
Appeal Decision

Site visit made on 14 October 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2025

Appeal Ref: APP/P4605/D/25/3371965 157 Umberslade Road, Birmingham B29 7SG

- 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 Ms Becky Lane against the decision of Birmingham City Council.
 - The application Ref is 2025/01448/PA.
 - The development is described as a “proposed ground floor wraparound extension, floor plan redesign and all associated works”
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Decision

1. The appeal is allowed, and planning permission is granted for development described as “proposed ground floor wraparound extension, floor plan redesign and all associated works” at 157 Umberslade Road, Birmingham B29 7SG in accordance with the terms of the application, Ref 2025/01448/PA, 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 carried out in accordance with drawing numbers B244721-01-3100 A and B244721-01-3000 A
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

Appeal Procedure, Preliminary Matter & Main Issue

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. The description of development on the application form differs to the decision notice. I am however satisfied that it still accurately describes the proposal so the main parties would not be prejudiced by me using it for the appeal scheme. I have omitted the address therefrom, to avoid duplication. The main issue is the effect of the proposal on the living conditions of the occupiers of Number 155 Umberslade Road (No 155) with particular regard to outlook and light.

Reasons for the Recommendation

3. The appeal site is a semi-detached dwelling which mirrors dwellings along the street with a two-storey outrigger. The appeal proposal is to wrap around it. The directly adjacent buildings are similar in their form and design, some of which appear to have been extended in the past. No 155 is separated from the appeal building by virtue of the access pathways to both gardens

4. Policy DM10 of the Development Management in Birmingham Development Plan Document 2021 (DPD) seeks, amongst other things, for new development to ensure adequate outlook and daylight as well as being in line with the approach of the 45-degree code. The existing two storey outrigger exceeds the limitations of the 45-degree code in which this proposal is to be somewhat closer to No 155 and would also breach these guidelines. However, whilst there may be some technical conflict with the single storey extension, the modest height, existing boundary treatments and separation distance would not result in unacceptable harm in terms of loss of light and outlook arising to the closest window.
5. The appeal proposal is to sit marginally higher than the existing boundary treatment. However, by virtue of its design and siting being no closer than the existing two storey building as well as the removal of the veranda structure would lead to a more open aspect, and the full effect would not be felt. Resultantly, the outlook to the occupants of No 155 would remain largely the same notwithstanding their own structure in place. In addition, the light afforded to the room in question would remain unincumbered given the context of the built form around it in conjunction with the modest height and separation distance of the proposal.
6. With these matters in mind, and notwithstanding the technical conflict with Policy DM10, this would not translate to harm to the living conditions of the occupiers of No 155. It would therefore comply with Policy PG3 of the Birmingham Development Plan 2017, Policy DM2 of the DPD, the Birmingham Design Guide Supplementary Planning Document 2022 and the National Planning Policy Framework which, amongst other things, seek to ensure that the living conditions of the occupiers of properties are protected.

Conditions

7. The standard time limit condition and reference to the approved plans is necessary for enforcement purposes. In addition, it is necessary to ensure that the materials used are to match the host dwelling to be in keeping with the area.

Conclusion and Recommendation

8. The appeal scheme would conflict with Policy DM10 but, for the reasons I have given, this would not be as a result of demonstrable harm. It would comply with the development plan taken as a whole and there is nothing sufficiently compelling to lead me to conclude otherwise. I therefore recommend that the appeal is allowed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission is granted, subject to the conditions set out above.

John Morrison

INSPECTOR