

Report to Planning Committee

11 May 2022

Application Reference	DC/22/66735
Application Received	7 th March 2022
Application Description	Proposed creation of first floor with two storey front and single storey rear extensions.
Application Address	31 Timbertree Road, Cradley Heath, B64 7LF
Applicant	Igloo Construction Ltd
Ward	Cradley Heath & Old Hill
Contact Officer	Beth Astley-Serougi Beth_AstleySerougi@sandwell.gov.uk

1 Recommendations

1.1 That planning permission is granted subject to the following conditions:


- (i) Proposed windows on the first floor side elevations are to be obscure glazed.
- (ii) External materials shall match those of the existing dwelling unless otherwise agreed by the LPA.

2 Reasons for Recommendations

2.1 It is considered the proposed development is acceptable in terms of design, appearance and scale and would not result in any significant loss of amenity to neighbouring residential properties.



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 it has received 12 objections.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[31 Timbertree Road, Cradley Heath Aerial View](#)
[31 Timbertree Road, Cradley Heath, Street View](#)

5 Key Considerations

- 5.1 The site is unallocated within the development plan.
- 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
Design, appearance and materials

6. The Application Site

- 6.1 The application relates to a detached bungalow located in the residential area of Timbertree Road, Cradley Heath. The character of the surrounding area is residential in nature.



6.2 The applicant is proposing to construct a first floor with two storey front extension and single storey rear extensions which will convert the property to a 5 bed two storey house.

7. Planning History

7.1 There is no relevant planning history.

8. Application Details

8.1 The applicant is proposing to create a first floor to the property resulting in 4 bedrooms with en-suite. A single storey rear extension is proposed to create more living space. The front extension will create a porch/open porch as well as further space for one of the first floor bedrooms.

Proposed Dimensions:

Single Storey Rear: 3.1m in length, 3.7m width and a height of 3.5m maximum.

Single Storey Front Extension: 3.9m in length and a width of 3.6m

First Floor: 12.7m in length and a width of 7.4m

9. Publicity

9.1 The application has been publicised by neighbour notification letter and at the time of writing has received in total 12 objections.

9.2 Objections

Objections have been received on the following grounds:

- i) The proposal is too large in terms of scale and massing
- ii) The proposal would cause a loss of light to adjacent dwellings.
- iii) The proposal would cause a loss of privacy to adjacent dwellings.



- iv) The proposed extensions and alterations are out of character with surrounding properties.
- v) The proposal would result in the loss of a single storey bungalow.
- vi) The proposal changes the bungalow to a 5 bedroom property and therefore there would be an increase in car parking demand – possible overspill onto an already narrow road.
- vii) Concerns that the property would be rented as House in Multiple Occupation and would not be used by one family due to the number of bedrooms with en-suite facilities.

Immaterial objections have been raised regarding boundary issues, loss of property value and that the bungalow should be retained for older people.

9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) It is considered that the proposed development would not be unduly dominant in terms of scale or massing. The first floor will not project further than the existing bedroom window. The overall design of the proposed development is not disproportionate to the scale of buildings in the surrounding area. The roof design is a hipped roof which is sympathetic to adjoining properties.
- (ii) The amended plans illustrate the 45-degree code is complied with. The first floor habitable windows of neighbouring property will not be significantly impacted in terms of loss of light. See also material considerations section 13.3.
- (iii) See material considerations section 13.2.
- (iv) See material considerations section 13.4.
- (v) The proposal would change the bungalow to a 5 bed house, however this is not a reason for refusal. The surrounding area has various house types and the conversion would not be incongruous with the surrounding area.
- (vi) See material considerations section 13.5.
- (vii) In regard to concerns that the property could be an HMO, under permitted development legislation if there are 6 or less persons in



an HMO then no planning permission is required and is in effect permitted development. Therefore, concerns regarding HMO in this instance are not a reason for refusal.

10. Consultee responses

There are no statutory consultation responses to report for this application.

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 As there are no concerns raised over the impact of the amended proposal on residential amenity, or in respect to its design and appearance, the development is considered to be compliant with policies ENV3 and SAD EOS9.

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

When taking into consideration the proposed development, the first floor will not project further than the general building line of the surrounding properties located to the east of the applicants' property. The properties to the rear of the applicants' property are 55m maximum in distance from the current existing rear wall of the bungalow. Furthermore, the distance from the proposed first floor rear facing window on the extension to the properties at the rear is approximately 57 metres. This significantly exceeds the Council's Adopted Guidance for separation distances which is 21 metres for rear to rear windowed elevations. Therefore, I am satisfied no loss of privacy would occur to properties located on Haden Park Road.

The relationship of the proposed development to adjacent neighbours would not be overly dominant to an extent that would warrant a refusal. There is a distance of 5.2m from neighbouring elevations and the proposed side elevation of the applicants' property.

13.3 Loss of light

The amended plans demonstrate the 45-degree code from the habitable windows of adjacent neighbouring property. The proposed development adheres to the code and therefore there will not be a significant impact on light to habitable windows. The proposed first floor will be set back from the boundary with neighbouring property by approximately 1.8m. Furthermore, the window located on the neighbouring property (western side elevation) is a garage window and therefore not a habitable window.

The single storey rear element will adjoin the existing rear projection of the applicants' property. I do not consider the proposed rear extension to have a significant impact on loss of light of habitable windows. The extension is sympathetic to neighbouring properties and comprises of a mono-pitched roof.



13.4 Design, Appearance and materials

I consider that the proposed development of a first floor will not detract from the visual amenity of the surrounding area. There is not a specific or dominant design code on the street and therefore the proposed development will not detract from the variety of house types in the street. There are also designs, like that the current proposal, evident on the road.

An external materials condition has been included within the recommendation to ensure the proposed materials would match the existing property.

13.5 Parking

The applicant has sufficient space on the existing driveway to park the three required vehicles for a five-bedroom property.

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 relevant planning policies 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

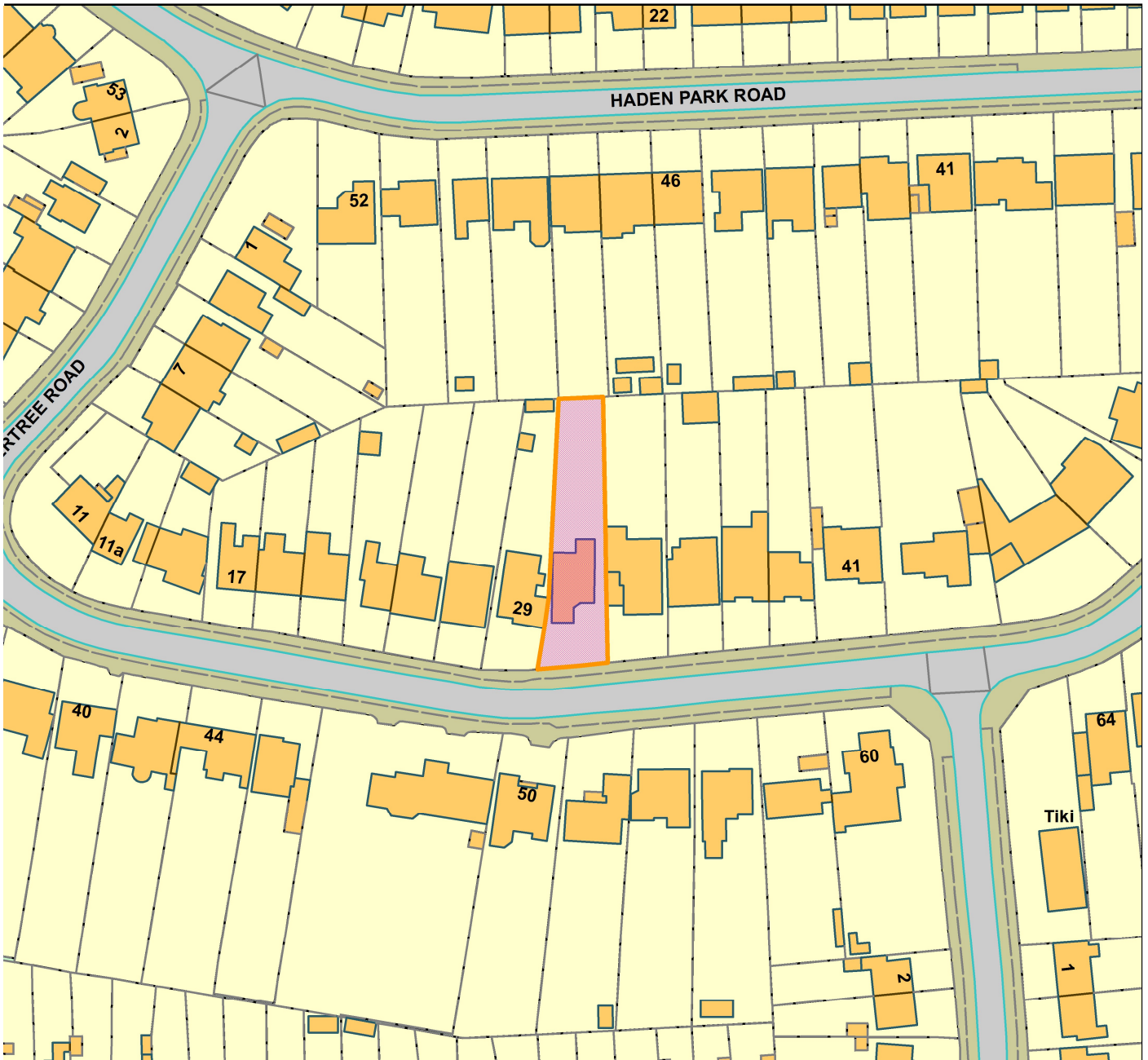
Site Plan

Context Plan

Plan No. 02 Rev F

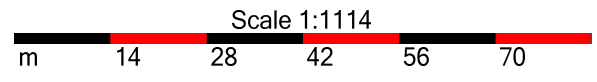


DC/22/66735
31 Timertree Road, Cradley Health



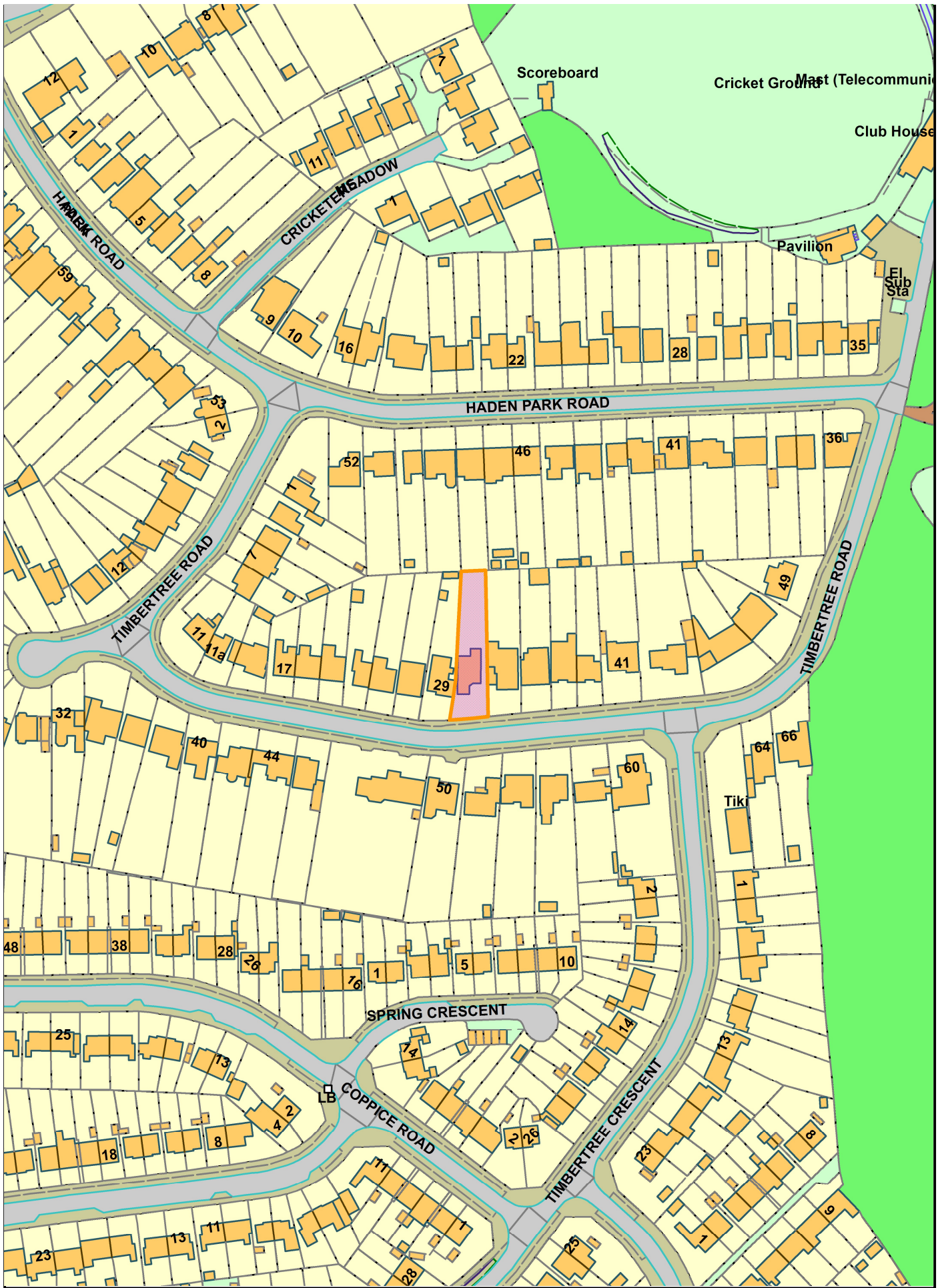
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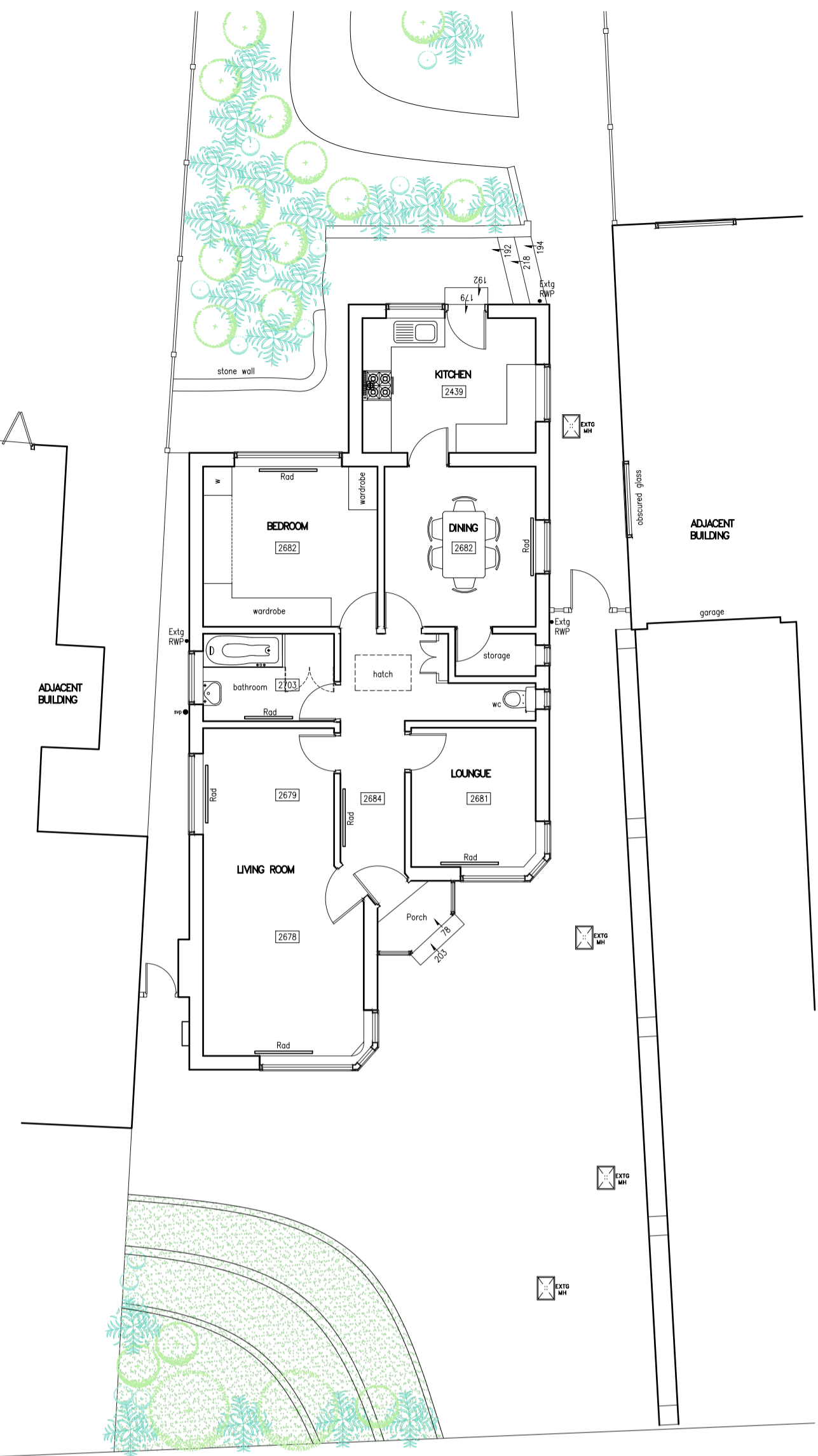
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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	25 April 2022
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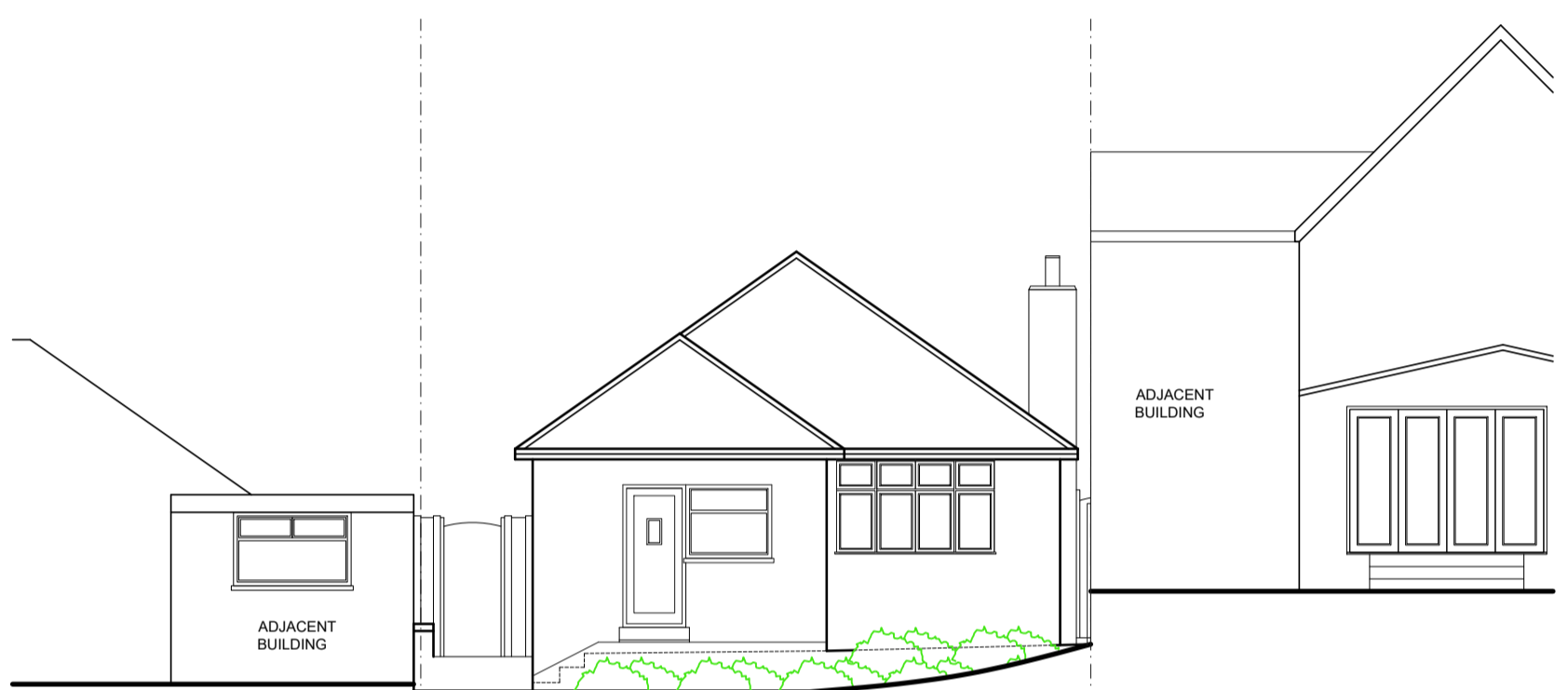
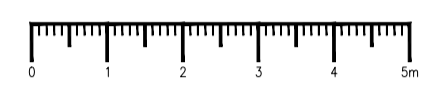




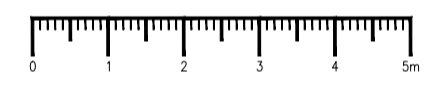
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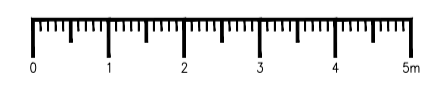
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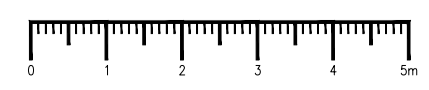
EXISTING REAR ELEVATION 1:100



EXISTING EAST ELEVATION 1:100



EXISTING WEST ELEVATION 1:100



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West elevation added	A	10/03
Revision:	Issue:	Date:

Drawn By: ABM	Scale: AS SHOWN	Date: FEB 2022
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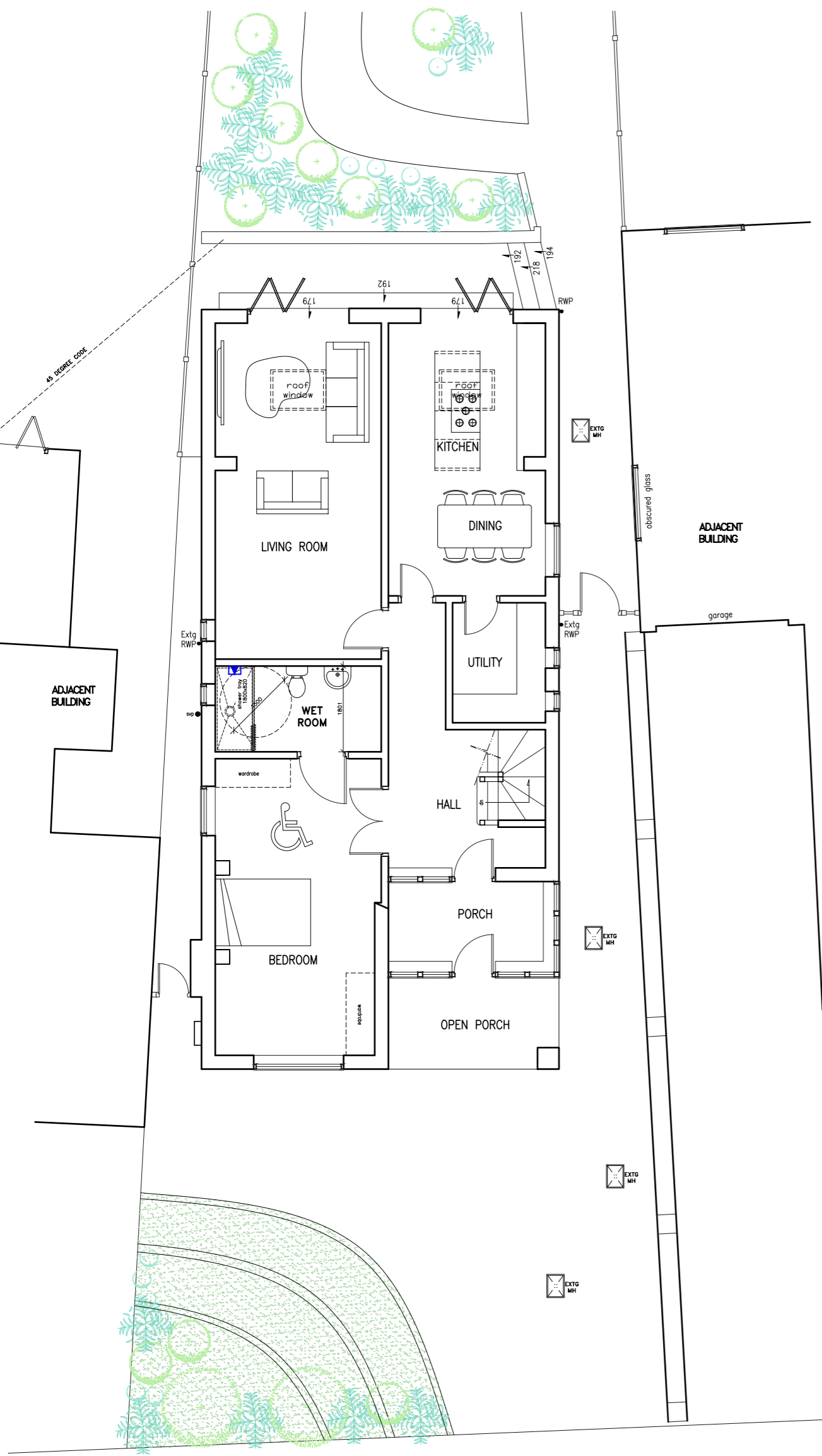
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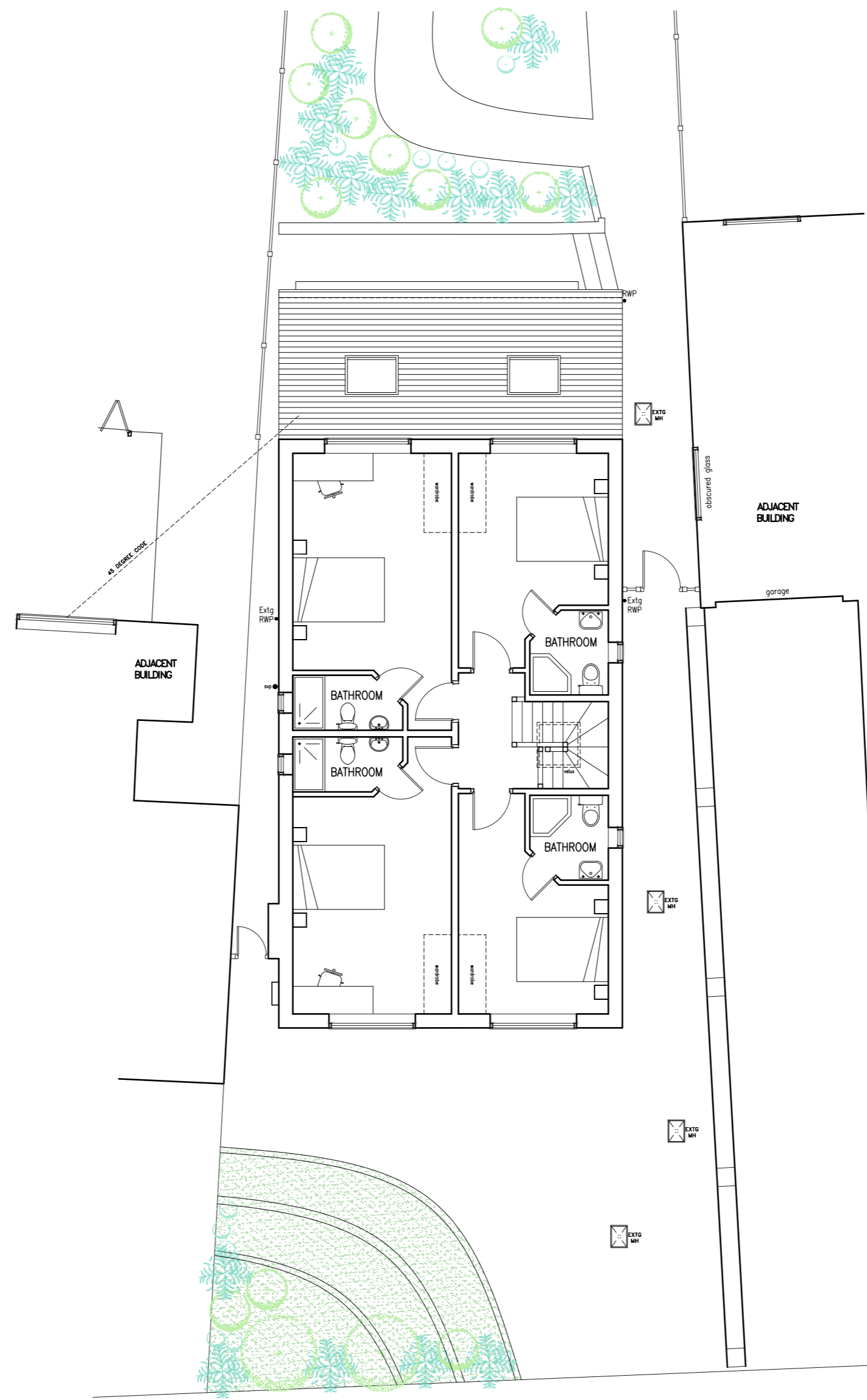
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**31 TIMBERTREE ROAD
 CRADLEY HEATH
 B64 7LE**

drawing:
**EXISTING PLAN AND
 ELEVATIONS**

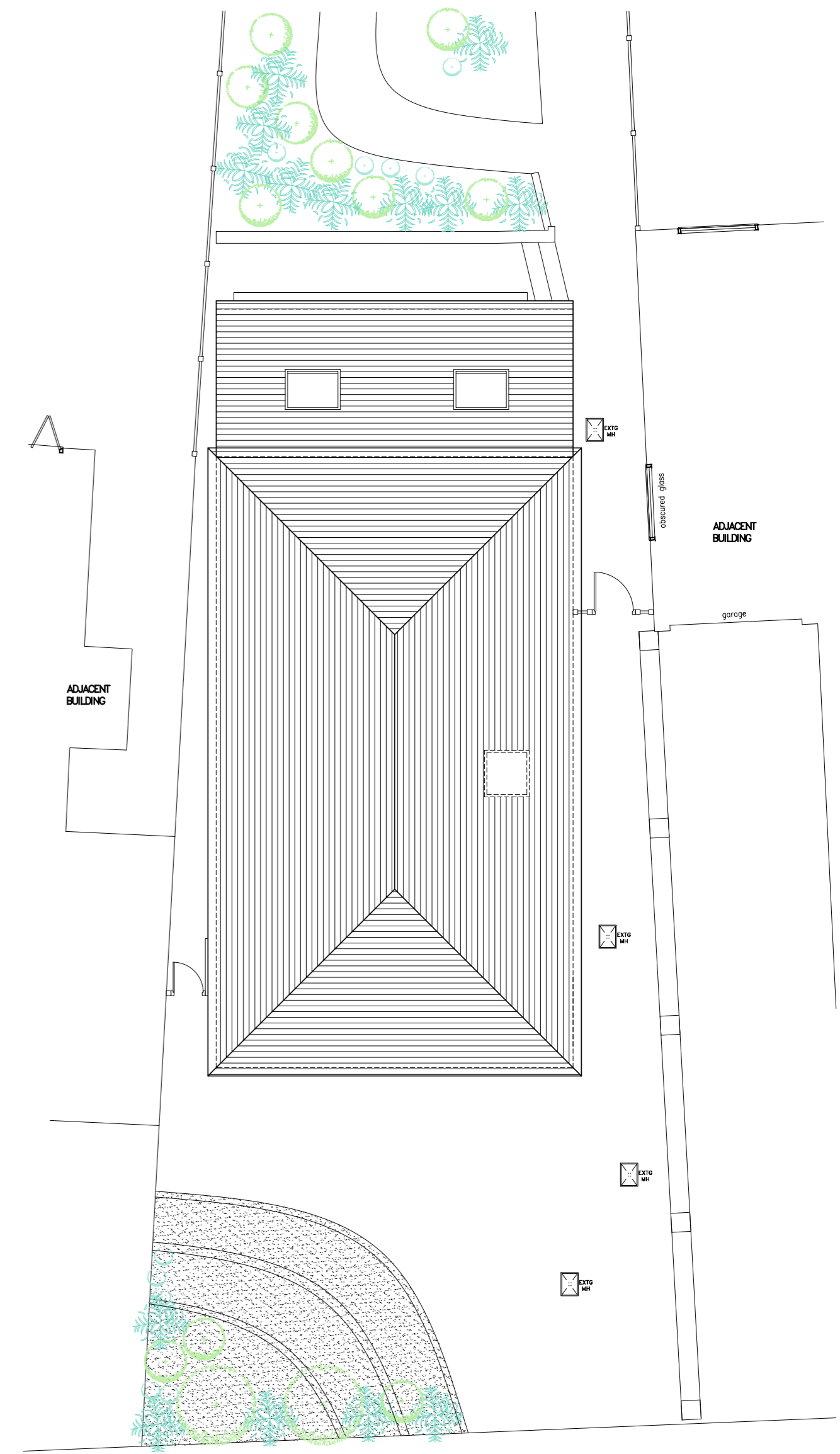
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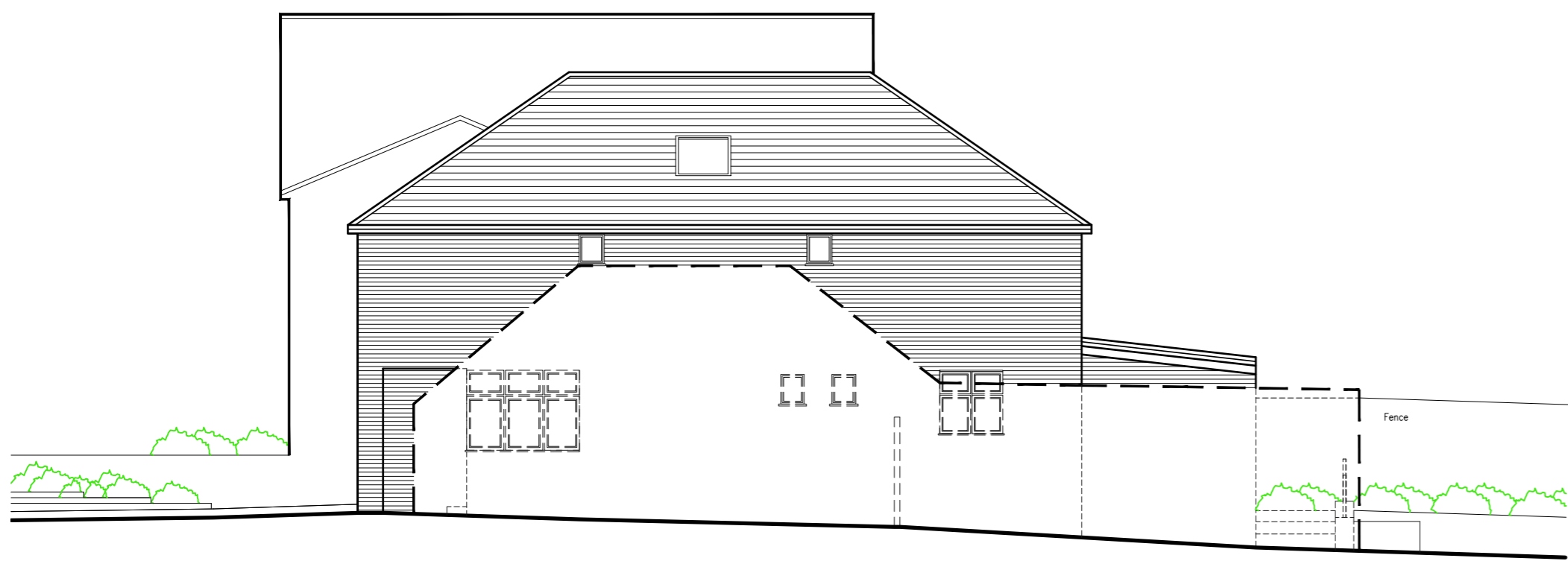
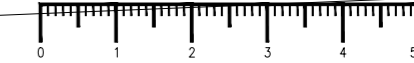
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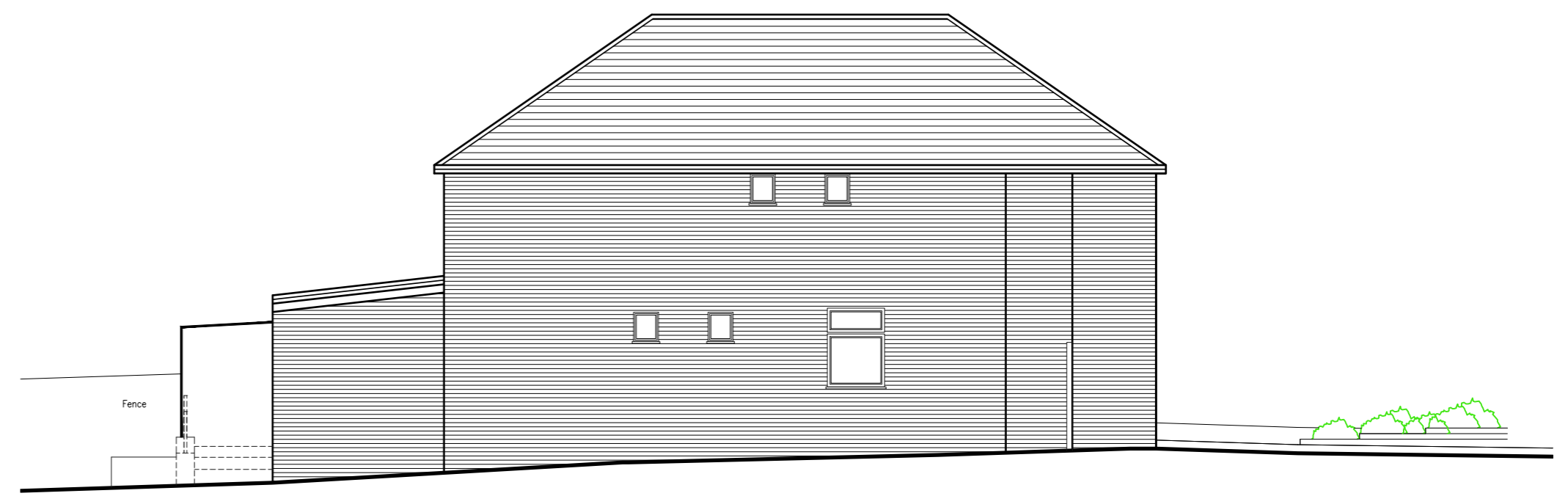
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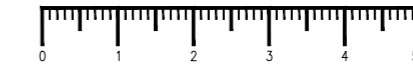
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PROPOSED EAST ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100



PROPOSED STREET ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100



LOCATION PLAN 1:1250



SITE PLAN 1:500

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East elevation amended	F	14/04
45 degree code added	E	16/03
Road name added to location plan	D	16/03
West elevation added	C	10/03
First floor windows revised	B	07/03
Floor plan layouts revised	A	28/02
Revision:	Issue:	Date:

Drawn By:	Scale:	Date:
ABM	AS SHOWN	FEB 2022

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drawing:
**PROPOSED PLANS
 AND ELEVATIONS**

Job No:	Drq No:	Issue:
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