


REPORT TO PLANNING COMMITTEE

6th November 2019

Application Reference	DC/19/63389
Application Received	29 th August 2019
Application Description	Proposed self-contained annex at rear.
Application Address	112 Birmingham Road, Great Barr. B43 7AE
Applicant	Mr Kirpal Thethy
Ward	Great Barr with Yew Tree
Contribution towards Vision 2030:	
Contact Officer(s)	Mrs Christine Phillips 0121 569 4040 christine_phillips@sandwell.gov.uk

RECOMMENDATION

That planning permission is granted subject to :-

- (i) The approval of external materials;
- (ii) That the building is used as ancillary accommodation to the main dwelling and not a separate dwelling; and
- (iii) The permission being personal to the applicant.

1. BACKGROUND

- 1.1 This application is being reported to your Planning Committee because three material objections have been received and the application is recommended for approval.

2. SUMMARY OF KEY CONSIDERATIONS

- 2.1 The site is not allocated in the adopted development plans.
- 2.2 The material planning considerations which are relevant to this application are:

The intended use and whether it is reasonably required
Design, appearance and materials and
Impact on neighbouring residential amenity in terms of loss of light,
outlook and privacy.

3. The APPLICATION SITE

- 3.1 The application refers to a detached dormer bungalow on the west side of Birmingham Road close to junction 7 of the M6 motorway.
- 3.2 The house has a large front drive/garden and a substantial rear garden, surrounded by housing in Arran Close and Ravenhurst Drive.

4. PLANNING HISTORY

- 4.1 The property already benefits from a loft conversion granted in 2016.
- 4.2 Relevant planning applications are as follows:-

DC/16/59199	Proposed hip to gable roof extensions with rear dormer.	Approved 27.04.2016
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5. APPLICATION DETAILS

- 5.1 The construction of a single-storey self-contained annex in the rear garden is proposed, to be occupied by the Mother and Father of the applicant.
- 5.2 The annex would be sited on the southern side of the garden on part of an existing hard surfaced patio, approximately 7m away from the rear garden boundaries of 4 and 6 Arran Close. It would measure 9.9m width x 5.5m length x 2.8m high to a shallow tiled roof and be constructed in brickwork. Internally the annex would contain a kitchen/lounge area, one double bedroom and a wet room. There would be no windows on the rear elevation facing the rear gardens of 4 and 6 Arran Close.
- 5.3 The proposal has been reduced in height, design and scale during the processing of the application. Originally it was to be 5.4m high with windows on the rear elevation, have a footprint of 68sqm (larger than the average two-bed semi-detached house) and comprise of two bedrooms.

6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification. The original scheme generated three material objections. The neighbours

have been re-consulted on the amended scheme and any further representations will be reported verbally.

6.2 Objections

Objections to the original scheme have been received on the following grounds: -

- (i) Loss of privacy;
- (ii) Loss of outlook;
- (iii) Loss of light/over-shadowing.

Immaterial issues have also been raised regarding devaluation of house prices.

6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) Given that the originally proposed windows on the rear elevation have been deleted there would be no loss of privacy.
- (ii) The proposal has been significantly reduced in height from 5.4m to 2.8m and would therefore not appear unduly prominent above the fence line or cause a loss of outlook.
- (iii) There would be a gap of 7m between the annex and the closest garden boundary. Combined with the reduction in height, it is not considered that the proposal would result in a loss of light or any over-shadowing.

6.4 Support

No comments have been received in support of the application.

7. STATUTORY CONSULTATION

- 7.1 There are not statutory consultation responses to report for this application.

8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

9. LOCAL PLANNING POLICY

9.1 The following sections of the Council's Development Plan are relevant: -

ENV3: Design Quality

SAD EOS9: Urban Design Principles

9.2 These policies emphasise the need for good design and that proposals should be in scale with the local area. It is considered that the amended scheme comprising of a reduction in the height of the building would be appropriate in the locality. The use of bricks and tiles in the construction would be robust and aesthetically pleasing.

9.3 The development is liable to the Community Infrastructure Levy.

10. MATERIAL CONSIDERATIONS

10.1 The key material considerations with this proposal are design referred to above (9.1) and the intended use and whether the development is reasonably required and impact on neighbouring residential amenity in terms of loss of light, outlook and privacy. As indicated in 6.3 above (response to objections):-

10.2 Design. The reduced height is complementary to the area and proposed materials are acceptable.

10.3 Intended use. The applicant has verbally confirmed that the accommodation would be used by his parents is therefore considered to be reasonably required, particularly as the proposal has been reduced in scale during the processing of the application. This can be controlled by planning conditions to ensure that it would not be used as a separate and independent dwelling. Any permission could be made personal to the applicant.

10.4 Impact on nearby residential property. The proposal is acceptable following the receipt of amended plans.

11. IMPLICATIONS FOR SANDWELL'S VISION

11.1 The proposal supports Ambition 7 and 10 of the Sandwell Vision 2030 :-

11.2 Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes

11.3 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people’s lives and communities.

12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The proposed development would provide ancillary accommodation for elderly relatives in an annex building within a substantial rear garden. Amendments to the proposal along with appropriate planning conditions would ensure the development accords to relevant policies and would not detract from amenity.

13. STRATEGIC RESOURCE IMPLICATIONS

13.1 When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.

14. LEGAL AND GOVERNANCE CONSIDERATIONS

14.1 This application is submitted under section 55 of the Town and Country Planning Act 1990.

15. EQUALITY IMPACT ASSESSMENT

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

16. DATA PROTECTION IMPACT ASSESSMENT

16.1 The planning application and accompanying documentation is a public document.

17. CRIME AND DISORDER AND RISK ASSESSMENT

17.1 There are no crime and disorder issues with this application.

18. SUSTAINABILITY OF PROPOSALS

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

19.1 Refer to the summary of the report (12).

20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

20.1 There will be no impact.

21. APPENDICES:

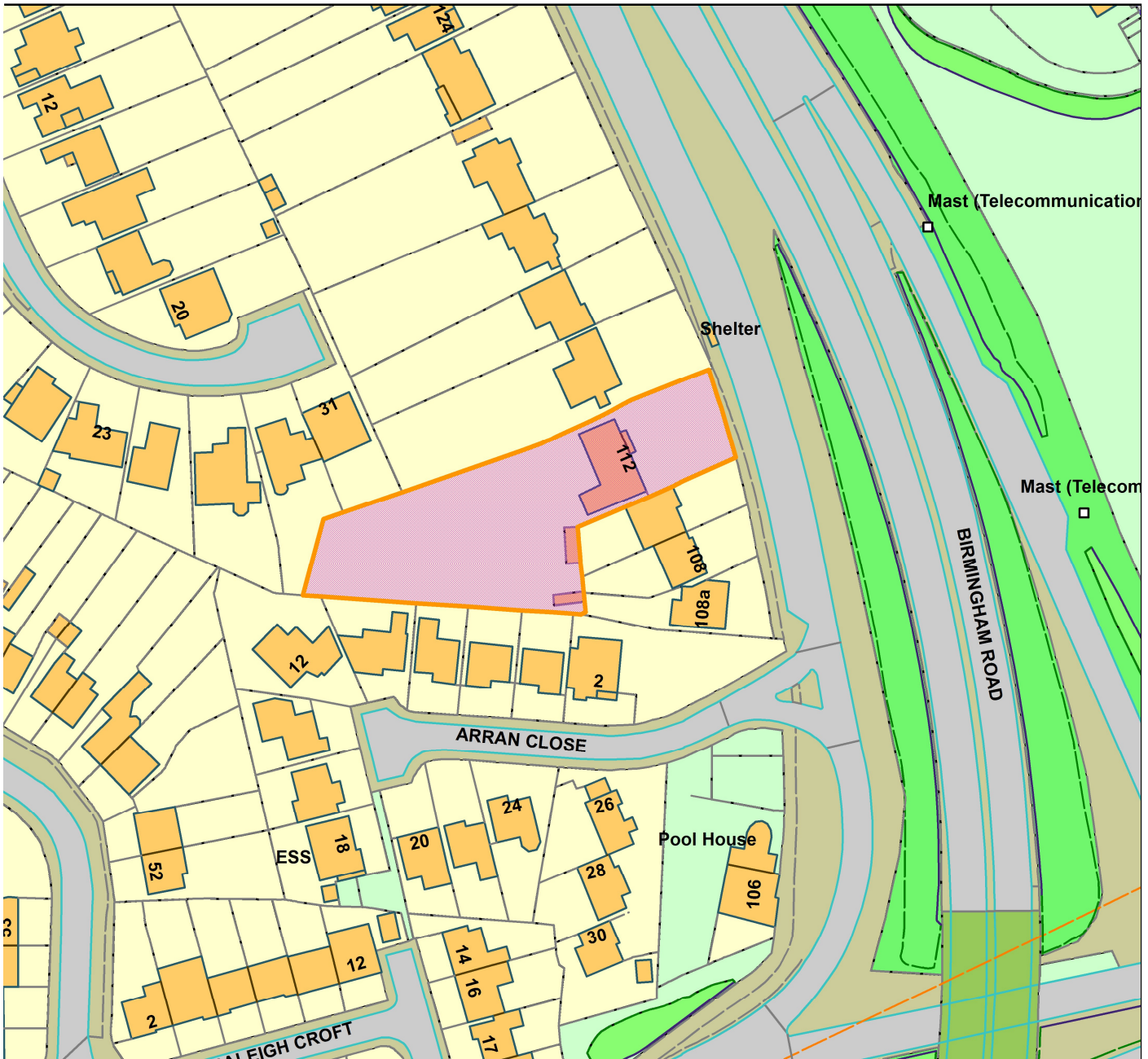
Site Plan

Context Plan

Plan No. 01-BLK

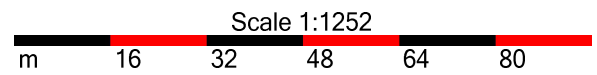
Plan No. 1001-2019-03

DC/19/63389
112 Birmingham Road



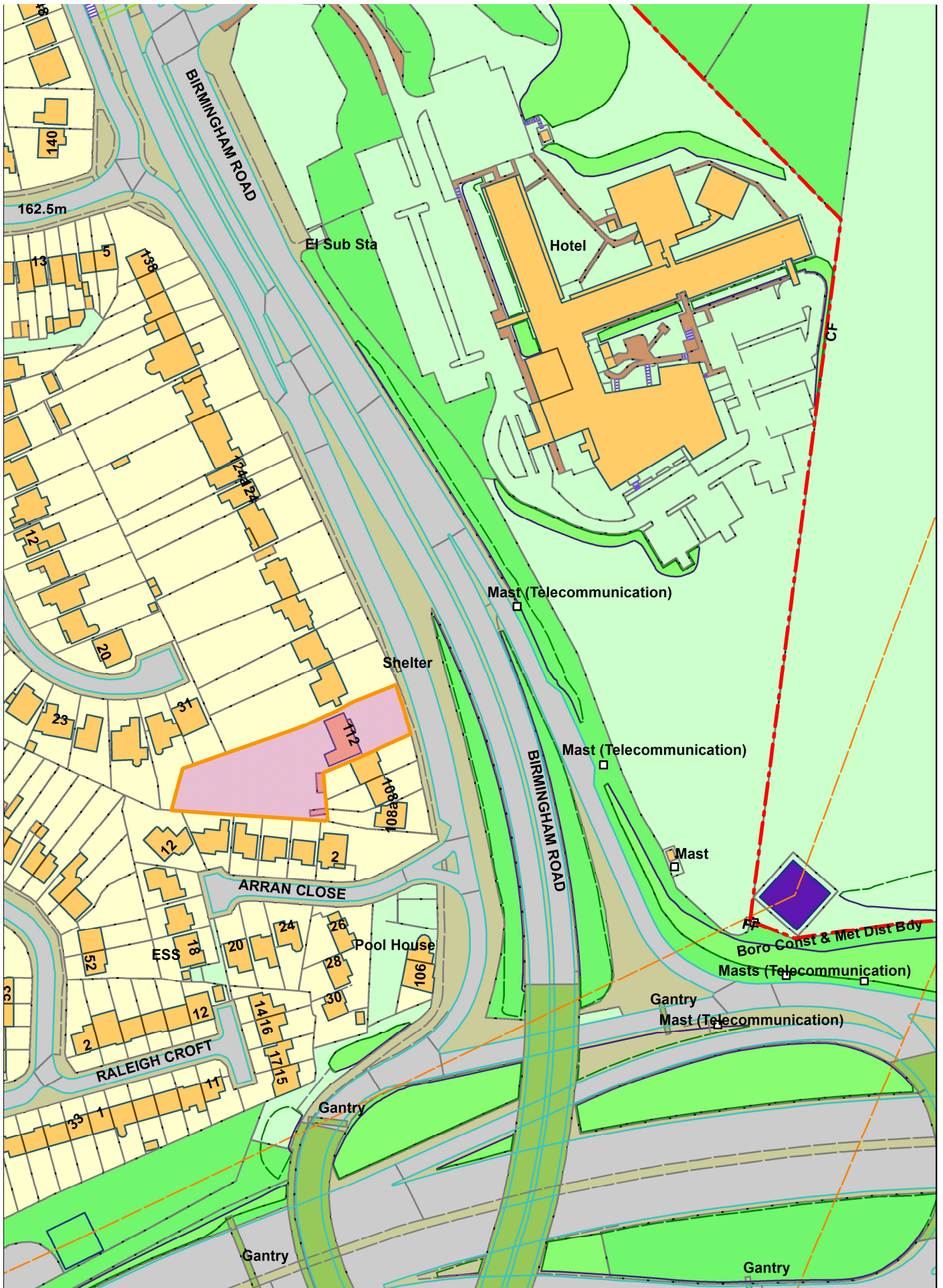
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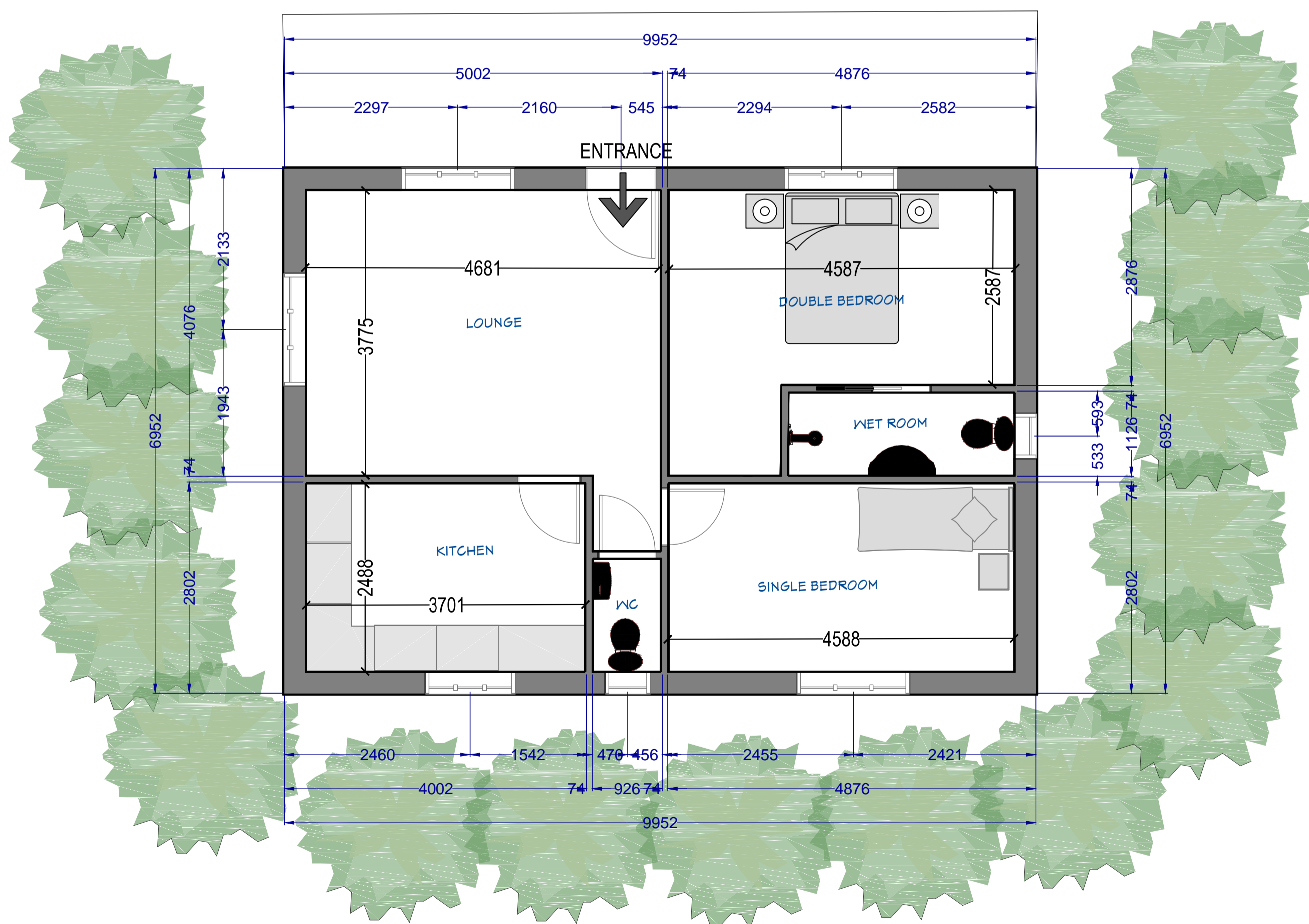
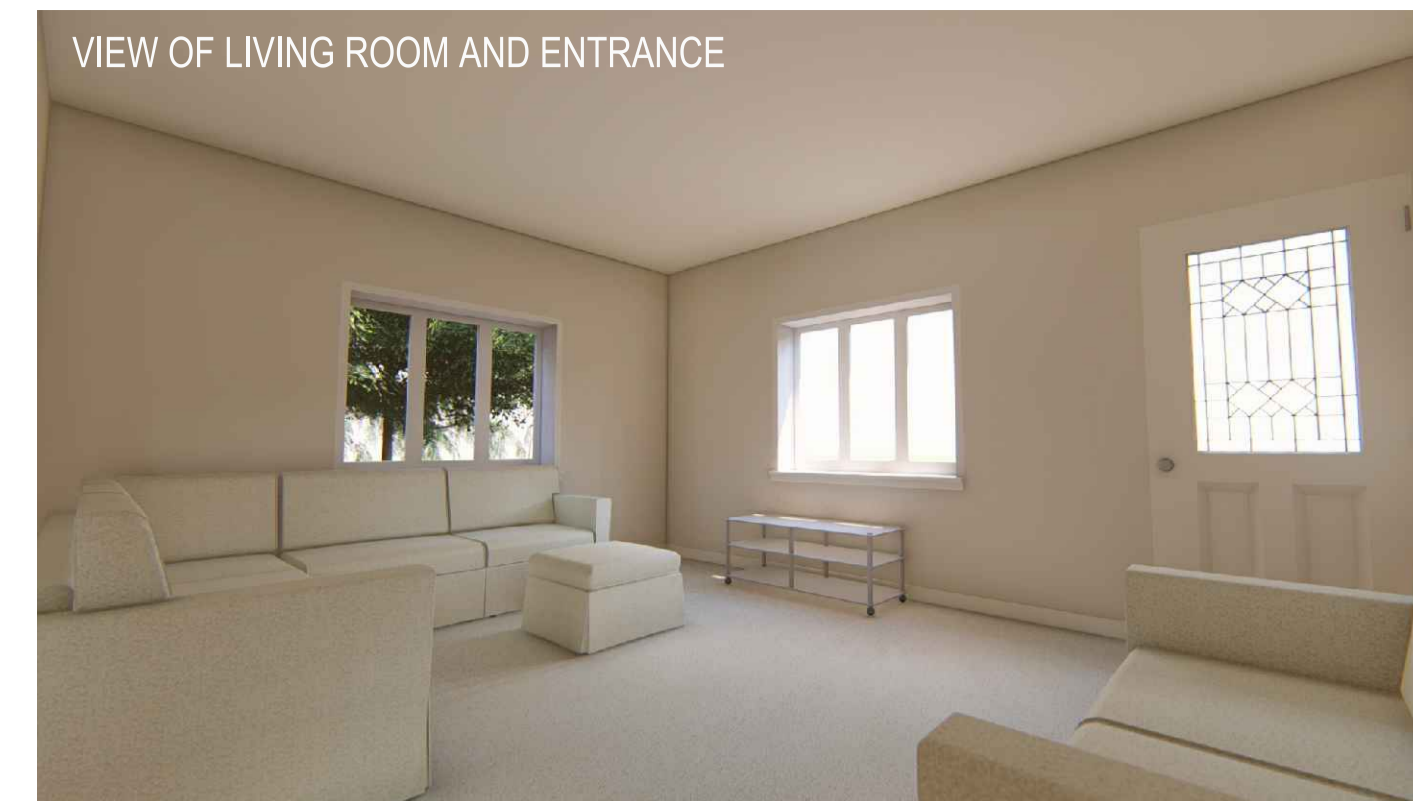
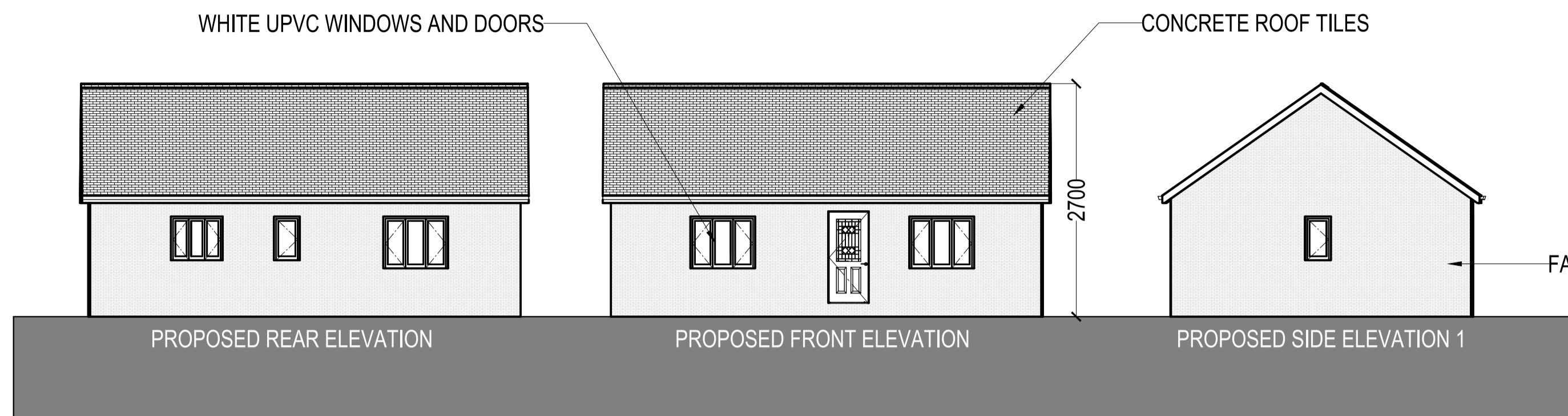
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Comments	Not Set
Date	22 October 2019
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PROPOSED GROUND FLOOR PLAN

CLIENT	MR KIRPAL THETHY
PROJECT SITE	112 BIRMINGHAM ROAD GREAT BARR B43 7AE
DRG TITLE	EXISTING AND PROPOSED PLANS
SCALE	1:50 @ A1
DATE	27/08/2019
JOB NO	1068
DRG NO	1001-2019-01