



Appeal Decision

Site visit made on 22 April 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15.05.2024

Appeal Ref: APP/P4605/D/24/3338860

1 Sheen Road, Birmingham, West Midlands B44 9PH

- 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 Gholam Azimi against the decision of Birmingham City Council.
 - The application Ref 2023/08596/PA, dated 17 December 2023, was refused by notice dated 14 February 2024 the development proposed is a first-floor rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a first-floor rear extension at 1 Sheen Road, West Midlands B44 9PH in accordance with the terms of the application, Ref 2023/08596/PA, dated 17 December 2023, and the plans submitted with it, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - (2) The development hereby permitted shall be in accordance with the following approved plans: location plan, proposed block plan and drawing GA/01/29 rear first floor bathroom extension.
 - (3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.
 - (4) The proposed rear window of the first-floor rear extension hereby permitted shall be fitted with a top-opener and obscure glazing.
 - (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the rear elevation.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the building and street scene.

Reasons

3. The appeal building is a two-storey semi-detached dwelling located in a residential area. It has been the subject of several previous extensions. The

proposed extension is relatively small and would allow a bathroom of limited size to be improved. The Council considers that the proposal would have no adverse impact on the amenity of neighbours subject to conditions. I see no reason to disagree having regard to the relative orientation of the neighbouring properties.

4. The proposed extension would not be seen from Sheen Road and being at the rear of the dwelling would have no adverse impact on the street scene. Although the proposed flat roof would be out of character with the hipped roof form of the dwelling and others in Sheen Road there is already a flat roof dormer at the rear elevation. A flat roof would ensure that the proposed extension would have a small visual impact and would not be significantly harmful or unduly dominant when viewed from neighbouring properties. The dwellings at Sundridge Road with windows which directly face the rear elevation of the appeal building would have a significant separation distance from the extension because of the intervening rear gardens. Whilst the appeal building has been the subject of other extensions I consider that the extension proposed would not excessively unbalance the appearance of the pair of semi-detached dwellings of which it is part or constitute an over-development cumulatively because of its relatively small scale.
5. I find that the proposal would not conflict with Birmingham Development Plan policy PG3 which seeks to ensure that all new development demonstrates high design quality and contributes to a strong sense of place. It would comply with the Birmingham Design Guide as the extension would not negatively impact on the appearance of a property and surrounding area. It would also comply with the objectives of the National Planning Policy Framework regarding good design.

Conditions

6. In addition to the standard condition regarding the timescale for the development, a condition is added to confirm the approved plans. Matching external materials are required to protect the character and appearance of the building. Conditions are imposed to ensure that there is no opportunity for overlooking of neighbouring gardens from the proposed rear window. Permitted development rights are also restricted to prevent the insertion of any other windows.

Conclusion

7. For the reasons given above the appeal is allowed.

Martin H Seddon

INSPECTOR