

# Report to Planning Committee

**5 October 2022**

<b>Application Reference</b>	DC/22/67139
<b>Application Received</b>	7 June 2022
<b>Application Description</b>	Proposed single and two storey side extension, single storey rear extension and loft conversion with rear dormer.
<b>Application Address</b>	104 Pear Tree Road, Great Barr, Birmingham, B43 6JA
<b>Applicant</b>	Mr Qamar Uldin
<b>Ward</b>	Charlemont With Grove Vale
<b>Contact Officer</b>	William Stevens <a href="mailto:William_stevens@sandwell.gov.uk">William_stevens@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That planning permission is granted subject to:


- i) The external materials matching the existing property,
- ii) Details and provision of three off-street parking spaces and retention off, and
- iii) The first-floor side window (facing the side of 106, Pear Tree Road, Great Barr) is obscurely glazed and remains as such.



## 2 Reasons for Recommendations

- 2.1 The proposed revised plans would ensure the proposed development would be of satisfactory design.

## 3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods
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## 4 Context

- 4.1 At your last meeting, Members resolved to visit the site.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[104 Pear Tree Road, Great Barr](#)

## 5 Key Considerations

- 5.1 The site is unallocated.
- 5.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)  
Overlooking/loss of privacy  
Loss of light and/or outlook  
Overshadowing  
Public visual amenity  
Layout and density of building



Design, and  
Highway safety,

## 6. The Application Site

6.1 The application site is situated on the northern side of Pear Tree Road, Great Barr and relates to a semi-detached mansard type property, within a residential area.

## 7. Planning History

7.1 There is no planning history associated with the property, however the property benefits from a single-storey rear and separate side extension constructed using the occupiers permitted development rights. The adjoining neighbour also has a similar extension to the rear and a two-storey side extension.





## 8. Application Details

- 8.1 The applicant proposes to erect a two-storey side and single and part two-storey rear extension (with a dormer window to the rear). The side extension would normally be requested to be set back and down at first floor level to comply with the Council's adopted Revised Residential Design Guide, however, as seen below, the adjoining neighbour has a similar two-storey side extension and the proposal would need to be flush to retain the symmetry of the pair of semi-detached properties.



- 8.2 However, an amended plan was requested for the rear extension, and this has been received and is tabled. The applicant proposes to extend the rear extension (in part) 2.3m into the garden from the existing extension.



Further amendments were requested to ensure that there is no roof or guttering overhang onto the neighbour's property.



8.3 These amendments were also received, and the applicant has confirmed in writing that the guttering will be built on the wall and will not overhang onto the neighbour's property.

8.4 The proposal would also include a rear dormer window; however, this could be built in isolation to the rest of the development under permitted development.

## 9. Publicity

9.1 The application has been publicised by neighbour notification letters, and three residents have objected to the application.

## 9.2 Objections

Objections have been received on the following grounds:

- i) The proposed extension is over sized and out of keeping with the local area. The rear extension would cause privacy issues to adjacent properties,
- ii) The two-storey rear extension, along with the ground floor extension would cause a loss of light to the adjoining property,



- iii) The two-storey side extension should be set back and down so it is subservient to the existing property,
- iv) The characteristic of the area is for there to be a gap at the side of the property, the applicant proposes to separation from the side boundary,
- v) A six-bedroom property in the area would be overdevelopment,
- vi) The application property being on higher ground than the neighbouring property, would cause a significant loss of light if the two-storey side extension were built,
- vii) Depending on any proposed extraction equipment, there is a potential for noise and smells associated with the development,
- viii) The loss of a garage space will increase parking demand in the area, and
- ix) The eaves and guttering would overhang onto the neighbour's property.

Immaterial objections have been raised regarding maintenance and footing details, as well as the party wall act. Concerns have also been raised about potential CCTV being installed as well as concerns raised over the construction of the extension.

### 9.3 Responses to objections

I respond to the objector's comments in turn:

- i) The side extension is of similar size to that of the adjacent property (see photograph in section 8.1 above), and in my opinion, would not cause any more privacy issues than currently exists,
- ii) The proposed development complies with the Council's adopted residential design guidance, however, amended plans have been received (see point 8.2) to reduce the impact on the occupiers of the adjoining property,
- iii) See point 8.1 above,
- iv) The applicant proposes to build up the boundary as his neighbour's property has been extended in the past (see below),





- v) The Council has recently approved (and is under construction) a larger property opposite the application site (DC/22/67213) at 87 Pear Tree Road for a larger family home than what is proposed under this development,
- vi) The applicant site would be on higher ground than 102 Pear Tree Road, however the proposal has been designed to comply with the Council's 45-degree code,
- vii) The location of any extraction equipment is subject to building regulations,
- viii) No space would be lost as the existing garage is too small to accommodate a modern vehicle,
- ix) See point 8.2 above.

## 10. Consultee responses

### 10.1 Highways

The Council's highways department has been consulted and raise no objections subject to three off-street parking spaces being provided on site.





## 11. National Planning Policy

- 11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.
- 11.2 I am of the opinion that the scheme is of a good design, in accordance with paragraph 124 of the NPPF.

## 12. Local Planning Policy

- 12.1 The following policies of the council's Development Plan are relevant:

ENV3: Design Quality  
SAD EOS9: Urban Design Principles

- 12.2 The site is unallocated.

- 12.4 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design are considered to be acceptable with no concerns being raised from Urban Design.

## 13. Material Considerations

- 13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

### 13.2 **Overlooking/loss of privacy**

It is not considered that the proposal would have a significant increase in loss of privacy than could currently occur. However, I note that the first-floor rear extension has a side window facing the adjoining property. To safeguard neighbour's privacy, I recommend that this window is obscurely glazed and retained as such.





### 13.3 Loss of light and/or outlook

Amended plans have been received that, in my opinion, address the concerns.

### 13.4 Overshadowing

The gardens are north facing meaning the existing rear property would be in shadow for the majority of the day. The proposal would (in my opinion) not make any significant difference.

### 13.5 Public visual amenity

When viewed from the public realm, the proposal is of similar design to the adjoining property.

### 13.6 Layout and density of building

The site can accommodate the proposed development without compromising the existing character of the area.

### 13.7 Design, and

See point 8.1 above.

### 13.8 Highway safety.

See point 10.1 above.

## 14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant polices and there are no material considerations that would justify refusal.



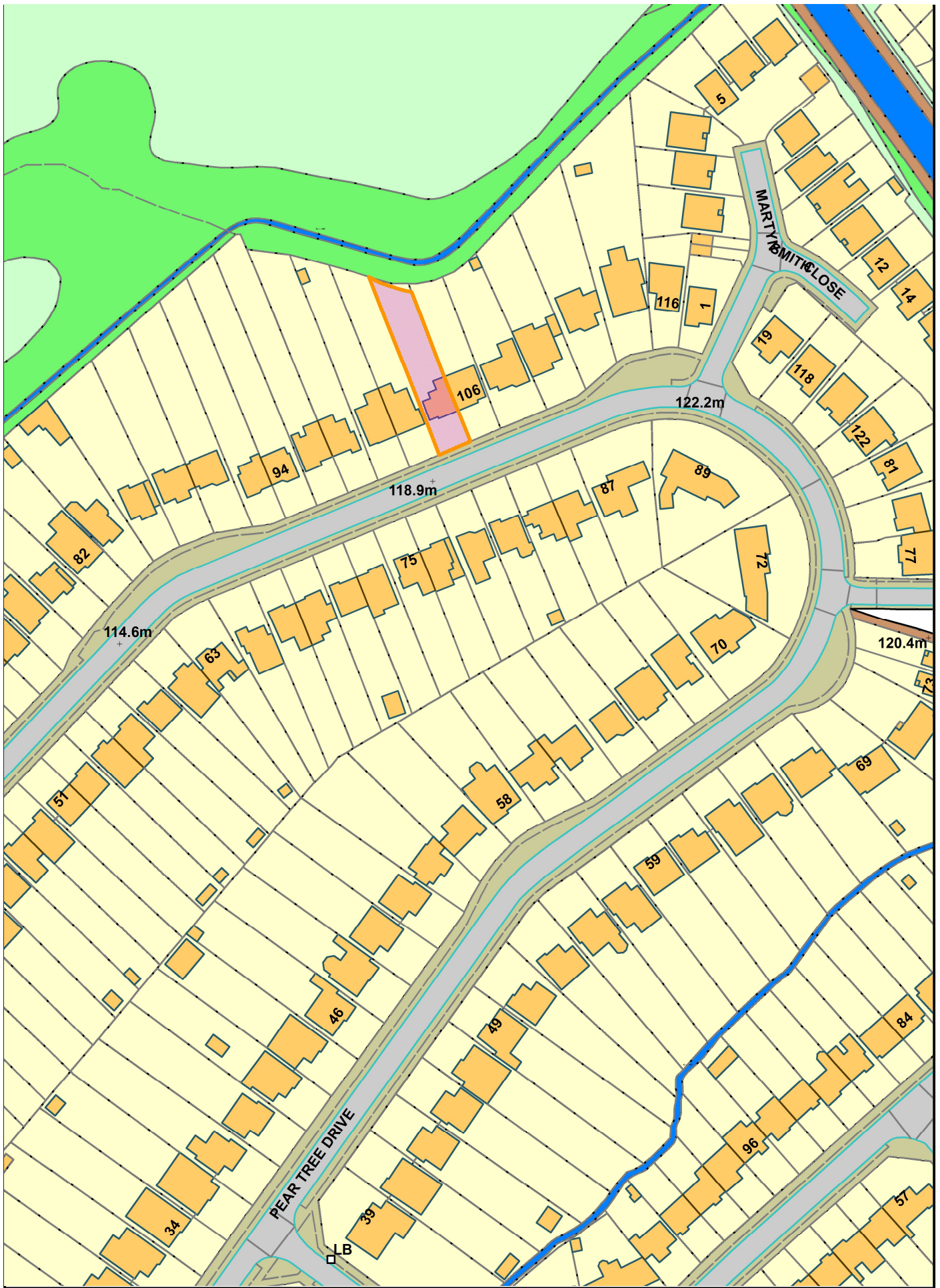
## 15 Implications

<b>Resources:</b>	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.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None.
<b>Social Value</b>	None.

## 16. Appendices

Block plan/location plan  
Ground floor and elevations







NOTES:  
 1. CONTRACT ARCHITECTS LTD. DO NOT SCALE FROM THE DRAWING, USE PROVIDED DIMENSIONS ONLY. CONTRACTORS TO CHECK CRITICAL DIMENSIONS RELATIVE TO THEIR WORK AND REPORT ANY DISCREPANCIES TO ARCHITECT.

**KEY**  
 [Red line] SITE BOUNDARY  
 [Pink hatched area] PROPOSED EXTENSION



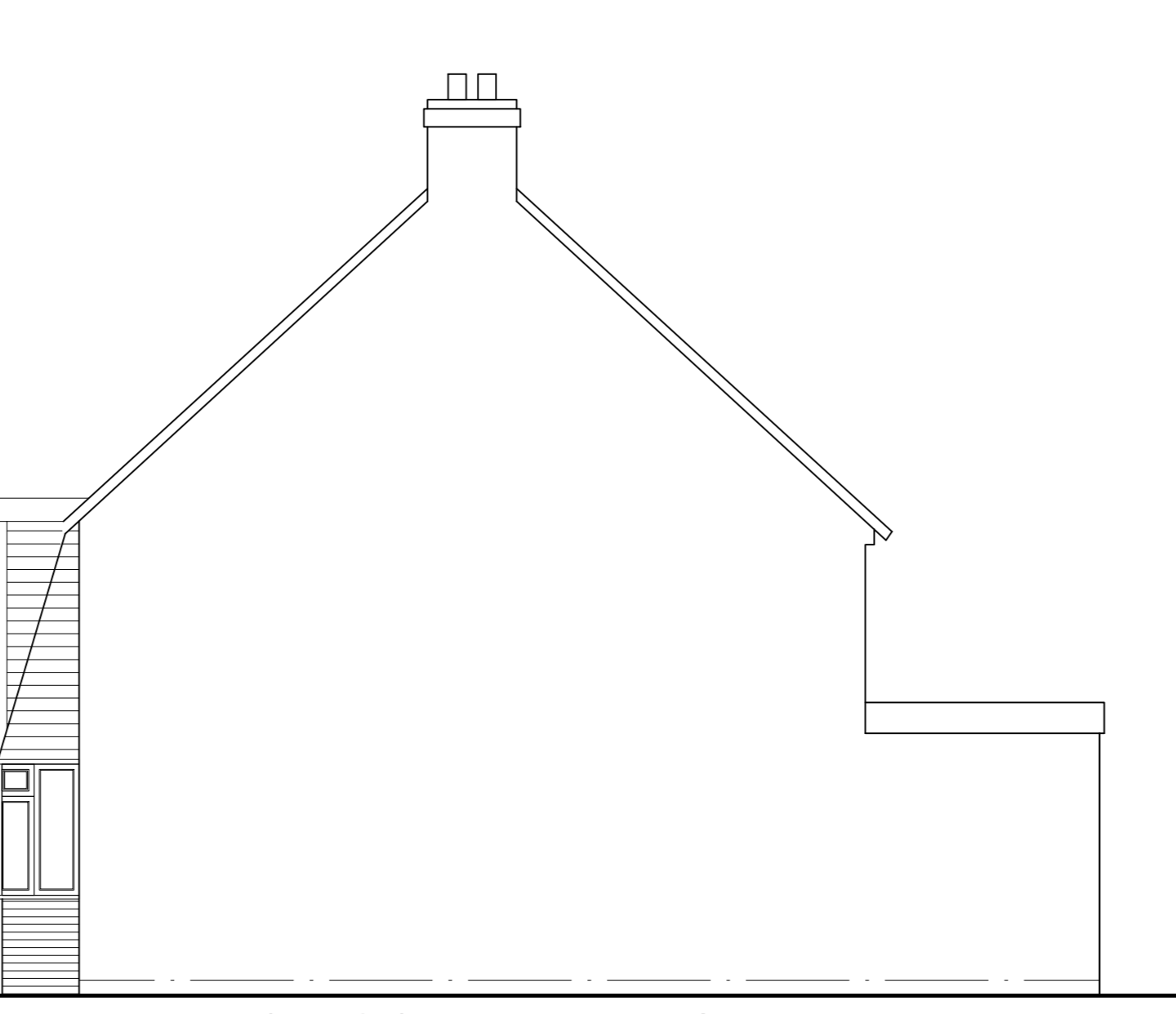
**LOCATION PLAN 1:1250**  
 104 PEAR TREE ROAD, B43 6JH



**EXISTING FRONT ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.



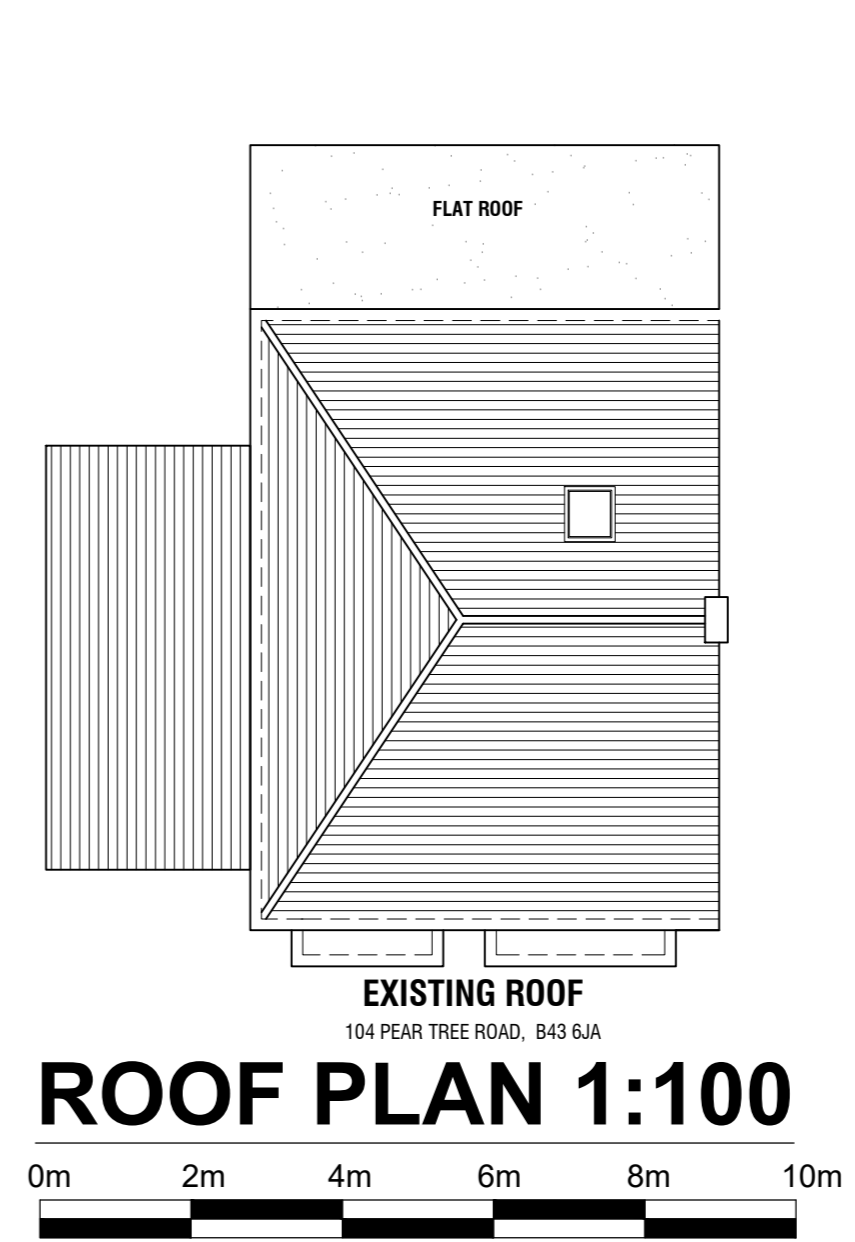
**EXISTING REAR ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.



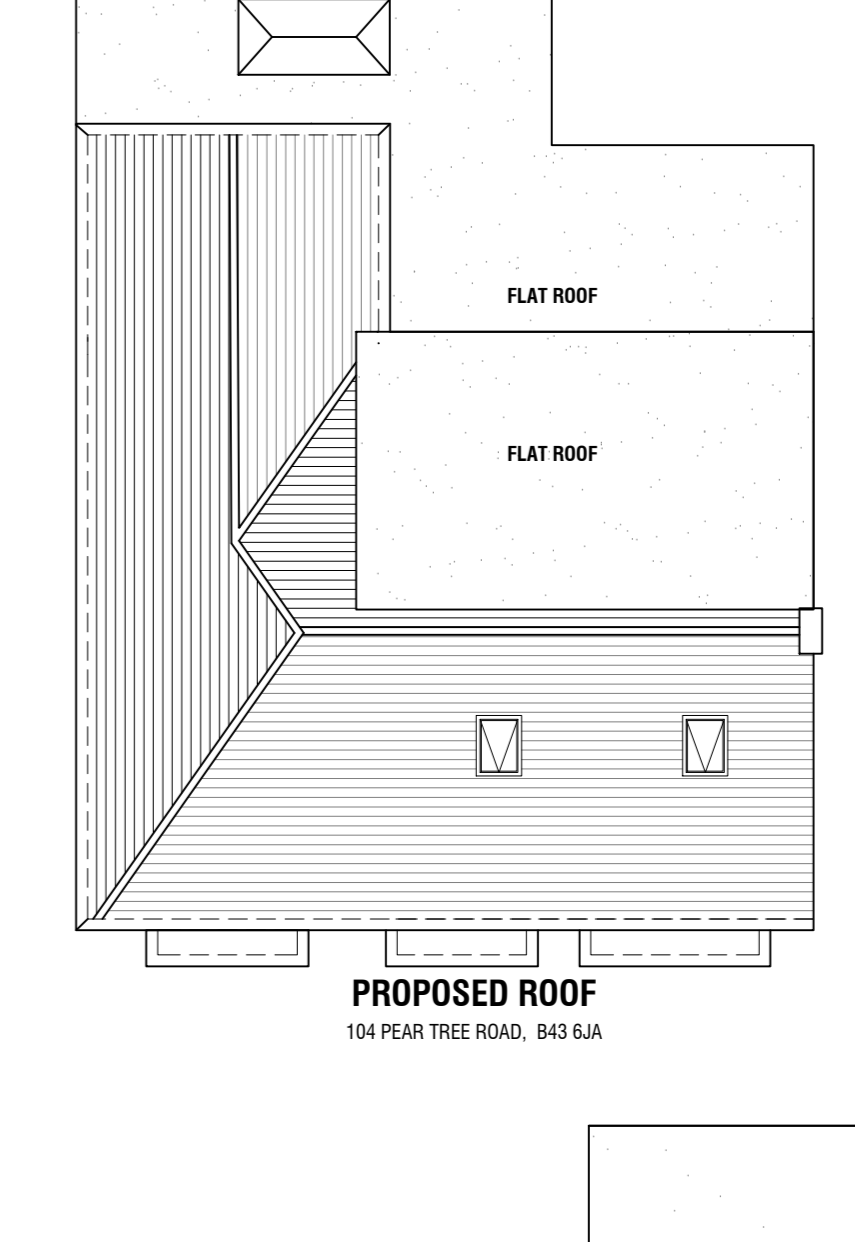
**EXISTING SIDE B ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.



**EXISTING SIDE A ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.



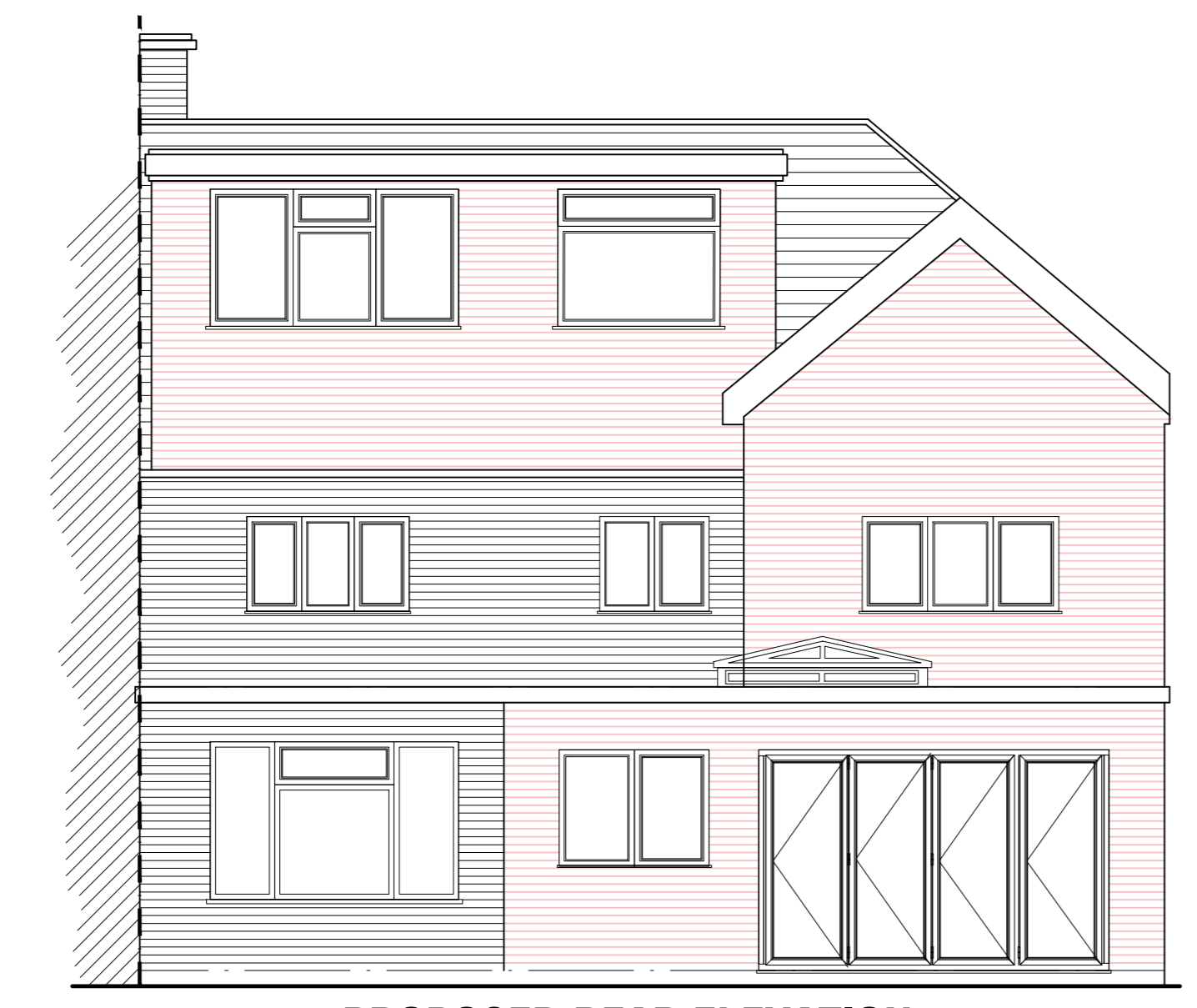
**EXISTING ROOF PLAN 1:100**  
 104 PEAR TREE ROAD, B43 6JA  
 0m 2m 4m 6m 8m 10m



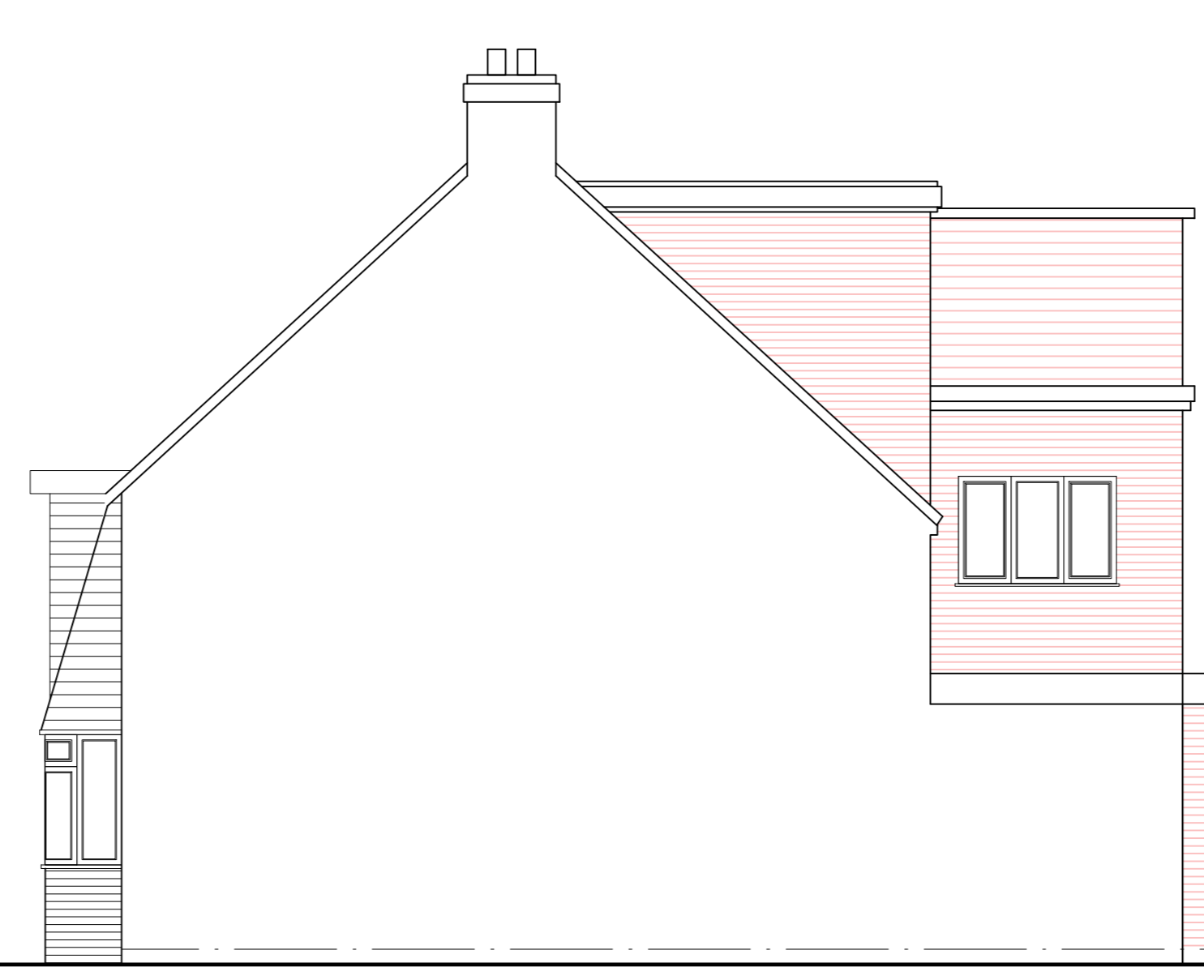
**PROPOSED ROOF PLAN 1:100**  
 104 PEAR TREE ROAD, B43 6JA



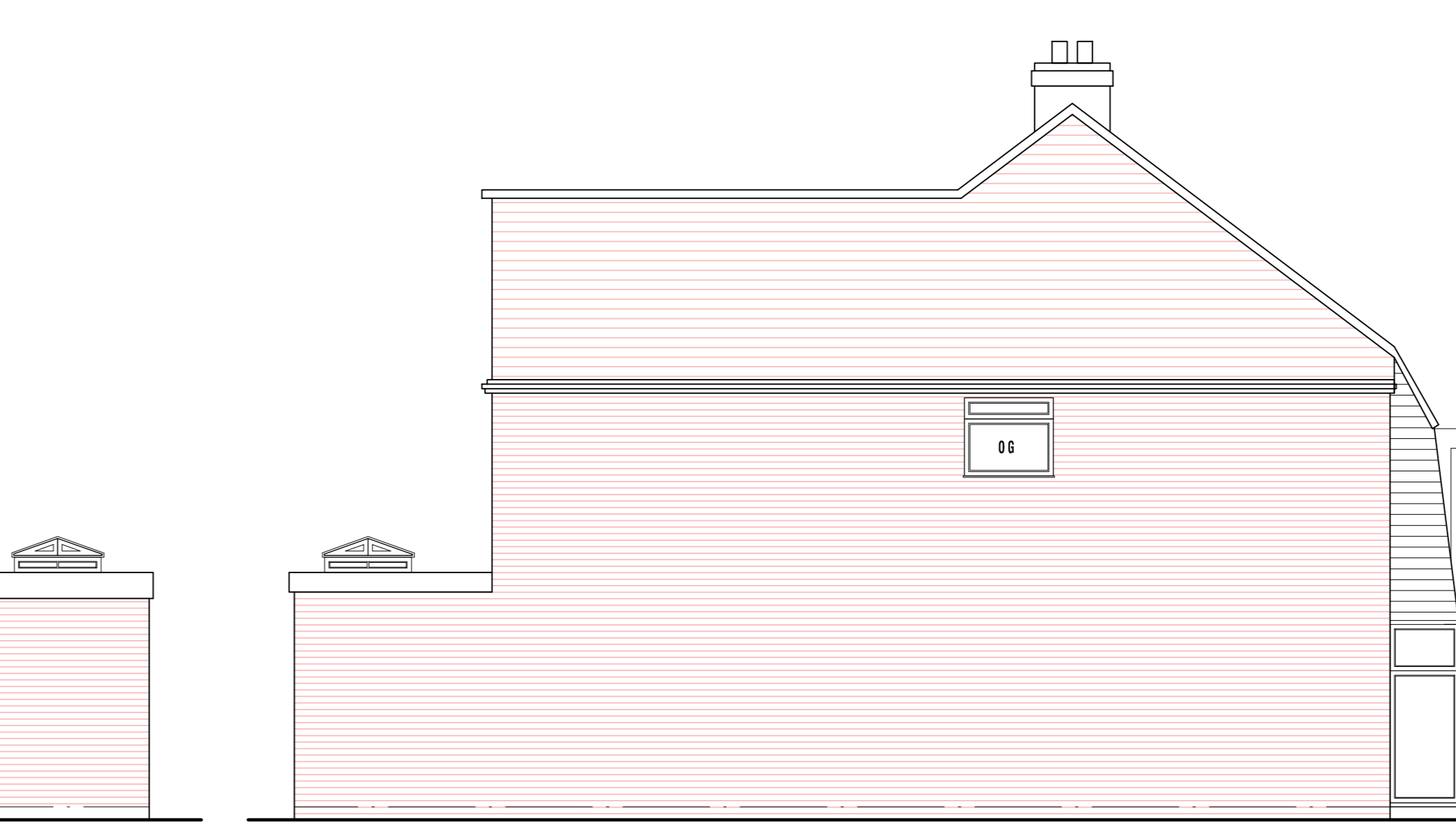
**PROPOSED FRONT ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.



**PROPOSED REAR ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.

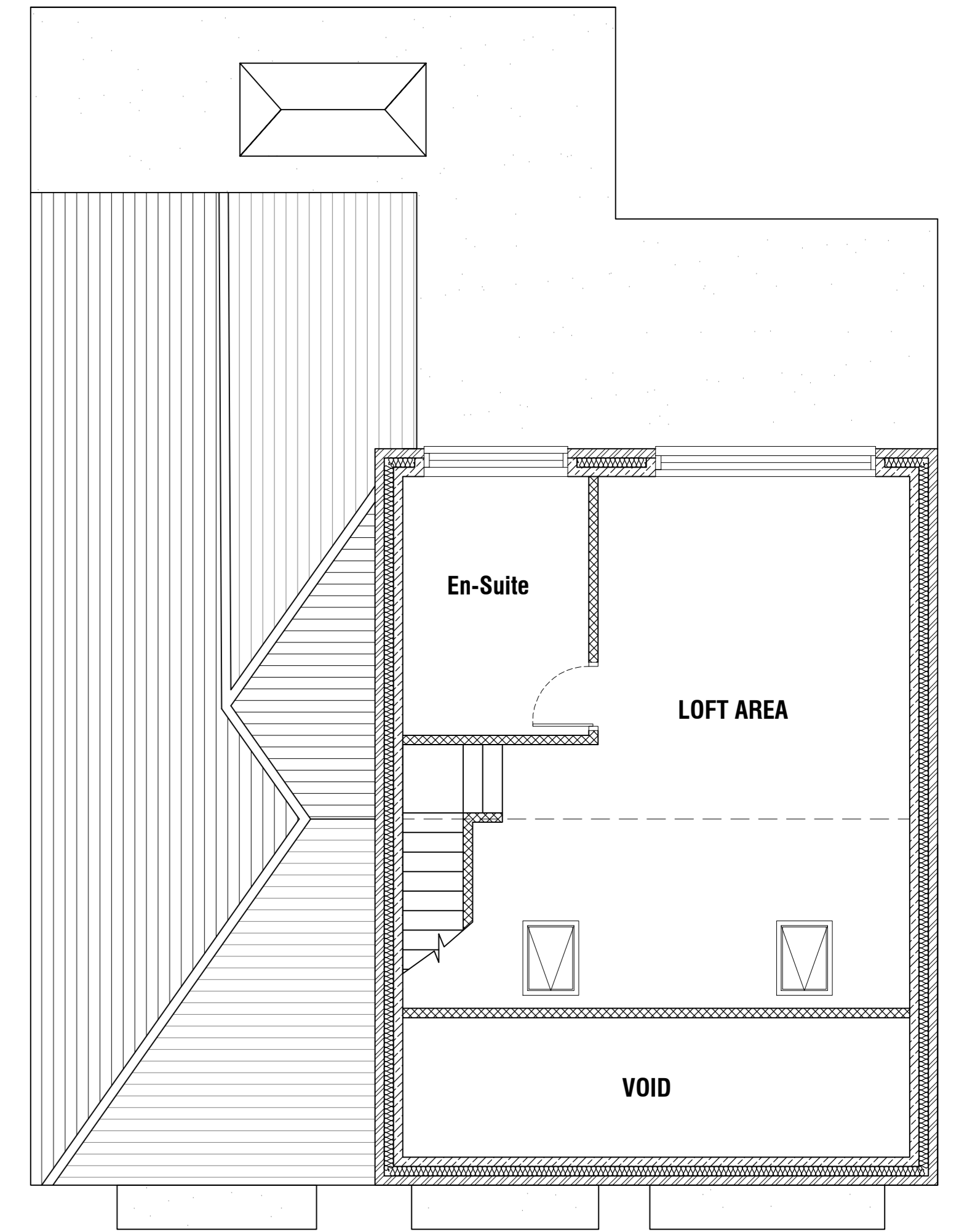


**PROPOSED SIDE B ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.

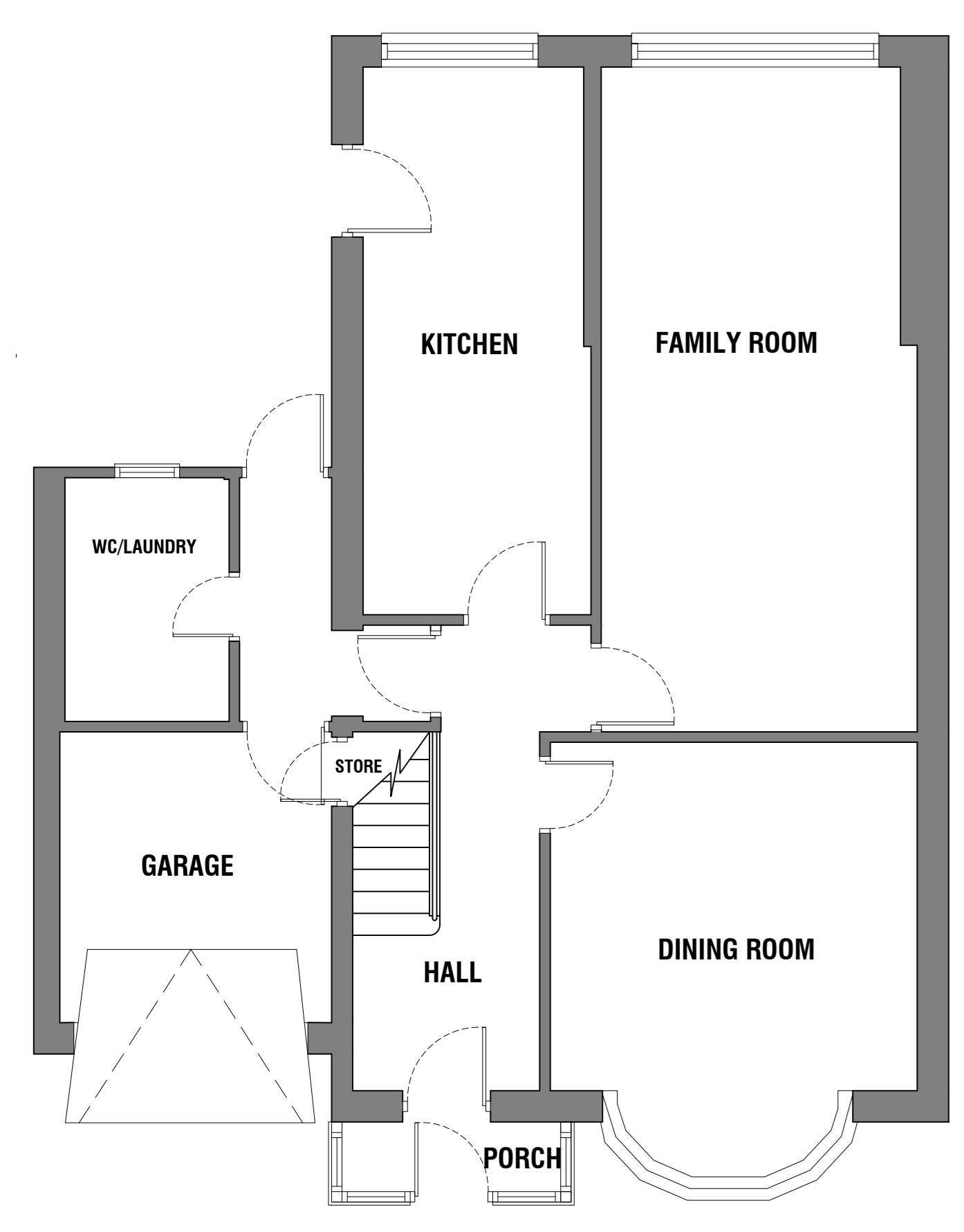


**PROPOSED SIDE A ELEVATION**  
 104 PEAR TREE ROAD, B43 6HX.

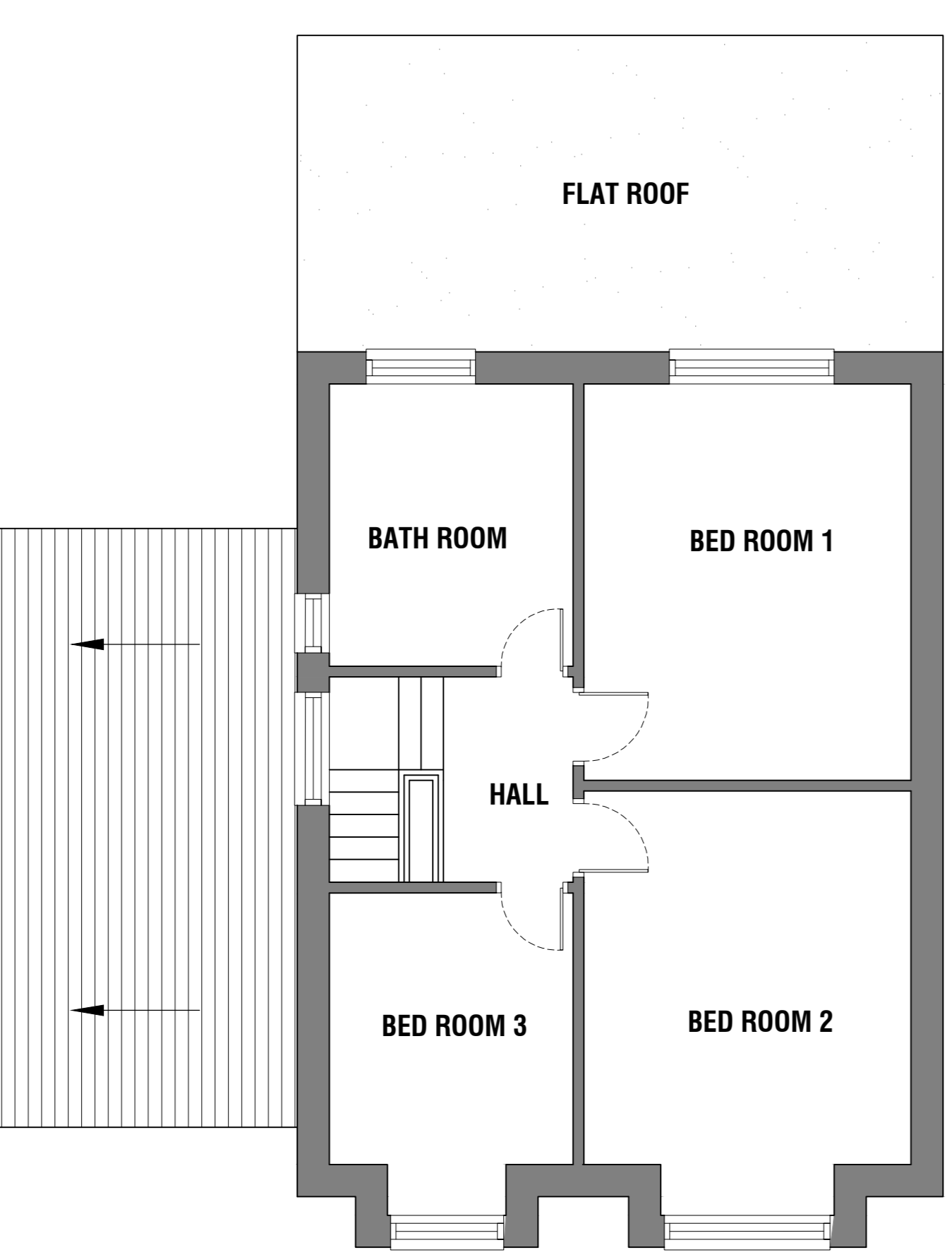
**ELEVATION PLAN 1:60**  
 0m 5m 10m



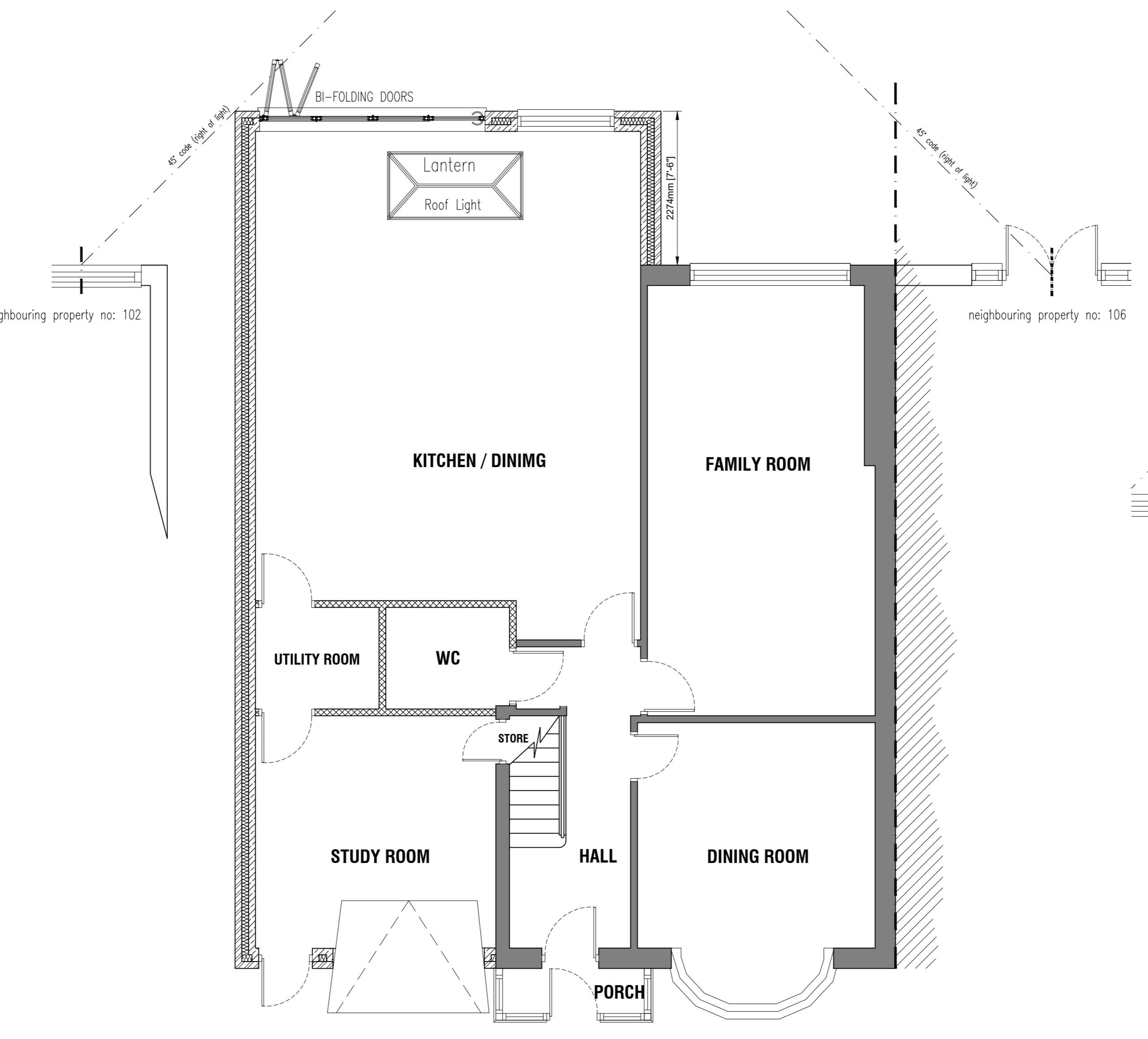
**PROPOSED LOFT FLOOR PLAN**  
 104 PEAR TREE ROAD, B43 6JA



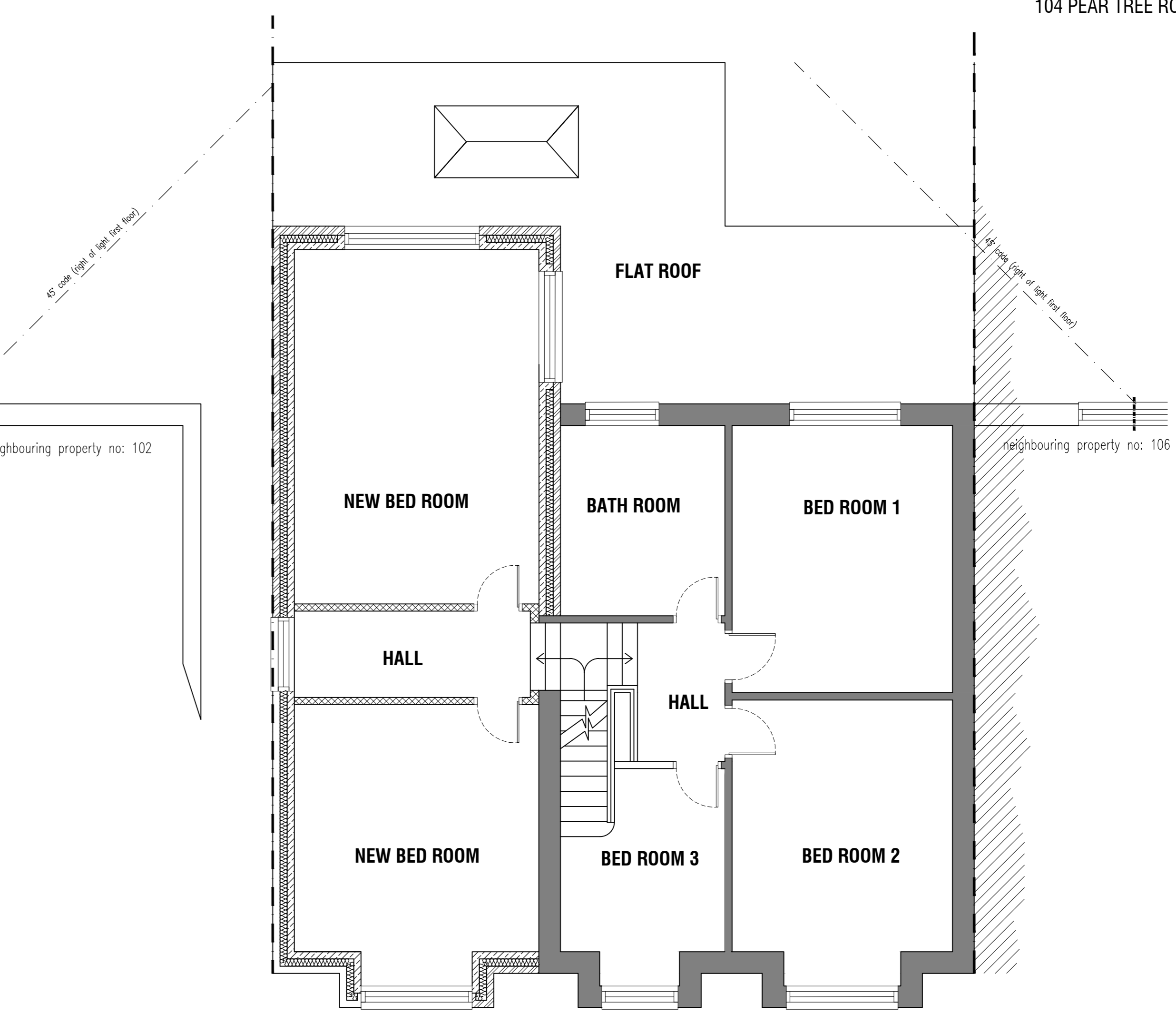
**EXISTING GROUND FLOOR PLAN**  
 104 PEAR TREE ROAD, B43 6JA



**EXISTING FIRST FLOOR PLAN**  
 104 PEAR TREE ROAD, B43 6JA

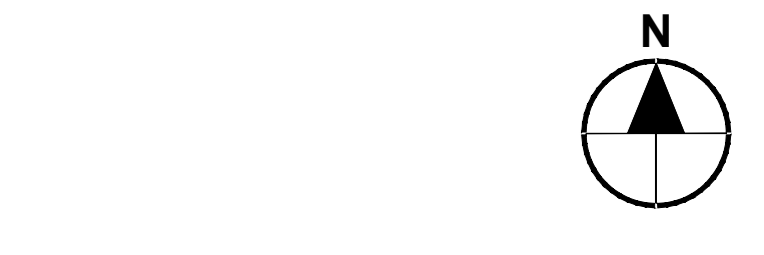


**PROPOSED GROUND FLOOR PLAN**  
 104 PEAR TREE ROAD, B43 6JA



**PROPOSED FIRST FLOOR PLAN**

**FLOOR PLAN 1:50**  
 0m 5m 10m



REV	DATE	DESCRIPTION	DRAWN	CHECKED
1	14 APR 2022	FIRST ISSUE	AD	AD
2	14 SEP 2022	3RD ISSUE	AD	AD

**PLANNING**

ADDRESS: MR QAMAR UL DIN  
 104 PEAR TREE ROAD  
 BIRMINGHAM, B43 6JA

DRAWING TITLE: ELEVATION AND FLOOR PLAN

PROJECT NO.	SCALE	DATE	DRAWING STATUS
0722	AS NOTED	APR 2022	PLANNING

SHEET SIZE: AD  
 SHEET NO: -0724-