
Appeal Decision

Site visit made on 29 May 2024

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2024

Appeal Ref: APP/P4605/W/24/3343613

123 Brunswick Road, Sparkbrook, Birmingham B12 8PB

- 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 Mazyar Shirali against the decision of Birmingham City Council.
 - The application Ref 2023/05220/PA, dated 13 September 2023, was refused by notice dated 6 November 2023.
 - The development proposed is "loft conversion with roof lights, rear dormer window and new open plan floorplan at 1st storey flat".
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Decision

1. The appeal is allowed, and planning permission is granted for a loft conversion with roof lights and rear dormer window, at 123 Brunswick Road, Sparkbrook, Birmingham B12 8PB, in accordance with the application Ref 2023/05220/PA, dated 13 September 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be commenced not later than three years from the date of this decision.
 - 2) The development shall be carried out in accordance with the approved plans, Nos 05 'Proposed Floor Plans and Roof Plan', and 06 'Proposed Elevations'.

Reasons

2. The eastern section of Brunswick Road, within which the appeal property is situated, forms part of a former Council housing estate laid out in the 1960s or thereabouts. The architectural style is typical of that period, with simple building shapes and a conscious lack of ornamentation. No 123 itself is a self-contained first-floor maisonette. To one side, the adjoining properties are mainly 2-storey terraced houses, with some 3-storey flats just beyond. To the other side are a row of terraced bungalows. Opposite is a school complex with a variety of modern buildings.
3. The existing accommodation at No 123 comprises a modest-sized living/dining area, a small separate kitchen, one bedroom and a small shower room. The development now proposed would add a box-shaped dormer roof extension to the rear, enabling the bedroom to move into the second-floor loft space, with a slightly larger bathroom. Additional natural light would be obtained from two new front-facing rooflights. On the main first floor level, the existing partition walls would be removed, to create a larger lounge/dining/kitchen space.

4. The new dormer would fill most of the rear roof slope. It would have a plain rectangular shape, with a flat roof. But the dormer roof would be set below the building's main ridge line, and the front and side faces would all be set well in from the main external walls below. The dormer would therefore be a subordinate element in the building as a whole. And whilst the design would be fairly plain, its style would be generally in keeping with that which prevails in the surrounding area.
5. I accept that the dormer would be visible in angled views along Brunswick Road, and would be the only development of its type in this part of the street. But, given its subordinate nature, for the reasons already explained, it would not appear over-dominant. And since its design would be acceptable, it would not appear discordant.
6. The two proposed rooflights would be small and unobtrusive. Their impact on the street scene would be minimal. In any event, their style would again be in keeping with the property and the surroundings, and would cause no harm of any kind.
7. Overall therefore I find that the proposed development would cause no significant harm to the area's character or appearance. It follows that the scheme would accord with, or avoid conflict with, the relevant planning policies. These include Policy PG3 of the Birmingham Development Plan (adopted January 2017), and Policy DM2 of the Development Management DPD¹ (adopted December 2021), which together seek high standards of design and amenity. I can also see no conflict with the relevant provisions of the Birmingham Design Guide, which requires roof extensions to respond to the style and scale of the existing building.
8. In addition, the development would have the benefit of significantly improving the quality of the existing residential unit. It would also generate a small but nonetheless tangible injection into the local economy, in the form of investment, spending and employment. These benefits reinforce my conclusion that the development should be allowed to proceed.
9. For the reasons set out above, I conclude that the proposed development would cause no harm to the area's character or appearance, and would thus accord with the most relevant planning policies. All of the other material considerations identified add further weight in favour of approval.
10. Conditions are needed to limit the timescale for implementation, to accord with the relevant legislation; and also to ensure compliance with the approved plans, to provide certainty as to the nature of the permission. Subject to these conditions, permission should clearly be granted. The appeal is therefore allowed.

J Felgate

INSPECTOR

¹ Development Plan Document