



Appeal Decisions

Site visit made on 25 November 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2026

Appeal A: APP/P4605/W/25/3370113

78 Wellington Road, Edgbaston, Birmingham B15 2ET

- 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 Amir Layeghi against the decision of Birmingham City Council.
 - The application reference is 2025/00233/PA.
 - The proposed development is the erection of two storey and single storey rear extensions and extension of existing driveway.
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Appeal B: APP/P4605/Y/25/3370114

78 Wellington Road, Edgbaston, Birmingham B15 2ET

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Amir Layeghi against the decision of Birmingham City Council.
 - The application reference is 2025/00257/PA.
 - The works proposed are erection of two storey and single storey rear extensions and extension of existing driveway.
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Decision

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
3. I have taken the description of development from the decision notice and appeal form as they included all elements of the proposal.

Main Issue

4. The main issue is whether the proposal would preserve the Grade II listed building known as “78 Wellington Road” (Ref: 1076099) and any of the features of special architectural or historic interest that it possesses.

Reasons

5. The appeal building is an early 19th century villa, in the Regency style with a former screen wall coach house which remains legible through the preserved coach house entrance to the rear of the dwelling. It comprises stucco faced brick and half hipped slate roof and sash windows in the main part of the building. It has a 3-bay front with a one bay extension to the side where the coach house would have been.

6. There is a 2-storey rear outrigger which has exposed brick walls and a sloping slate roof with a distinctive and prominent chimney, as does the main roof. The 2-storey outrigger has simple brickwork and historic sash windows which suggest that this was built at the same time as the main house and served an ancillary, domestic function. It is stepped down from the main roof and is relatively narrow. It consequently appears subservient to the main part of the building. The 2-storey outrigger has a more simplistic appearance reflective of its historic functional purpose.
7. There is a more recent single storey flat roof extension with clearly modern windows and doors projecting from the outrigger, which is brick-faced. Nevertheless, its low height, plain appearance and tapering width make it a relatively modest addition which is clearly subservient to both the 2-storey outrigger and the main part of the building.
8. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the legibility of its historic plan form and layout and retention of much of its historic fabric.
9. Although not a large area, the creation of the new doorway at first floor level would result in the loss of some historic fabric. It would also change the historic layout of this part of the building with the outrigger becoming partly a corridor to a bedroom. There would also be a loss of historic fabric with the removal of the chimney on the outrigger which is a prominent historic feature externally and which relates to the historic domestic function of this part of the building. The brickwork of the existing gable end would be obscured by the first-floor addition and result in the loss of a historic window to the side of the chimney. Along with the inclusion of a blank window on the side elevation, these changes would fundamentally alter the form and layout of the outrigger and lead to a loss of historic fabric.
10. The brick pattern for the new first floor would be the same as the existing outrigger. Nevertheless, the first-floor extension would adjoin the historic roof and wall without being stepped down or in. As well as the loss or covering of features, this would blur the distinction between the historic and modern elements of the building and elongate the outrigger, thereby increasing its prominence and importance. As a result, it would compete with the main part of the dwelling and undermine the building hierarchy.
11. Moreover, there would be an overtly modern projection and opening on the gable end at first floor level. This would appear as an alien feature not relating to any existing design elements or materials, jarring with the simpler historic appearance of the existing outrigger. As such, the first-floor extension would result in a bulky and disjointed projection.
12. The concern over the scale of the first-floor addition would not be overcome by a condition to amend materials and in the absence of what this would entail I cannot be sure it would be a satisfactory solution.
13. The ground floor extension would also be wider than the historic outrigger. This would disrupt the historic layout and flow of the building where currently the rear elements reduce in scale and importance and this area at present contains much of the functional spaces. It would have more elaborate brickwork than the existing single storey element and the outrigger and far more extensive glazing up to the eaves on both main elevations. The additional width and clearly contrasting

appearance would be at odds with that of the outrigger and the main part of the dwelling. The appearance of the single storey extension would elevate this part of the building beyond its functional historic status while not being of any exceptional modern design. It would distract from and challenge the historic part of the dwelling. It would be discordant with the historic elements of the existing building and draw the eye.

14. There is limited information about the condition of the existing single storey element. In any event, the demolition of it would not lead to the loss of historic fabric. Moreover, the building has evolved partly due to the changing needs of occupiers having been modified and extended previously. Notwithstanding this, while some elements would be obviously read as contemporary, the proposals would not replicate or echo the far more discreet existing closet wing projection. The proposals would elevate the rear outrigger/projections beyond their existing simpler historic appearance creating a muddled mix of modern and traditional form. The rear extensions and alterations would elevate this part of the building, leading to it competing with and challenging the hierarchy of the building.
15. As the extensions would be located to the rear, the position of nearby built form and boundary treatments, they would not be overly visible in public or private views. Other changes relate to the internal parts of the building. Nevertheless, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
16. Therefore, the proposal would fail to preserve the special interest of the listed building. Due to the number and nature of the concerns and scale of the extensions, the proposal would lead to a moderate level of less than substantial harm.
17. The proposal would provide more accommodation at the property and result in investment in it. There would be public benefits from acoustic, thermal and energy efficiency as well as to the local economy and the improvements to the housing stock in an accessible location. However, given the scale of the proposal and that it relates to a single existing dwelling, these benefits would be minor. The continued viable use of the appeal property as a residential dwelling is also not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
18. Consequently, I find that the public benefits do not outweigh the harm to the designated heritage asset, the conservation of which carries great weight. As such, the proposal would fail to preserve the special historic interest of the listed building. It would also fail to satisfy the requirements of the Act and paragraph 210 of the Framework along with the design and heritage protection aims of Policies PG3 and TP12 of the Birmingham Development Plan.

Other Matters

19. The site is located within the Edgbaston Conservation Area (CA). It is a good early example of a planned Regency/Victorian era suburban development for those looking to escape poor urban conditions. It is a green and spacious area where controlled development means it has retained its primarily residential character even as it expanded up to present day. Its long period of development means that there is some diversity in the style and scale of properties. Some of the earlier

buildings are early 19th century semi-detached brick, stucco and slate properties such as the appeal site.

20. The significance of the CA lies, in part, in the architecture and layout of its historic buildings. Being a villas style property exhibiting many features typical of the CA, the appeal site makes a positive contribution to the character and appearance of the CA.
21. The proposal would create a bulkier rear addition and introduce modern materials and features. Notwithstanding this, there is less consistency to the appearance of the rear projections in the CA, and to the properties on this side of Wellington Road, including modern properties that the appeal scheme would be seen with. It is in this varied context that the proposal would be seen in both the limited public views and private ones from nearby gardens.
22. Given the scale and less prominent location of the rear extension and works, along with the more varied rear elevations found nearby, these changes would not harm the CA. Thus, the proposal would preserve the character and appearance of the CA and satisfy the requirement of the Act and paragraph 210 of the Framework.
23. The adjacent property 79 Wellington Road (No 79) is a Grade II listed building¹. It is another 2 storey 3 bay villa style property with half hipped slate roof, sash windows and stucco and brick external materials. It shares a canted bay with the appeal property. It has many of features and materials similar to the appeal property, but with some variation in design. This includes a different outrigger that extends further at first floor level than the appeal site and of a differing design with a single sloping roof plane.
24. The setting of No 79 includes the general consistency of the streetscene where similar style properties are seen in tree lined spacious streets and plots. This setting provides the context for the appreciation of the building and directly contributes to its special interest. Nevertheless, there is far less consistency to the rear of the nearby properties it is seen with including ones of clearly modern design which are further back in their plots and have large windows.
25. Its special interest, as far as relevant to this appeal, comes in part from its architectural appearance as a villa style property. It is part of one of many nearby semi-detached similar designed properties with architectural features and materials in this part of the CA.
26. The proposal would not replicate the outrigger of 79. However, given the variation in the rear elevations that No 79 is already seen with, including some proposed elements, such as more extensive glazing and differing brick detailing, the appeal property would continue to form part of the varied form in its setting. Thus, the proposal would not detract from the ability to appreciate and understand No 79. The setting, insofar as it contributes to the special interest of No 79 would not be harmed and in this regard the scheme would satisfy the Act and paragraph 210 of the Framework.

¹ Reference 1076100

Conclusion

27. The proposal conflicts with the development plan and the material considerations do not indicate that the appeals should be decided other than in accordance with it.
28. For the reasons given above the appeals should be dismissed.

Stuart Willis

INSPECTOR