
Appeal Decision

Site visit made on 8 August 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2023

Appeal Ref: APP/P4605/D/23/3324069
16 Willow Road, Birmingham B30 2AU

- 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 Andrew Mannion against the decision of Birmingham City Council.
 - The application Ref 2023/01109/PA, dated 20 February 2023, was refused by notice dated 6 April 2023.
 - The development proposed is a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Procedural matters

2. While the appellant has described the development as in the above heading, the Council has additionally referred to the installation of roof lights. From my inspection of the plans, the Council's description more fully reflects the development sought. I have proceeded on that basis.
3. The proposed rear dormer and roof lights are in place and these appear to have been completed in accordance with the plans.

Main issue

4. The main issue is the effect of the development on the character and appearance of the local area.

Reasons

5. The appeal property is a mainly 2-storey end terrace house within the Bournville Village Conservation Area (CA), which is predominantly residential in character. Within the CA, there is a range of building styles. Nevertheless, buildings are generally similar in scale and age often with attractive detailing and brick is the dominant and unifying external material. Consequently, street scenes within the CA are largely harmonious and attractive. Willow Road is one such example. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. The dormer in question is modest in size and is centrally placed on the main rear roof slope of No 16. Although it is set away from the edges of the host roof, the dormer is a prominent feature at the rear of the dwelling primarily due to its elevated position. That the dormer has a flat roof and a solid

expanse on either side of the rear-facing window visually accentuates its bulk. When seen against the largely uncluttered pitched roofs at the back of No 16, the dormer has a rather awkward squat appearance that jars with the traditional style of the dwelling.

7. The external materials are appropriate and there is no significant disruption to the pattern of fenestration with other windows in the rear elevation. The Bournville Estate Design Guide (BEDG) notes that flat roof dormers may be acceptable where they are modest in scale and there are other flat roof dormers in the area. However, due to its design and high-level position, the dormer is an incongruous and conspicuous feature that detracts from the character and appearance of the existing dwelling.
8. None of the dormer is visible from Willow Road given its position at the rear of the appeal property. Consequently, it has no effect on the character and qualities of the local street scene. However, it is evident from the back garden of No 16 and from some neighbouring properties. Although not part of the public realm, these locations encompass the characteristics of the CA as it is experienced and appreciated by residents and others. From these vantage points, the dormer draws the eye as an unsympathetic and visually disruptive addition to the house and the wider terrace. As such, it is detrimental to and so fails to preserve the character and appearance of the CA.
9. The appellant places some reliance on the Council's recent decisions to approve dormer extensions on properties within the CA and has referred to several dormers that are in place with some background details and photographs provided, including 2 properties on Acacia Road. While dormers are a feature of some buildings within the CA and therefore form part of its character, their presence does not in itself necessarily signal that such schemes are therefore acceptable. These cases have blended into the visual character of the local area and respected the appearance and qualities of the host building with varying degrees of success. They serve to demonstrate that even modest changes to the upper part of a dwelling can have a significant impact on the character and appearance of that building and its surroundings. To my mind, these cases do not justify an unsympathetic form of development, as sought.
10. The harm caused by the dormer is localised and so the effect on the CA is less than substantial. In those circumstances, the National Planning Policy Framework (the Framework) states that the harm should be weighed against the public benefits of the scheme. No public benefits have been put forward and none would outweigh the harm that I have identified.
11. On the main issue, I conclude that the dormer causes significant harm to the character and appearance of the local area. Therefore, the development is contrary to Policies PG3 and TP12 of the Birmingham Development Plan and the Birmingham Design Guide. These policies and guidance support development that demonstrates high design quality; complements the character of the host building and its surroundings, and safeguards heritage assets. It is also at odds with the Framework, which states that development should be sympathetic to local character, add to the overall quality of the area, and conserve or enhance heritage assets such as conservation areas.
12. The roof lights installed on either side of the dormer appear to be fitted close to the plane of the roof slope and so do not significantly protrude above it. These additions are small and appropriately placed on the roof, with no significant

change to the appearance of the dwelling as a result. In views from the back garden of No 16, the roof lights are inconspicuous and do not look out of place within the local area. The BEDG also states that rooflights to rear slopes are acceptable. Nevertheless, from the submitted plans it is unclear whether these elements of the appeal scheme are clearly severable, both physically and functionally, to the dormer, which is objectionable. Therefore, I have not issued a split decision that grants planning permission solely for them.

13. I note that the dormer was erected on the mistaken understanding that it was permitted development. Others raise no objection including The Bournville Village Trust, which acts as the custodian of the Bournville Estate. However, these considerations do not outweigh the significant harm that I have identified in relation to the main issue.

Conclusion

14. Overall, the development conflicts with the development plan, when read as a whole. There are no material considerations, including the policies of the Framework, which indicate that the decision should be taken other than in accordance with the development plan.
15. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR