area for the surface materials to match those used in the existing building.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

13. 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 allow the appeal subject to the conditions set out above.

L McKay

INSPECTOR