
Appeal Decision

Site visit made on 11 July 2025 by F Bradford BA (Hons) MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2026

Appeal Ref: APP/P4605/D/25/3365612

34 Gilmorton Close, Harborne, Birmingham, B17 8QR

- 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 A Singh against the decision of Birmingham City Council.
 - The application reference is 2024/06272/PA.
 - The development proposed is the erection of a two storey front gable extension, loft extension with front and rear dormer windows, front rooflights, timber bin shed to front and Juliette Balconies to the rear.
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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 with the proposed development is its effect on the character and appearance of the host dwelling and wider area.

Reasons for the Recommendation

4. The appeal site comprises a single storey detached dwelling situated to the far end of the cul-de-sac which is generally uniform in terms of its scale and design to 35 Gilmorton Close. The close itself is mixed in terms of the design of dwellings however there is general visual consistency in terms of scale. It is this combination of the general uniformity of the close with pockets of design uniformity which contributes positively to the character and appearance of the area.
5. The proposed rear dormer would represent a substantial addition to the roof slope of the appeal dwelling. The dormer would be located on the rear roof slope of the appeal dwelling, and would be set down from the roof ridge, as well as being set back from the eaves and in from the sides of the roof slope. It would not detract from the architectural appearance of the dwelling in itself by way of being dominant and would not be readily visible from within the public streetscape of Gilmorton Close.
6. The detailed design of the dormer is a departure from guidance contained within the Birmingham Design Guide Healthy Living and Working Places City Manual (2022). However, I am mindful that this guidance, and I do find that it would accord

with the overarching policy objectives of the development plan in this instance. Policy PG3 (Place making) of the Birmingham Development Plan 2017 (BDP), aims to ensure development reinforces and creates a positive sense of place and distinctiveness with design that responds to the site conditions and local area context. Given that the positive sense of place to Gilmorton Close is afforded through the uniformity from the public realm, any effects arising from the rear dormer in terms of its appearance to the host dwelling, would be limited to the private occupants of the appeal dwelling and neighbouring properties, when viewed from their rear gardens.

7. Gilmorton Close is characterised by a generally consistent building scale, forming a coherent streetscape. The appeal dwelling adopts this uniformity of design and form with the adjacent property at No. 35 and also reflects the general proportions of Nos. 33 and 32, which contributes to the sense of uniformity of the street. Whilst several properties have undergone extension and alteration, and some later dwellings have departed from the generally established uniformity in terms of design, the overall sense of uniformity nevertheless prevails within the streetscene, contributing positively to the character and appearance of the area.
8. The forward extension would be a prominent feature within the streetscene and would create an uncharacteristic vertical design emphasis to the appeal dwelling. This effect is worsened by the changes to the roof, as the new front ridge would be lowered, making the front extension appear taller given that it would disrupt the existing proportions. Whilst it may project only one metre above the existing arrangement, because of the changes to the proportions of the front elevation, it would appear to be significantly greater.
9. The change in proportion of the front elevation and the overall reduction in height of the host dwelling which would arise from the changes to the roof, would materially alter the appearance of the scale and bulk of the dwelling, which would be at odds with that prevailing within the streetscape, and with specific regard to No.32, 33, and 35, and the older dwellings within cul-de-sac.
10. Furthermore, by virtue of its siting within the otherwise unaltered roof, the front dormer would appear as a prominent and incongruous feature to the host dwelling. This incongruity would extend to the wider streetscape, worsened by the notable absence of front dormers within Gilmorton Close. The proposed front dormer would be a visually prominent addition, detracting from the established character and appearance of the host dwelling and wider streetscape.
11. The proposed bin store would be located to the front elevation and would be constructed of timber. It would be of a design typical to bin stores sited within a general suburban context. By virtue of its limited scale, I am satisfied that it would be an addition to the host dwelling that would neither harm the character and appearance of the host dwelling, nor Gilmorton Close.
12. For the reasons above, I conclude that the proposed development would result in harm to the character and appearance of the appeal dwelling and streetscape. I therefore find conflict with the local development plan with particular regard to policy PG3 of the BDP 2017, which among other things, aims to ensure that new development contributes to a strong sense of place and responds to site conditions and the local area context.

13. The council has referenced Policy DM2 of the Development Management in Birmingham Development Plan Document 2012 within their reason for refusal, stating harm to character and appearance is found against this policy. However, DM2 primarily addresses impacts to amenity (by way of living and working conditions), and not character and appearance. Whilst I have given the policy extremely limited weight in assessing character and appearance, the proposed development nevertheless conflicts with other policies contained within the local development plan. As such, the council's reference to this policy does not alter my recommendation.

Other Matters

14. The appellant has referred me to various other developments within the vicinity of the appeal site. Although I note that the extensions approved at No. 27 Gilmorton Close have not been constructed, the overall approved development involved extensions of a scale that were similar to the existing character and appearance of the host dwelling by virtue of their design and scale, rather than those proposed by this appeal.
15. Turning to No. 7 Gilmorton Close, the development in this case was for a new dwelling rather than the alteration of an existing dwelling. Furthermore, the context within which the appeal dwelling is sited differs significantly with No. 7 located in a position bordered on either side by rear gardens rather than the design uniformity of similar development in the case of the appeal scheme. The circumstances are not therefore directly comparable.
16. Whilst I recognise that the features of No. 30 Gilmorton Close are reflective of the proposed development, no evidence has been provided that demonstrates the extents of the extension from the original dwelling and I am therefore unable to draw a direct comparison to the appeal scheme. As such, I attach limited weight to this.
17. I acknowledge with the motivation of the appellant to create additional living space. However, this would be a private benefit of the proposed development limited to the occupiers of the appeal dwelling. Whilst some economic benefit would arise through employment opportunities during the construction phase, the scale of the proposed development would mean that any benefits would be limited.
18. Whilst I acknowledge no objections have been made to the scheme, the proposed development represents a permanent alteration to the appeal dwelling on which harm and subsequent conflict with the development plan has been found.

Conclusion and Recommendation

19. I do not find that the benefits of the proposed development would attract greater weight than the permanent harm as identified above to which I attach significant weight in this recommendation.
20. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR