



Appeal Decision

Site visit made on 8 July 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/P4605/D/25/3363970

31 Bellevue Road, Birmingham B26 2PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Tahir Imran against the decision of Birmingham City Council.
 - The application Ref is 2025/01071/PA.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO)¹, planning permission is granted for the enlargement of a dwellinghouse subject to limitations and conditions.
3. Where an application is made for a determination as to whether prior approval is required for development which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g) to Part 1, paragraph A.4(3) provides that the local planning authority (LPA) may refuse the application where it considers that the proposed development does not comply – or that the developer has provided insufficient information to enable the LPA to establish whether the proposed development complies with the conditions, limitations or restrictions that are applicable to such permitted development.
4. Paragraph A.4(7) to Part 1 requires the LPA to assess the impact of the proposed development on the amenity of any adjoining premises, taking into account any representations received.

Main Issues

5. The main issues in this appeal are whether the proposed development would be granted planning permission by Article 3, Schedule 2, Part 1, Class A of the GPDO and if permission would be granted, the impact of the proposed development on the amenity of adjoining premises.

¹ All cited paragraph numbers, unless otherwise stated, are from this Part of the GPDO.

Reasons

6. The appeal property is two-storey, semi-detached dwelling in an established and suburban residential area. The property is finished in render and clad with a tile roof.
7. The main parties agree that the proposal would comply with all parts of paragraph A.1 of the GPDO and there is nothing before me to conclude otherwise. However, paragraph A.3 of the GPDO sets out 3 conditions which the proposal would be subject to. The first being that material used in any exterior work must be of a similar appearance to that used in the construction of the exterior of the existing dwellinghouse.
8. The appeal plans clearly show the proposed rear extension to be completed in brick work. This is confirmed in the materials description on the planning application form, and within the evidence submitted by the appellant.
9. However as observed on site the host dwelling's exterior materials do not include any form of brickwork and so the afore mentioned condition could not be complied with. Therefore, the proposal cannot be seen to comply with the requirements of Article 3, Schedule 2, Part 1, Class A of the GPDO.
10. The appellant has drawn my attention to the prior approval of a similar extension at 25 Bellevue Road (2024/00204/PA). The LPA has confirmed that No 25 had a small amount of brickwork within its existing exterior finishes prior to the extension being built and so it conformed with the GPDO paragraph A.3 conditions. This is not the case for the host dwelling.
11. As the proposal would fail to comply with all the requirements of Class A of the GPDO, paragraph A.3 included, it would not be granted permission and so it is not necessary to consider the impact of the proposed development on the amenity of adjoining premises.

Conclusion

12. For the reasons given above the appeal should be dismissed.

RJ Redford

INSPECTOR