



Appeal Decision

Site visit made on 17 June 2025 by E Nutman BA (Hons)

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28TH July 2025

Appeal Ref: APP/P4605/D/25/3364642

29 The Hurst, Birmingham B13 0DA

- 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 Zelong Li against the decision of Birmingham City Council.
 - The application Ref is 2025/00241/PA.
 - The development proposed is described as 'Formation of habitable room in roof space with rear dormer and gable build ups'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

Reasons for the Recommendation

4. 29 The Hurst is a two storey detached dwelling located in a residential area. The dwelling features red facing brick and a tiled hipped roof with a catslide feature to one side. There is a hard paved parking area to the front of the property, setting the dwelling back from the highway. Dwellings along The Hurst have slight variations in design and materials and there are a range of forward projecting elements. However, there is much cohesion in terms of their mainly detached form, two storey scale and the predominance of hipped roofs which gives a prevailing order and consistency to the area.
5. The Birmingham Design Guide (2022) (BDG) 'Principles Document' states at 'Design Principle 16' that 'the design of household extensions must respond to, and complement the character of their host building and its surroundings'. The BDG 'Healthy Living and Working Places City Manual' confirms at LW-16 that 'the design of an extension must consider the architectural style of the house', at LW-18 that 'dormer extensions must not dominate the roof' and that 'extensions that seek to change the style of an existing roof (from hipped to gable) will not be supported'. Furthermore, LW-24 states that 'the roof design should fit in with the type and style of roofs in the area'. While the BDG also confirms that an extension does not have

to match the host building, it confirms that in such instances an extension must result in an addition that complements and effectively integrates with the existing building.

6. The dormer would sit level with the ridge of the main roof and would have a considerable boxy form. Together with its substantial width, it would be prominent in views from the street as it would combine with the 'gable build ups' to form uncharacteristic wings. The matching materials would not assimilate the bulky appearance of these dominant and discordant roof additions. Consequently, the proposed development would not complement or effectively integrate with the host dwelling thereby conflicting with the BDG. It would also detract from the overriding order and consistency of the street in terms of the development's marked contrast with the prevailing hipped roof forms.
7. There is a limited presence of side and rear dormers along The Hurst. The appellant has referred to specific examples at 27 and 35 The Hurst. However, it is unclear what material planning considerations may have applied in those instances, including in terms of any adopted development plan policies and design guidance that existed at that time. The roof at 37 The Hurst, whilst incorporating a contrasting roof tile colour to most of the other dwellings in the street, has a complementary hipped form. Therefore, it is not comparable to the appeal proposal. The evidence suggests that the example depicted in the photographs at Annex I is some 3.1 miles away from the appeal site and therefore does not form part of the appeal site's context.
8. In any case, the limited examples drawn to my attention do not justify the harm I have identified having regard to the style of the host dwelling, the immediate area's prevailing character and the Council's current policies and design guidance.
9. I conclude, the proposal would have a harmful effect on the character and appearance of the host property and surrounding area. Consequently, the proposal conflicts with Policy PG3 of the Birmingham Development Plan (2017) which requires high design quality and that new development should reinforce a positive sense of place and local distinctiveness with design that responds to the local area context. For the same reasons it would conflict with Paragraph 135 of the National Planning Policy Framework which states that developments should add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to local character.
10. The Council's decision also refers to Policy DM2 of the Development Management in Birmingham DPD 2021. I have not assessed the proposed development against this policy as it primarily relates to the effect of a development on amenity rather than character and appearance. In any case, this does not diminish the conflict with Policy PG3 identified above.

Other Matters

11. The proposal would facilitate the appellant's desire for increased internal living space. In that respect, I accept that the proposal may provide personal benefits for the family. However, and whether or not that the development would be more financially viable for the family than moving house, these are not matters that justify the harm identified under the main issue.

12. Even if the proposal would comply with the 45-degree code policy and minimum separation distance guidelines in the BDG, these requirements are to ensure acceptable relationships with the living conditions of neighbouring occupiers and are not an indicator which overrides the identified harm to the character and appearance of the area.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

E Nutman

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR