



Appeal Decision

Site visit made on 2 May 2025

by **S Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 06 May 2025

Appeal Ref: **APP/P4605/D/25/3361898**

82 Harborne Road, Birmingham, B15 3HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. M. Malhi against the decision of Birmingham City Council.
 - The application reference is 2024/05713/PA.
 - The development proposed is for the erection of a two storey side and forward extension, a single storey rear extension, a forward porch, an increase in the roof height and the installation of four dormer windows to the rear.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of a two storey side and forward extension, a single storey rear extension, a forward porch, an increase in the roof height and the installation of four dormer windows to the rear at 82, Harborne Road, Birmingham, B15 3HN in accordance with the terms of the application reference 2024/05713/PA, subject to the following conditions: -
 - i. The development hereby permitted shall not begin later than three years from the date of this permission.
 - ii. The development hereby permitted shall not be carried out except in accordance with the following approved plans: references 2367.4A (proposed ground floor plan); 2367.5A (proposed 1st floor plans); 2367.6A (proposed loft plan); 2367.7A (proposed roof plan); 2367.8A and 2367.9A (proposed elevations) and 2367.SP (location and site plans).
 - iii. 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.

Procedural Matters

2. The appellant describes the proposed development as a two-storey side extension, a single storey rear extension and a loft conversion. I have used the local planning authority's (LPA) description in the banner heading above and in the decision as it more fully describes the proposed development.
3. The National Planning Policy Framework was revised in December 2024 and amended on 7 February 2025 (the Framework) to correct cross references from footnotes 7 and 8, and to amend the end of the first sentence of paragraph 155 to make its intent clear. The 2025 Framework has not materially changed in terms of

the identified main issues below and therefore, it has not been necessary for me to seek comments from the main parties in respect of the changes.

Main Issues

4. The main issues are (i) whether the development preserves or enhances the character or appearance of the Edgbaston Conservation Area (CA) and (ii) the effect upon the character and appearance of the building.

Reasons

Conservation Area

5. The significance of the CA is characterised as a whole by its suburban, bosky setting within which there is a diversity of building styles and scales, especially with regard to houses dating from the twentieth century. Building plots vary in size.
6. The immediate area within which the appeal property is located includes the above characteristics. It is the mature landscaped setting, which is the predominant, unifying characteristic of the area within which houses, including the host property, are set within relatively large grounds, located well back from the roads, and which are mainly hidden from them by intervening dense landscaping.
7. While the proposed development relates to the building, there are no proposals to affect significantly the landscaped setting within which it is located, and which effectively hides the site from other properties and largely from the road. In the context where there is a diversity of building styles and scales within the CA, the proposed work to the existing building, by its design or extent, would not adversely affect its character or appearance.
8. There are listed buildings in the vicinity of the appeal site, the nearest being at No. 68 Harborne Road and No.12 Vicarage Road and which are Grade II listed. However, taking account of the distance from them and the intervening landscaped screening, I do not consider that the proposed development would adversely affect their settings.
9. Therefore, I conclude that the proposed development would preserve the character or appearance of the CA as a whole and as such, would accord with policy TP12 of the Birmingham Development Plan 2017(BPD) and chapter 16 of the Framework, both of which aim to protect and enhance heritage assets and their character and local distinctiveness.

Character and appearance of the building

10. The host property probably dates from the twentieth century and is a detached, two-storey dwelling with a double pitched, hipped roof with a single storey, attached garage, which also has a double pitched, hipped roof. The dwelling includes a two-storey front facing gable.
11. The proposal, as stated in the banner heading above, is for a two storey side and forward extension, a single storey rear extension, a forward porch, an increase in the roof height and the installation of four dormer windows to the rear.

12. The proposed increase in the height of the roof would be a minor addition. I do not consider that this would adversely affect the character and appearance of the property, nor do I consider that the addition of the two-storey side and forward extension with a front facing gable would inappropriately unbalance the appearance of the building or appear as an incongruous addition. It would also reflect the existing front facing gable to the building.
13. Moreover, I do not consider that the proposed front porch would be an unacceptable addition in design terms, nor would the single storey rear extension, by its length and limited width. The proposed dormers with their pitched roofs, being well below the main ridge to the dwelling, would assimilate well with the host property.
14. Overall, I do not consider that the proposals would amount to disproportionate additions or, when compared with the immediate surrounding area, that they would create a dwelling out of keeping in terms of its size, design or scale.
15. When assessing the reasons for refusal by the LPA, I have taken into account the previous permissions granted by it for additions to the property, including a two storey side extension.
16. For the above reasons, I do not consider that the proposed extensions and additions would significantly erode the architectural design of the house or the contribution that it makes to the character and appearance of the CA.
17. Therefore, I conclude that the proposed development and changes to the building would accord with policy PG3 of the BDP, with policy DM2 of the Development Management in Birmingham Development Plan Document (2021) which requires development to be appropriate to its location, and with both the Birmingham Design Guide Supplementary Planning Document (2022) and the Framework, which stress the need for good design which respect the quality of the built environment.

Conditions

18. I have imposed the standard time condition and a condition to ensure that the development is in accordance with the approved plans in the interests of certainty.
19. In the interests of the character and appearance of the area and the building, including the significance of the CA, it is necessary to impose a condition relating to the use of external building materials.

Conclusion

20. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

S Hartley

INSPECTOR