

Report to Planning Committee

15 September 2021

Application Reference	DC/21/65851
Application Received	2 July 2021
Application Description	Proposed two storey front/rear, single storey front/side/rear extensions, raising height of eaves line, loft conversion, rear dormer window, front gates, boundary walls and fence infill to front and side of property.
Application Address	5 Roway Lane Oldbury B69 3EG
Applicant	Mrs Nusrat Begum
Ward	Oldbury
Contact Officer	Dave Paine David_paine@sandwell.gov.uk

1 Recommendations


- 1.1 That planning permission is granted subject to external materials matching the existing property.

2 Reasons for Recommendations

- 2.1 The proposal would cause no significant harm to the amenity of the occupiers of adjacent properties and have no appreciable impact on the visual amenity of the surrounding area or to the safety and convenience of users of the highway.



3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The design of the proposal is acceptable in respect of national and local planning policy.
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4 Context

- 4.1 This application is being reported to your Planning Committee because seven material planning objections have been received by the Council.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[5 Roway Lane](#)

5 Key Considerations

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

Government policy (NPPF)
Overlooking/loss of privacy
Public visual amenity
Design, appearance and materials
Access, highway safety, parking and servicing

6. The Application Site

- 6.1 The application site is situated on the north side of Roway Lane, on the corner of Theodore Close. The area is predominantly characterised by residential dwellings, although there is a tyre sales site immediately to the west of the site.



- 6.2 The north side of Roway Lane is characterised by large, modern, detached dwellings. The south side of Roway Lane is characterised by older semi-detached dwellings. Theodore Close leads into a planned residential estate, built in the early 1960s, and the design is typical of this period. The layout of this estate is open plan with no boundary treatments to the front or side of the properties adjacent to the highway.

7. Planning History

- 7.1 There is no relevant planning history.

8. Application Details

- 8.1 The applicant proposes to construct a two storey rear extension, a two storey front extension, a rear dormer with increase to eaves height and new boundary fence, wall and gate.
- 8.2 The ground floor would be extended at the front to enlarge two reception rooms, and to the rear to create an enlarged kitchen, third reception and a utility room with toilet off. The first floor would be extended to enlarge two bedroom and to create a new bedroom to the rear. The loft would be converted to create two further bedrooms, both with en-suites.
- 8.3 Initial plans showed a 1.8m high wall and fence along the property side boundary with Theodore Close and a 1.2m high wall and fence, and a set of gates, along the property front boundary with Roway Lane.
- 8.4 Amended plans were submitted to show the 1.8m side boundary fence set away from the boundary on Theodore Close by approximately 4.6m. The amended plans also showed a parking layout for 3 vehicles on a paved front garden with drainage.



9. Publicity

- 9.1 The application has been publicised by neighbour notification letter with seven objections being received.

9.2 Objections

Objections have been received on the following grounds:

- i) The extensions would cause a loss of privacy.
- ii) The proposed boundary walls would impact on the open plan design of the estate.
- iii) The proposed boundary walls would cause harm to highway safety.
- iv) The proposed would lead to more cars parked on Theodore Close, potentially blocking the highway, and obstructing emergency vehicles.
- v) The house is currently in use as a House of Multiple Occupancy (HMO).
- vi) The extensions would cause a loss of light.

Immaterial objections have been raised regarding loss of property value.

9.3 Responses to objections

I respond to the objector's comments in turn:

- i) The neighbouring property at number 1 Theodore Close is not orientated perpendicularly to the application property. This means, that the rear windows of 1 Theodore Close are visible from the rear windows of 5 Roway Lane. The rear first floor extension and dormer could therefore cause harm to the privacy of the occupants of 1 Theodore Close. However, the rear windows of 1 Theodore Close would only be visible at an oblique angle and this would minimise the impact on those occupants. A rear dormer could be constructed by 5 Roway Lane under Permitted Development rights which means it would not be reasonable for the Council to control this aspect of the development. The separation distance to the side facing windows of 1 Theodore Close is around 13m, which is



considered acceptable, given that the facing windows are at an angle to one another. It is considered that the first floor rear extension, measuring 2.7m deep would not significantly harm the privacy of the occupants of 1 Theodore Close.

- ii) The Theodore Close estate is clearly of an open plan design, and boundary fences or walls would not be acceptable along the side of the property. The amended plans submitted have addressed this concern by moving this fence away from the boundary and retaining the grass verge.
- iii) The amended plans would suitably address concerns regarding highway safety and loss of visibility to drivers. The Highways Authority have no concerns in this respect.
- iv) The submitted plans show 3 off road parking spaces, which is deemed sufficient for a 6 bedroom house. Currently, the property enjoys 1 off road space, so this proposal can be expected to reduce on street parking demand.
- v) No evidence has been submitted to substantiate the allegation that the property is being used as an HMO.
- vi) There are no concerns that this proposal would cause a significant loss of light to any neighbour.

10. Consultee responses

10.1 Highways

Highways have no objections.

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.

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 There are no concerns in respect of the design or appearance of this development. The proposal is for a high quality design which would contribute positively to the overall street-scene of Roway Lane.

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 Loss of privacy

It is considered that the orientation of 1 Theodore Close with respect to 5 Roway Lane would sufficiently overcome any significant loss of privacy. This has been addressed in section 9.3(i) above.

13.3 Public visual amenity / Design, appearance and materials

This proposal would create a modernised design to the front of this property and would be a welcome enhancement to the street-scene of Roway Lane. The repositioned side fence would ensure the open-plan nature of Theodore Close would not be unduly impacted. The materials proposed include a mixture of white render and brick and tiles to match the existing house.

13.4 Access, highway safety, parking and servicing

As referred to in 9.3(iv), this proposal can be expected to reduce on street parking demand. The repositioned fence would not obstruct visibility to motorists or pedestrians. This proposal would have no impact on access for larger vehicles or emergency services within the street.



14 Alternative Options

- 14.1 Refusal of the application is an option if there are material planning reasons for doing so. However, it is considered that this proposal would comply with policy and there are no material considerations to warrant refusal.

15 Implications

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

16. Appendices

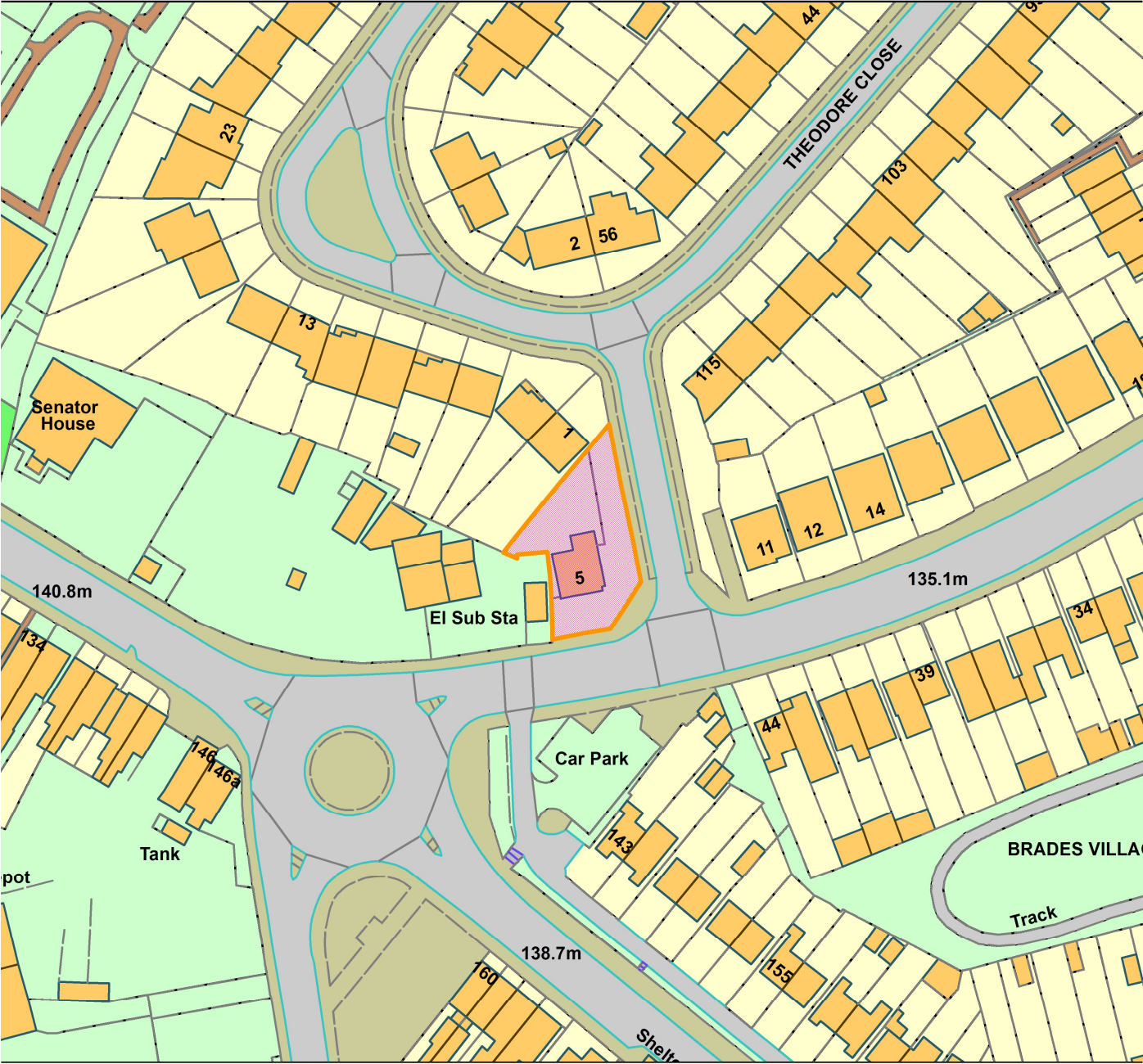
Location plan – 001

Existing layout and elevations – 002

Proposed layout and elevations - 003



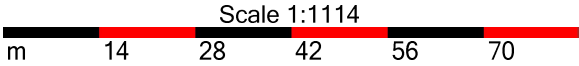
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5 Rokay Lane, Oldbury



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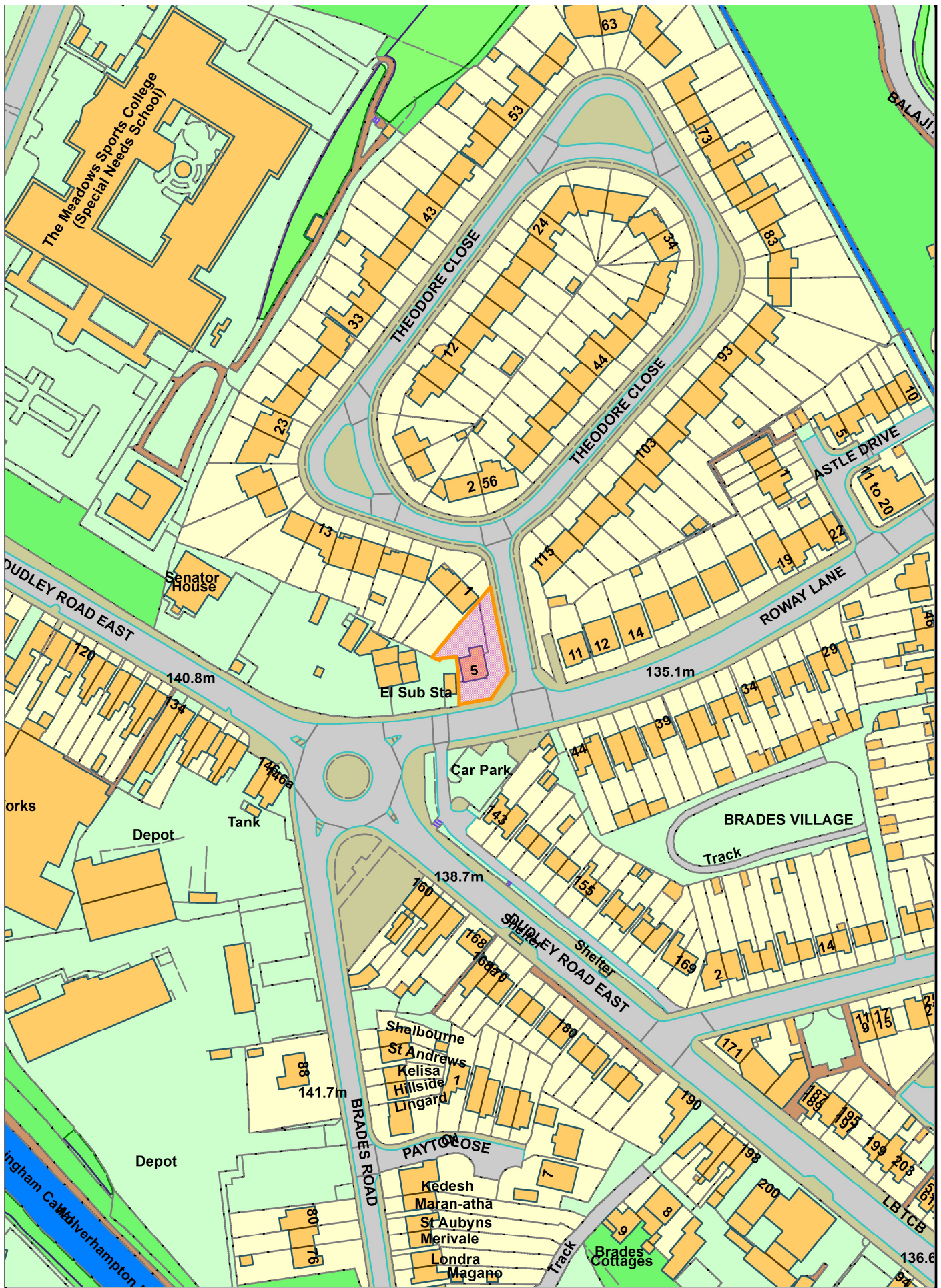
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Department	Not Set
Comments	Not Set
Date	25 August 2021
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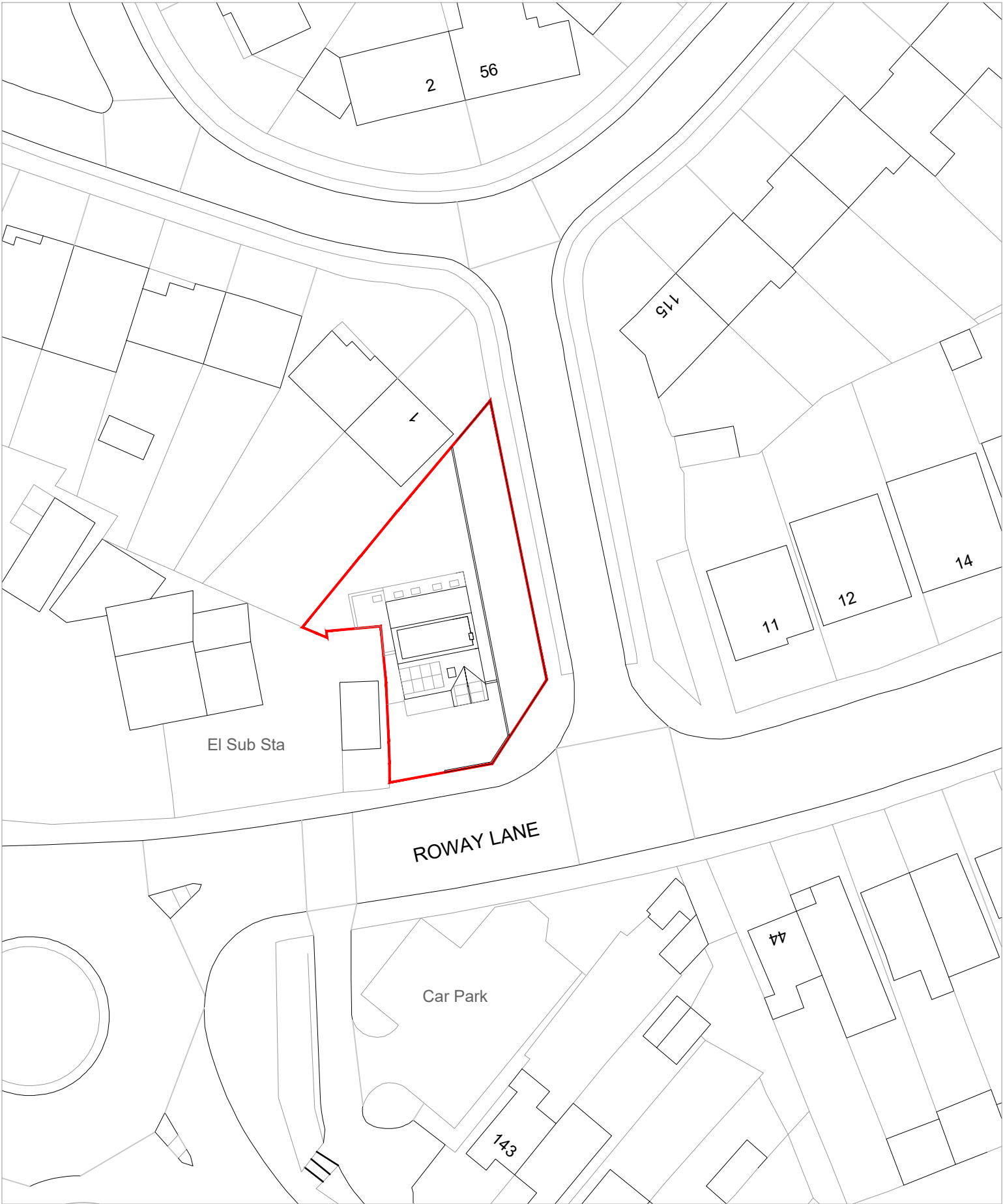




Location Plan

0 25 50 75 100m

SCALE 1:1250



Proposed Site Plan

0 10 20 30 40m

SCALE 1:500

Notes

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Contractor Design Development:

Details and general arrangement information contained within these drawings defines the concept approach for materials, components and specialist systems only. Aspects of the design require development not possible at pre-construction phases of the project. The main contractor and associated sub-contractors are required to develop and validate the detailed design accordingly in conjunction with project specifications, surveys and environmental data.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Notify the Architect immediately of any significant variation between the principle and the clarified design.

Site boundary line

Date	Rev	By	Details
20.08.21	A	JsB	Amendments as requested by D Paine.

N

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JBVJ
ARCHITECTS.

T: +44 7792 625502
F: +44 7557 797789
W: www.jbvjarchitects.com
E: info@jbvjarchitects.com

Project

➤ Roway Lane

Client

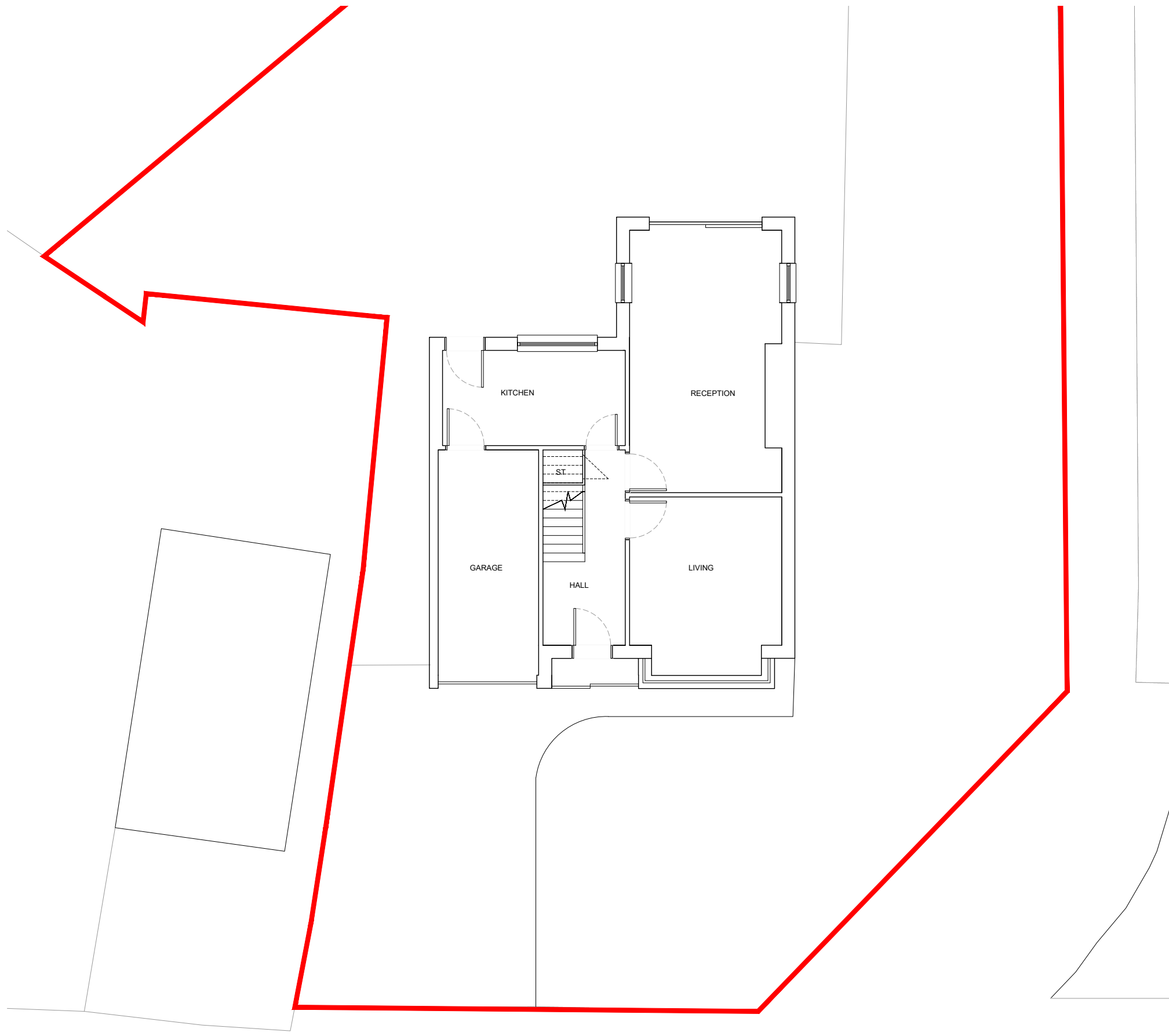
➤ Begum

Drawing title

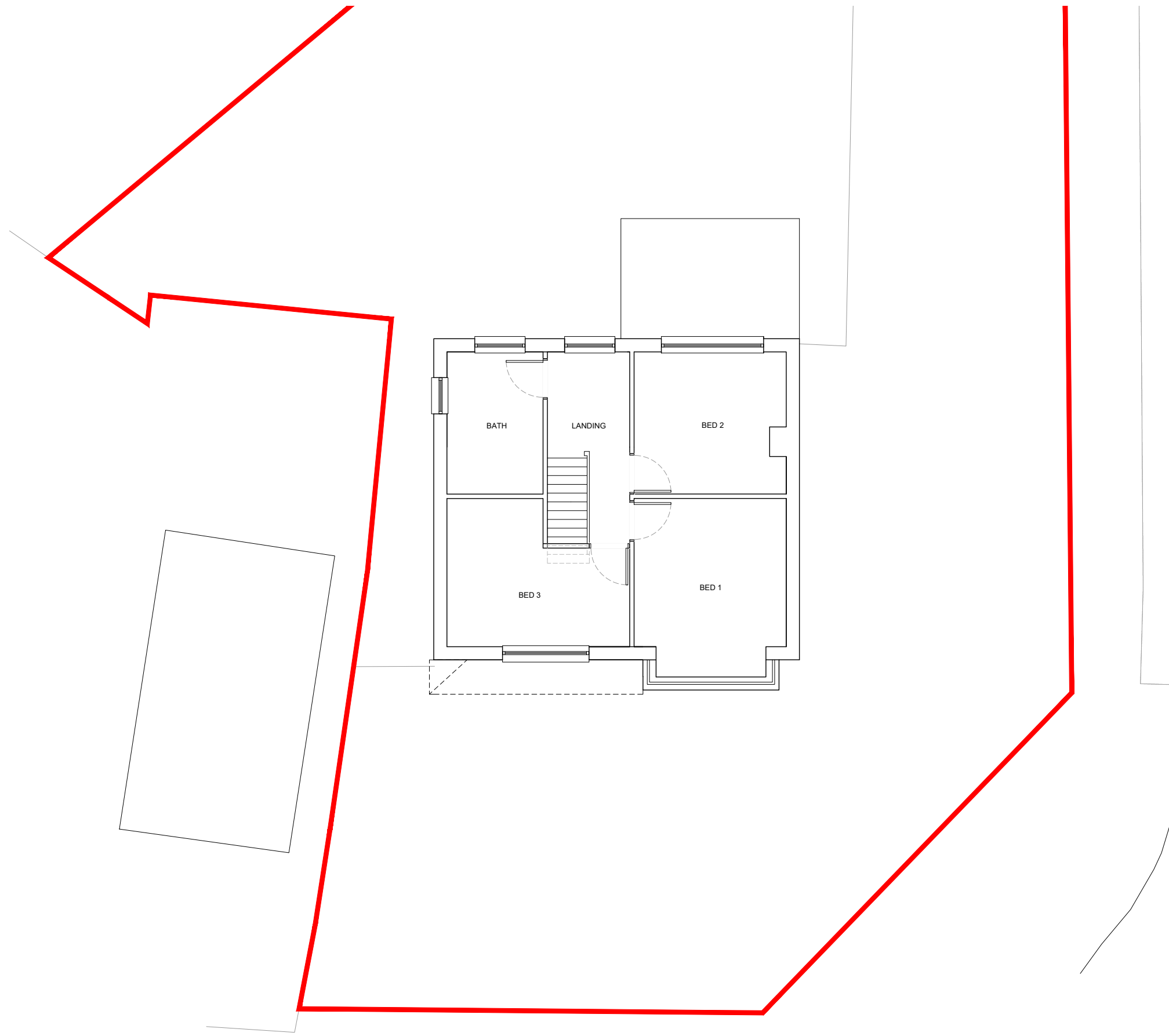
➤ Location + Proposed Site Plan

Date	Scale	Checked
➤ 20.08.21	➤ 1:1250/1:500@A3	➤ JsB
Project Ref.	Drawing No.	Revision
➤ P1-158	➤ P01	➤ A

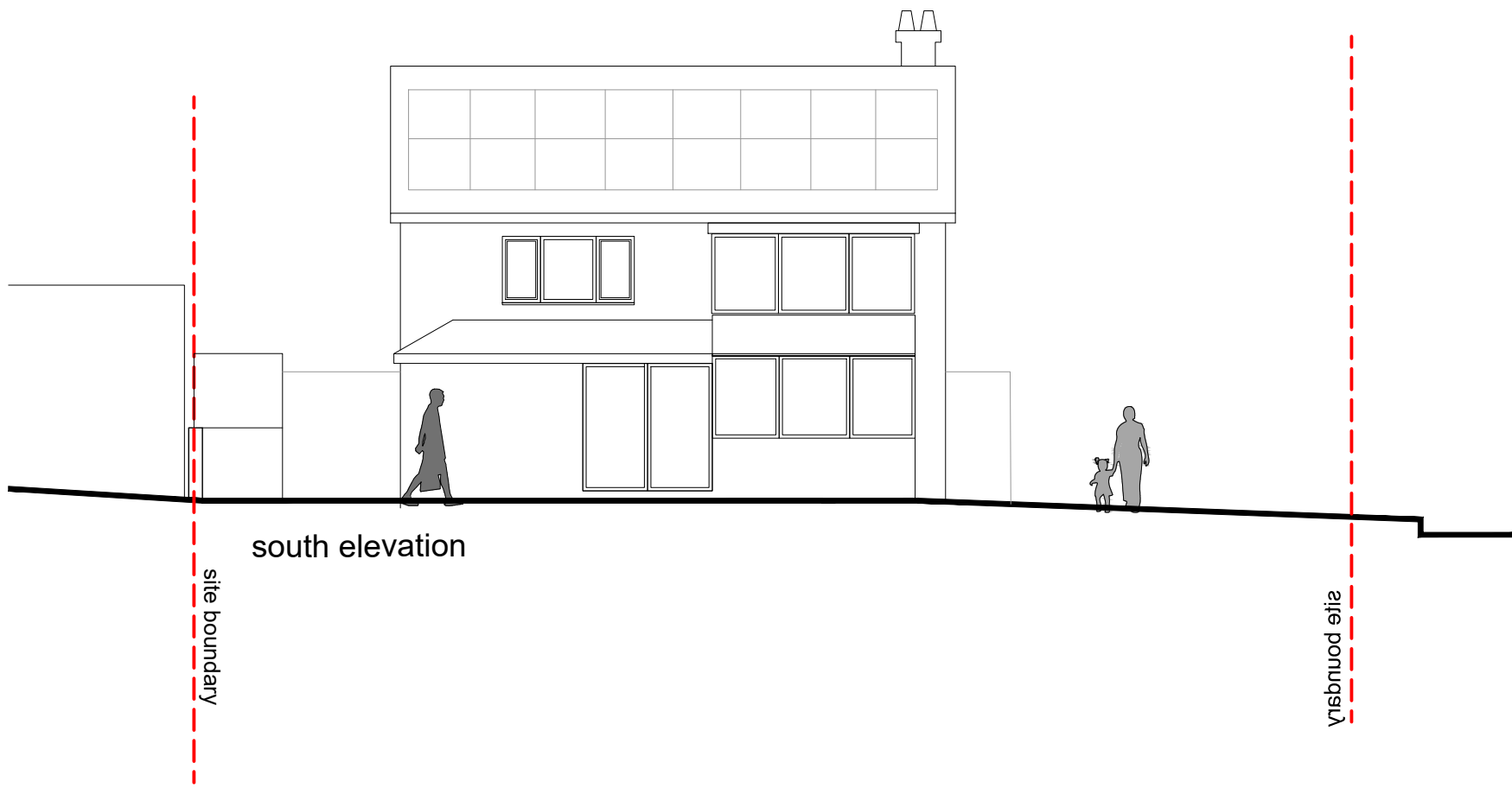
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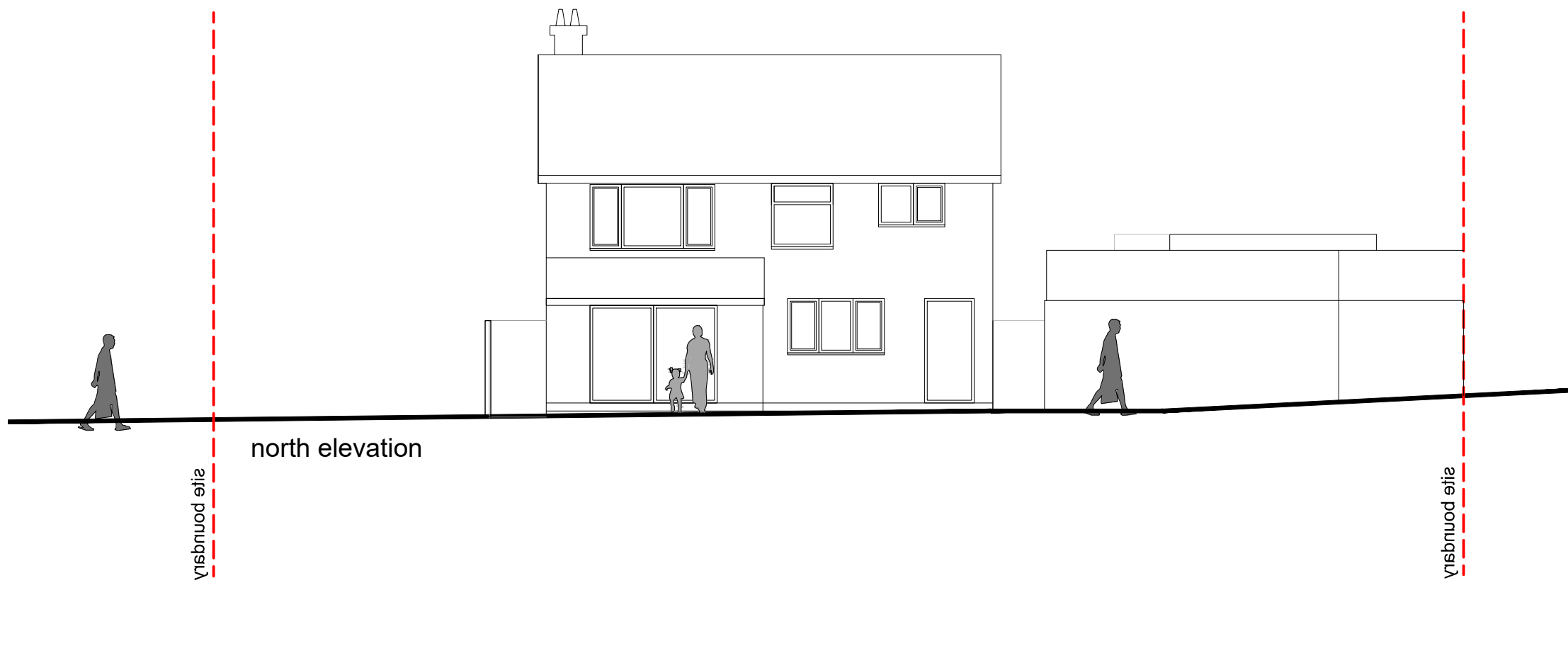
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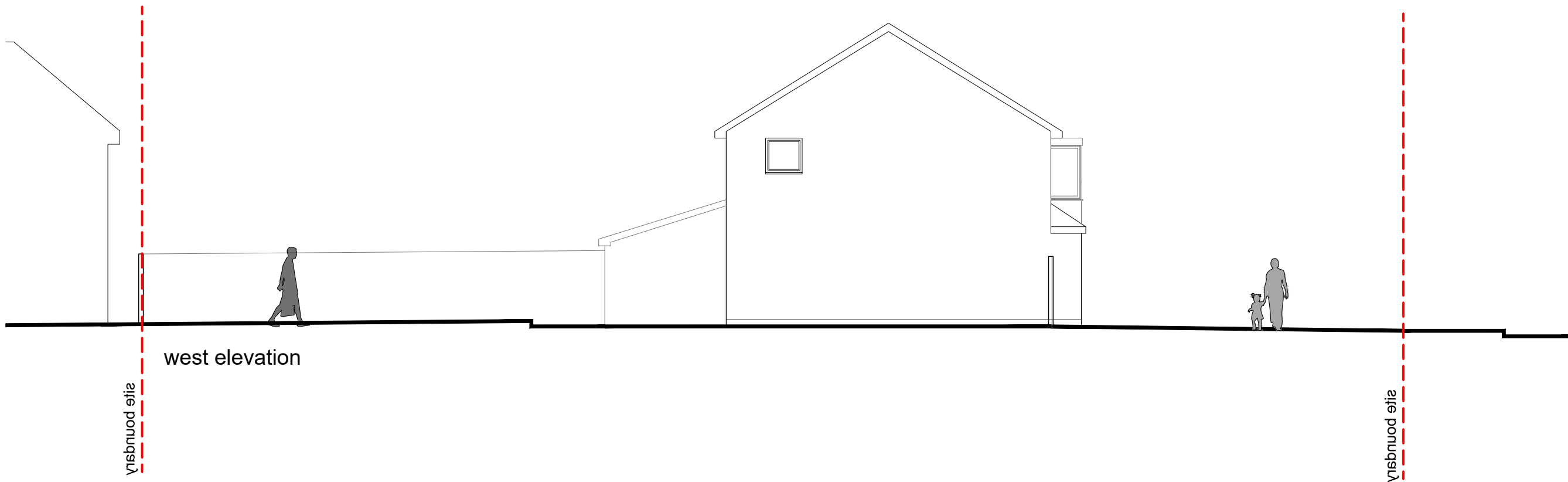
Existing First Floor



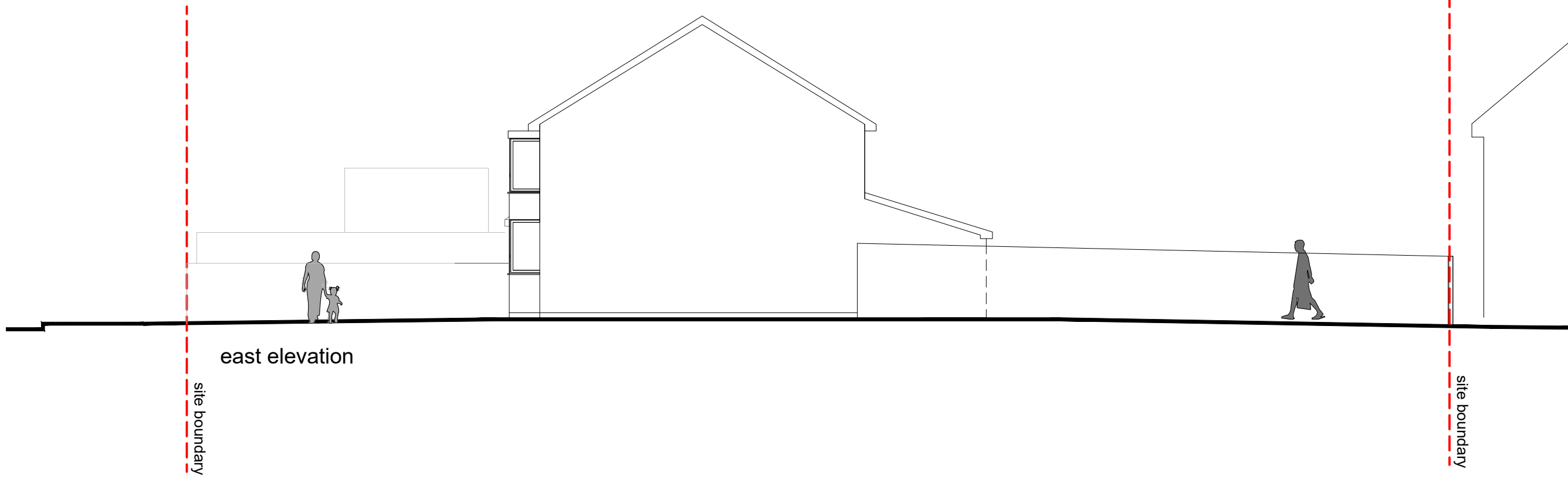
south elevation



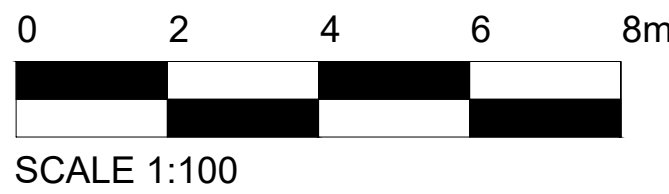
north elevation



west elevation



east elevation



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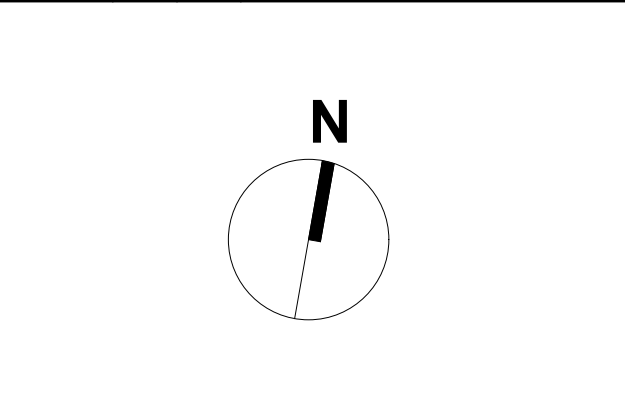
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 Site boundary line

Date	Rev	By	Details



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JBVJ ARCHITECTS.

T: +44 7792 625502
M: +44 7557 797789
W: www.jbvjarchitects.com
E: info@jbvjarchitects.com

Project
Roway Lane

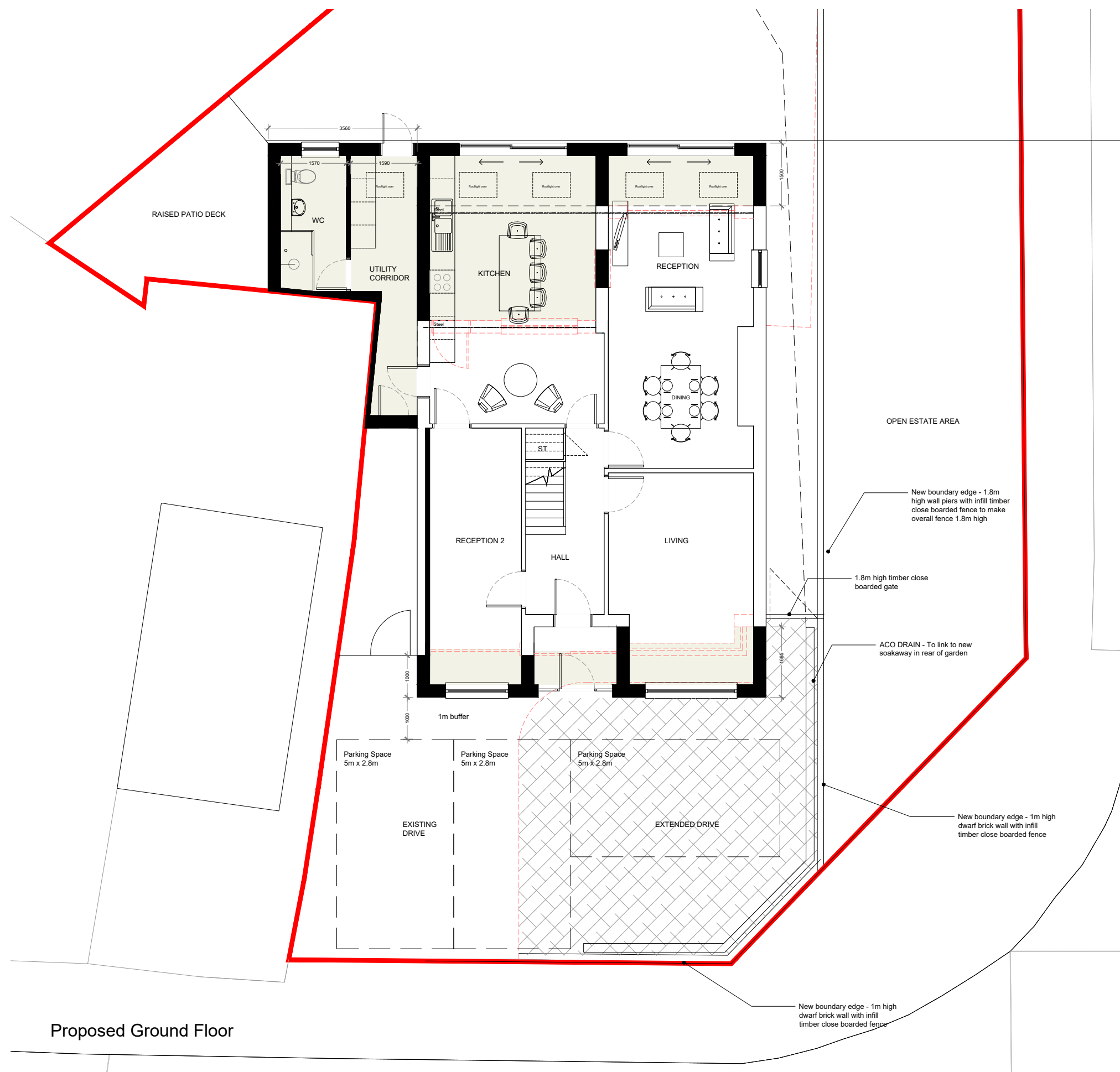
Client
Begum

Drawing title
Existing Plans/Elevations

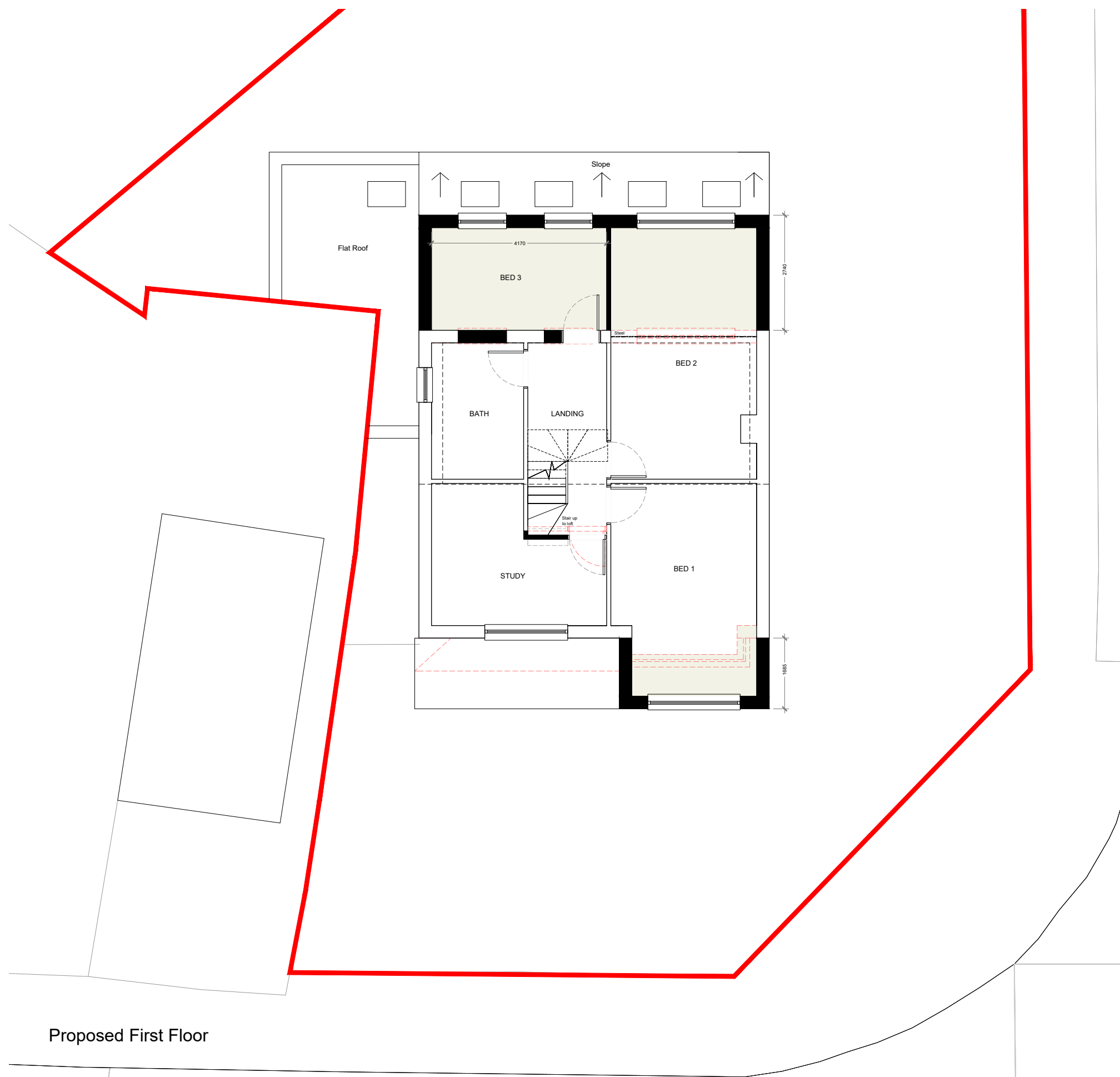
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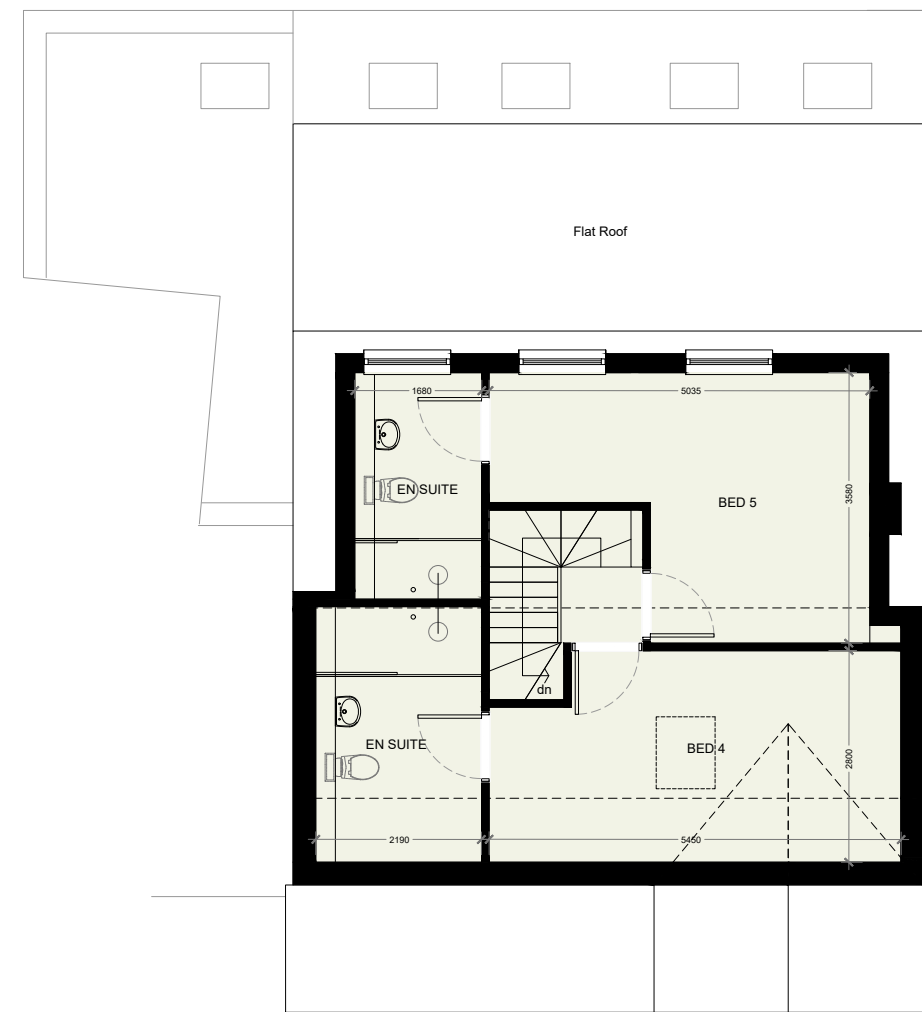
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Proposed Ground Floor



Proposed First Floor



Proposed Loft

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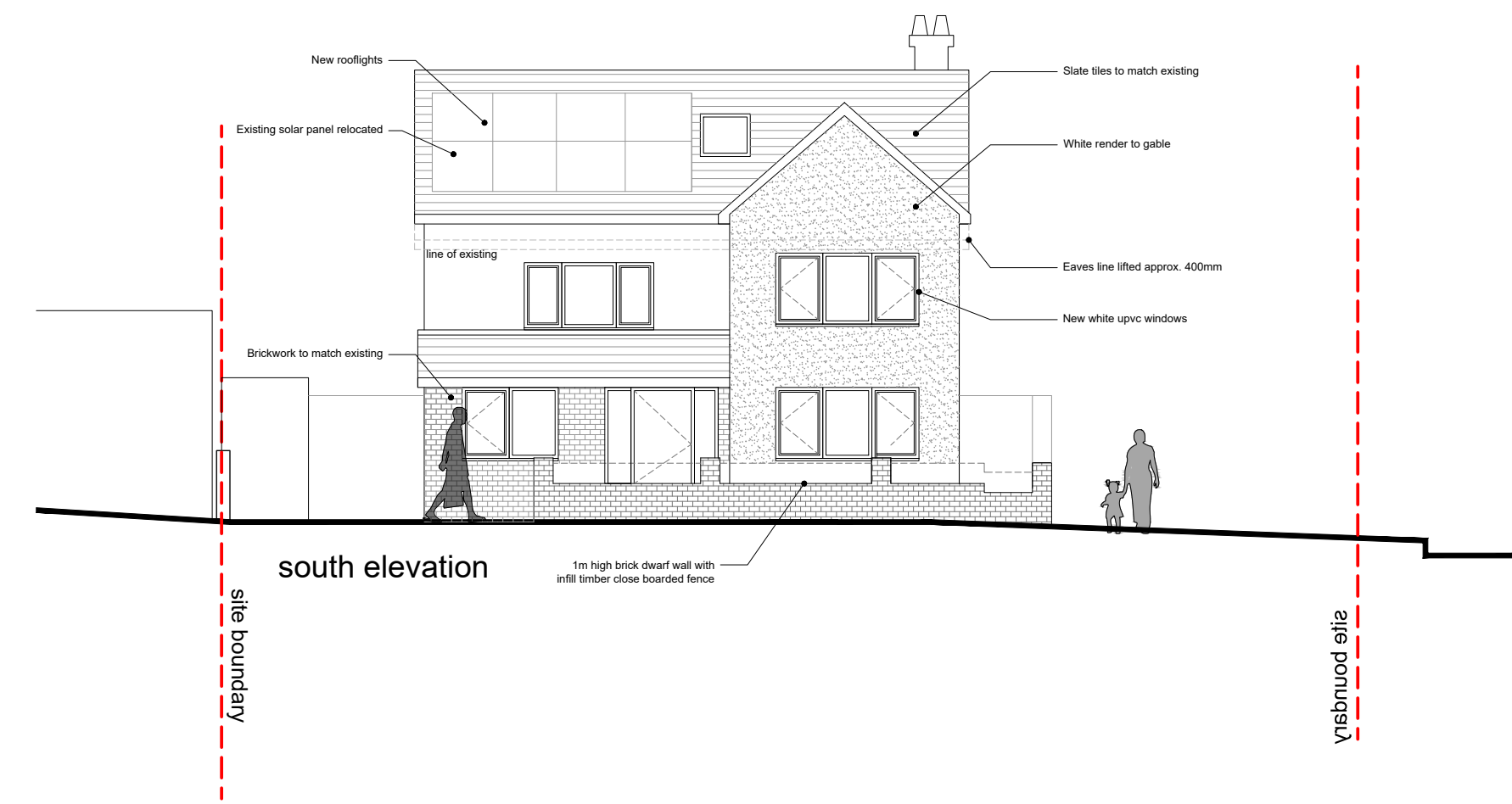
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- Site boundary line
- Demolition/Removal
- Existing walls
- Proposed walls
- Proposed new spaces

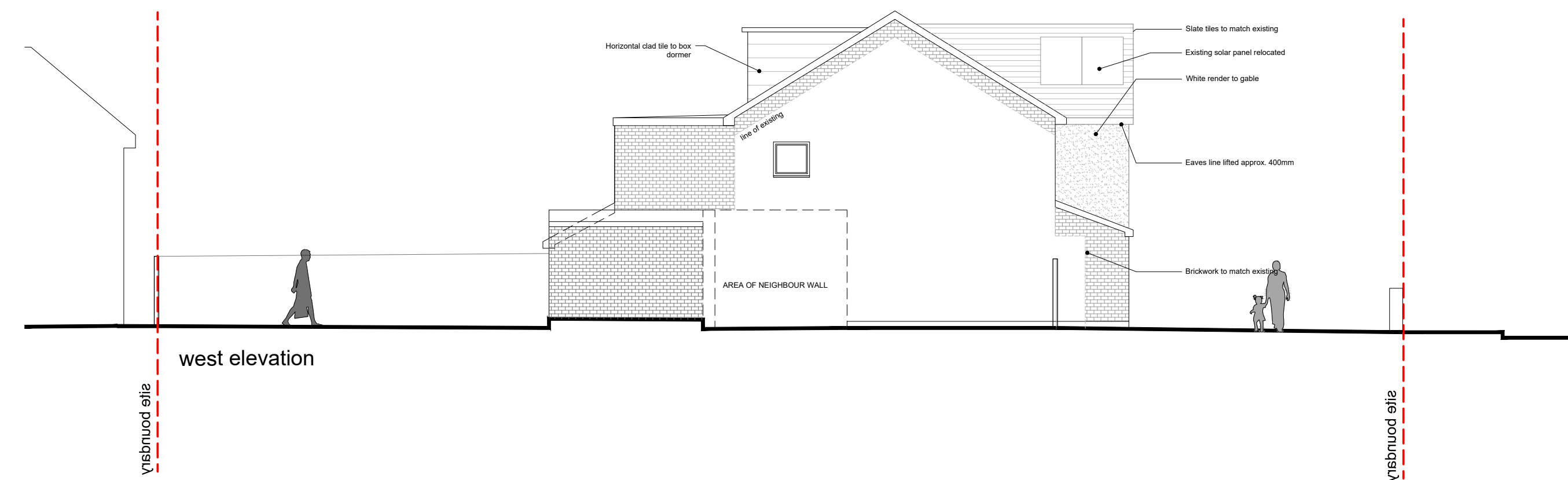
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20.08.21	A	JsB	Amendments as requested by D. Paine.



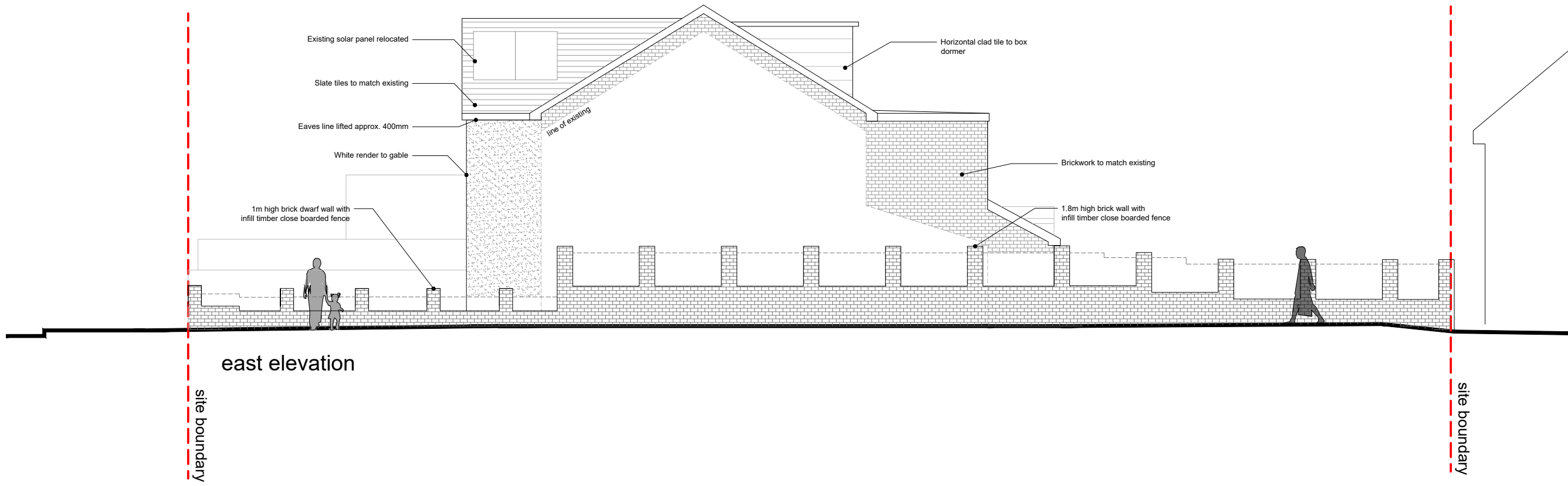
south elevation



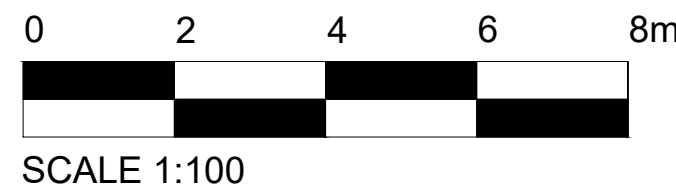
north elevation



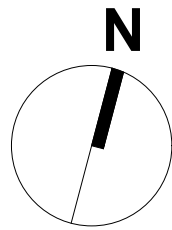
west elevation



east elevation



SCALE 1:100



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JBVJ
ARCHITECTS.

T: +44 7792 625502
M: +44 7557 797789
W: www.jbvjarchitects.com
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Project
5 Roway Lane

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Drawing title
Proposed Plans/Elevations

Date	Scale	Checked
20.08.21	1:100@A1	JsB

Project Ref.	Drawing No.	Revision
21-158	03	A

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