

Report to Planning Committee

10 January 2024

Application Reference	DC/23/68578
Application Received	15 August 2023
Application Description	Retention of outbuilding at rear for garden room, storage and gym.
Application Address	180 Walsall Road, West Bromwich B71 3LH
Applicant	Mr Faryad Ahmed
Ward	Hateley Heath
Contact Officer	Beth Astley-Serougi Beth_AstleySerougi@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to conditions relating to:


- (i) Within 3 months of permission being granted the windows and doors located on the front elevation to be obscurely glazed and retained as such; and
- (ii) The outbuilding is not to be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 180 Walsall Road.



2 Reasons for Recommendations

- 2.1 The development is of satisfactory design and would not significantly impact on the private amenity of neighbouring properties in terms of loss of light, outlook or privacy.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods
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4 Context

- 4.1 At its last meeting the committee resolved to visit the site. The application is being reported to your committee because the Agent is an employee of Sandwell MBC and one objection has been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[180 Walsall Road, West Bromwich](#)

5 Key Considerations

- 5.1 The site is not allocated within the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Amenity concerns – Overlooking/loss of privacy

Design concerns - appearance and materials, layout and density of building, wider visual amenity and overdevelopment



6. The Application Site

6.1 The application site relates to a three-bedroom semi-detached property on the western side of Walsall Road, West Bromwich. The site is within a predominately residential area with the Stone Cross Public House and the retail core of Stone Cross to the south of the application site.

7. Planning History

7.1 An enforcement complaint (ref: ENF/23/12127) was recorded and investigated which found that the garden building required planning permission.

7.2 Relevant planning applications are as follows:

DC/23/68448	Proposed single and two storey side and rear extension, front canopy and garage conversion into habitable space.	Grant Permission subject to conditions – 08.09.2023.
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8. Application Details

8.1 The applicant seeks retrospective planning permission for an outbuilding located at the rear of the property. The use of the outbuilding is stated as a garden room/storage/gym.

8.2 The outbuilding measures 4.115m in length at maximum, 7.3m in width at maximum and 2.775m in height. The outbuilding has a flat roof and has two windows and a set of doors on the front elevation.

9. Publicity

9.1 The application has been publicised by neighbour notification letter with one response received from a local resident.



9.2 Objections

Objections have been received on the following grounds:

- i) Loss of privacy; and
- ii) Possible use as living accommodation.

Non-material objections have been raised regarding depth of foundations and party wall issues.

These objections will be addressed in section 13 (Material considerations).

10. Consultee responses

10.1 Property Information and Records

At its last committee concerns were raised regarding the possible encroachment upon Council owned land. It has been confirmed that the Council does not own the grass amenity verge to the rear of the outbuilding and there is no visible encroachment that has taken place.

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 The Framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts.



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 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design are considered to be acceptable.

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 Amenity concerns

The outbuilding is located at the rear of the property. There are no windows on the side elevations of the development and therefore I do not consider the privacy of neighbouring properties to be significantly impacted by the development. Notwithstanding this, a condition is recommended to obscurely glaze the door and windows on the front elevation to ensure privacy is maintained for the neighbouring property.

Regarding concerns that the development could be used for separate living accommodation, I have also recommended a condition that the use of the outbuilding is to be ancillary to the residential use of the application property.

13.3 Design concerns

The outbuilding has a flat roof and therefore I do not consider the development to be too large in terms of scale or massing to an extent that would warrant a refusal. It is of domestic scale and in character with



the residential area, it is therefore considered that it would not result in any undue harm to the character of the area. Furthermore, I do not consider the proposed development to constitute overdevelopment of the plot considering the level of remaining space to the front and rear of the property.

14. Conclusion

On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

15 Alternative Options

15.1 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.

16 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.



Climate Change	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.
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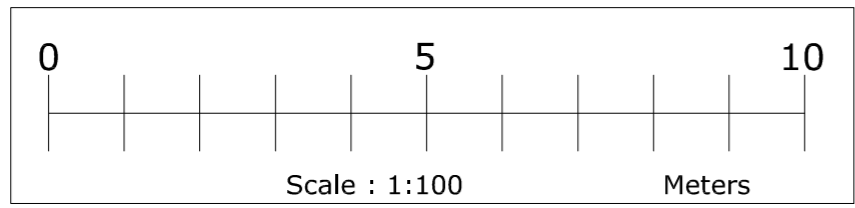
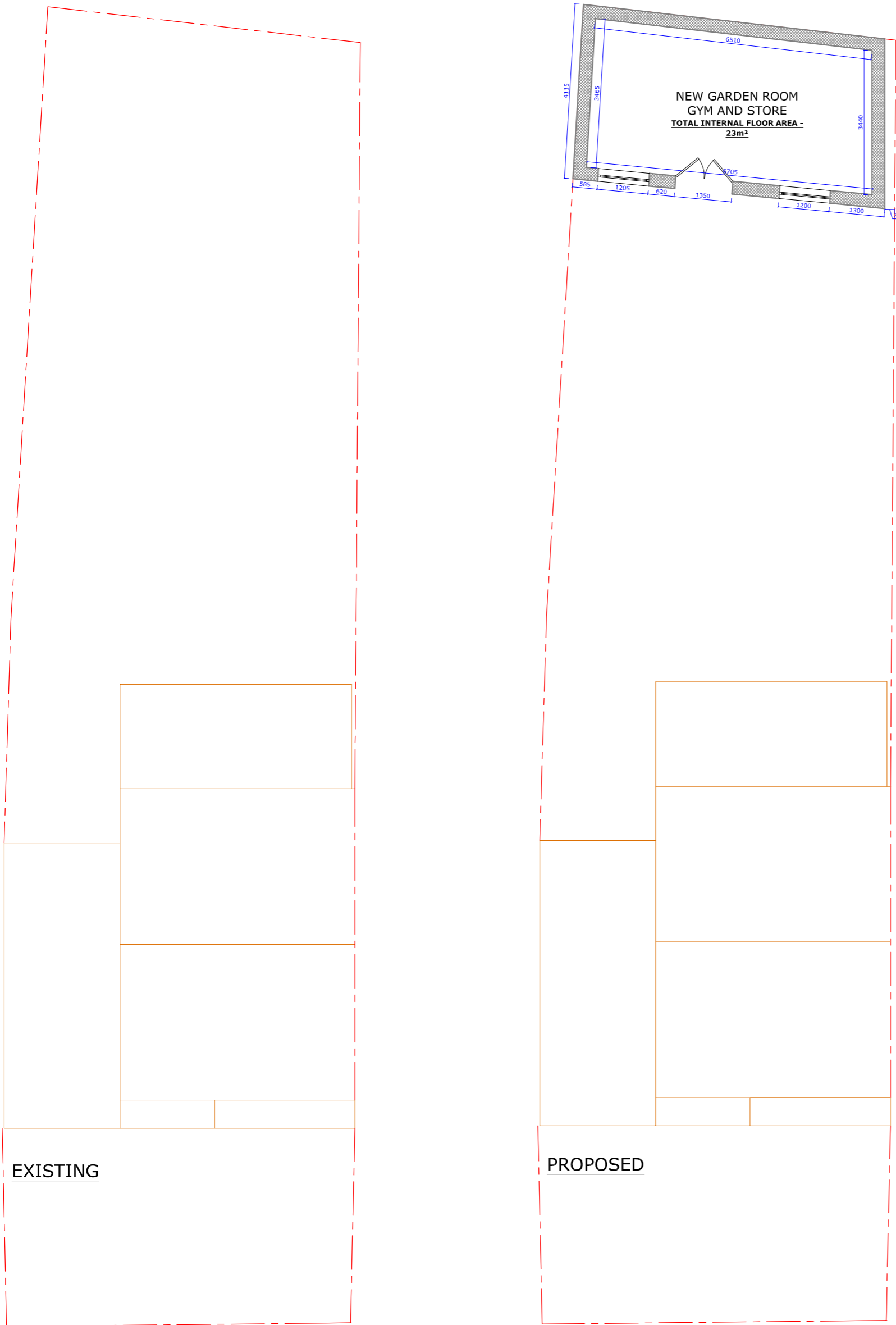
17. Appendices

Context Plan
2023-01/REV01



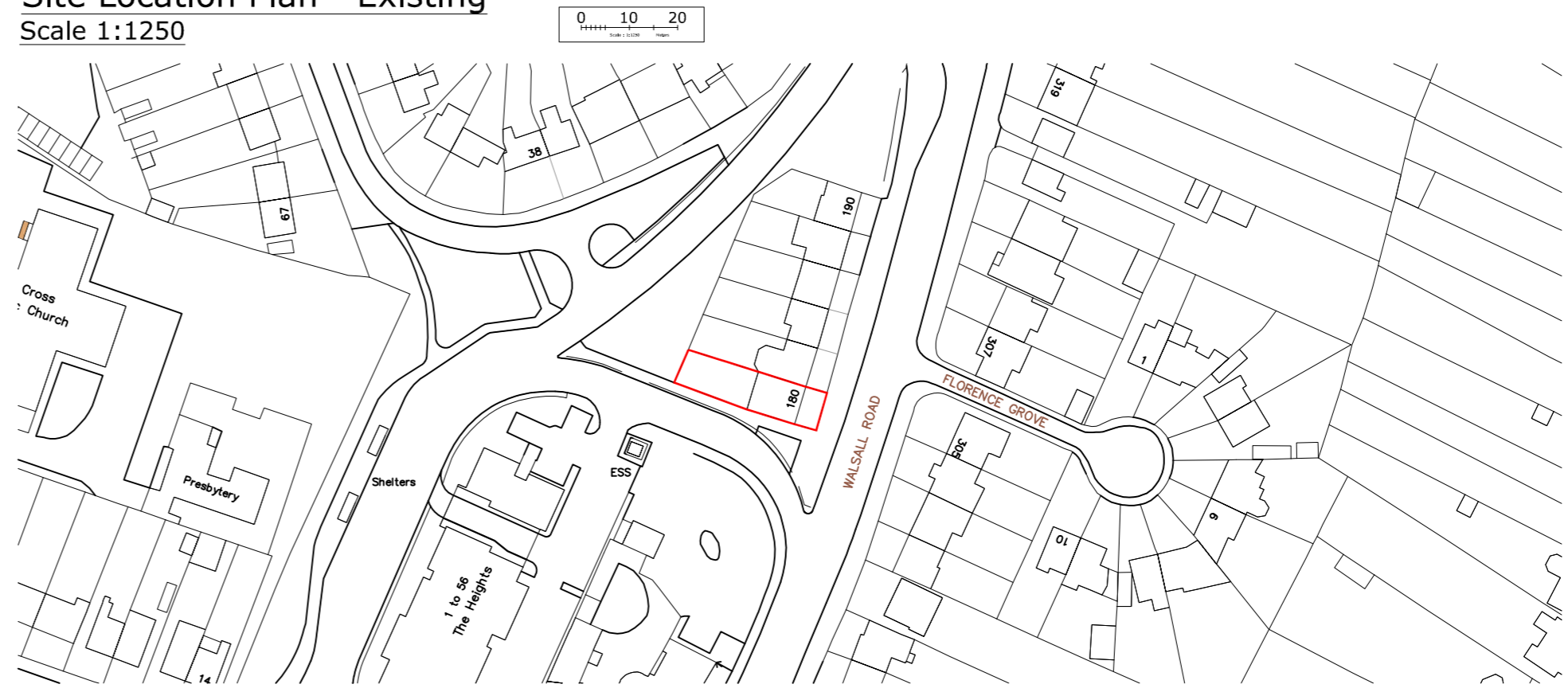
**EXISTING AND PROPOSED
PLANS AND ELEVATIONS**

Scale 1:100



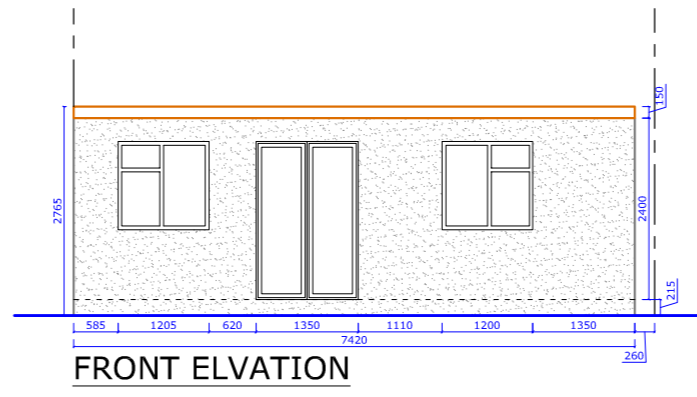
Site Location Plan - Existing

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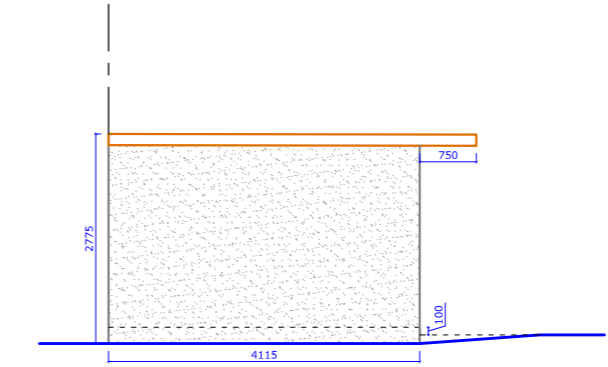


Site Plan - Proposed

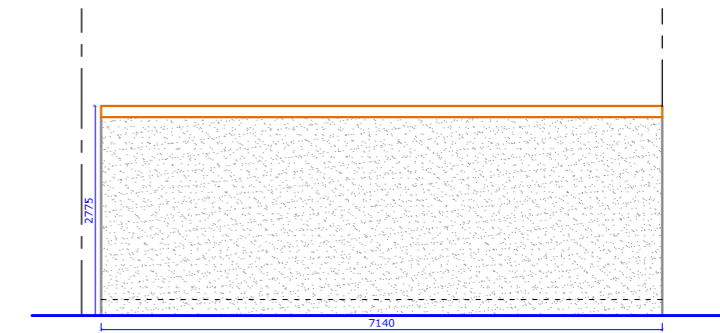
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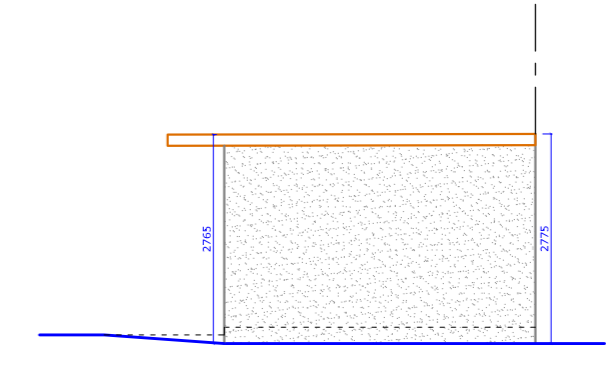
FRONT ELVATION



SIDE ELVATION



REAR ELVATION

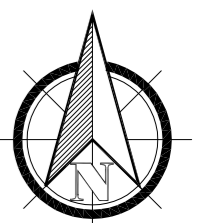


SIDE ELVATION

NOTES:
Contractors do not scale from this drawing. All contractors must visit the site and be responsible for taking and checking dimensions. Any discrepancy between drawings, specifications and site conditions must be brought to the attention of the architect.
This drawing and the works are the copyright of Tayyab Tasleem & Associates.

REVISIONS

NO.	DESCRIPTION



CLIENT:
Mr Faryad Ahmed

JOB:
180 Walsall Road, West Bromwich, B71 3LH

DRG TITLE:
EXISTING AND PROPOSED GARDEN ROOM PLANS AND ELEVATION, LOCATION AND SITE PLAN

DRG NO.	REV.	Paper
2023-01/	01	A2

DATE: Aug' 2023 **SCALE:** VARIES