

Report to Planning Committee

22 June 2022

Application Reference	DC/22/66646
Application Received	14 February 2022
Application Description	Proposed two storey side extension, rear dormer, single and two storey rear extension and porch and canopy to front.
Application Address	1 Stanley Road West Bromwich B71 3JH
Applicant	Mr S Qader
Ward	West Bromwich
Contact Officer	Sarah Riley sarah_riley@sandwell.gov.uk

1 Recommendations

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

- i) External materials shall match the existing dwelling;
- ii) The first-floor window in the north elevation of the extension shall be obscurely glazed and non-opening and shall be retained as such; and
- iii) The glazed side elevation of the single storey element shall be obscurely glazed and non-opening and shall be retained as such.



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.

3 How does this deliver objectives of the Corporate Plan?

	The design of the proposal is acceptable in respect of national and local planning policy.
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4 Context

- 4.1 At the last Committee meeting members resolved to visit.
- 4.2 This application is being reported to your Planning Committee because it has generated three material planning objections.
- 4.3 To assist members with site context, a link to Google Maps is provided below:

[1 Stanley Road.](#)

5 Key Considerations

- 5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)

Loss of privacy, light and/or outlook

Design, appearance and materials

6. The Application Site

- 6.1 The application relates to an end of terrace property located towards the northern end of Stanley Road, West Bromwich. The application site is set back from the road, with a drive at the front of the property. The character of the surrounding area is residential in nature.



7. Planning History

7.1

DC/20/64152	Proposed two storey side and rear extensions, front porch and canopy.	Approved - 17.09.2021
PD/21/01851	Proposed single storey rear extension measuring: 6.0m L x 4.0m H (3.0m to eaves)	Refused - 03.09.2021

8. Application Details

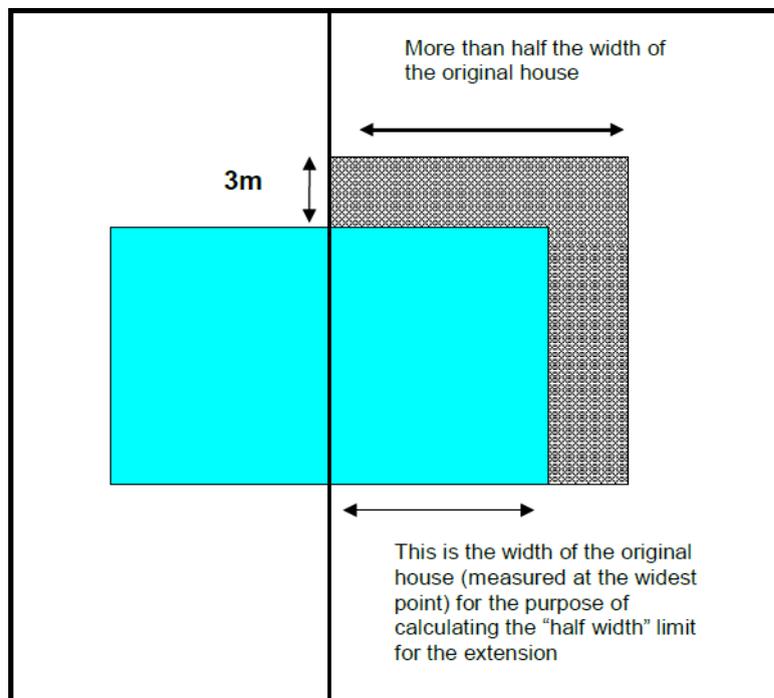
- 8.1 Much of the principle for the proposal (two storey side and rear extensions, front porch and canopy), were previously considered and approved by Planning Committee and some work on this approval has commenced. As part of the current application, the applicant is seeking to enlarge the single storey rear extension (to increase the size of the kitchen/dining room) and add a rear dormer (to accommodate two further bedrooms (one with en suite), resulting in a total of five bedrooms.
- 8.2 The single storey extension would be entirely obscure glazed (by condition) and would extend out from the original rear wall by 3.03 metres (inclusive of the approved element).
- 8.3 The Council has been informed by the applicant's architect that the development does not require planning permission because the applicant is exercising their permitted development rights. In response to this, I consider the development at 1 Stanley Road as a whole and make reference to the Permitted Development Rights for Householders: Technical Guidance - Class A: Enlargement, improvement or alteration to a dwelling house; and Class B: Additions etc to the roof.
- 8.4 Planning permission was required for the previously approved rear and side extensions (within application DC/21/65947), and is also required within the current proposal, as they do not meet permitted development for the following reasons:



Class A.1

Paragraph (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –

- (i) exceed 4 metres in height,
- (ii) have more than a single storey, or
- (iii) have a width greater than half the width of the original dwellinghouse



Photographs i) and ii) below show the extension during its early development, where the steels clearly run the width of the property, meeting the side extension, and having a height greater than 3.0m to the eaves and 4.0m overall.



Photographs i and ii)



I also note that, while marginal, the proposed length of the rear extensions exceeds that allowable under permitted development:

Paragraphs f) and h) the enlarged part of the dwellinghouse would –
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres.



In respect of the current proposal, paragraph ja) applies:

If the proposed rear extension [an increase in the length of the single storey rear extension from 1.8m to 3.03m] is being joined to a previous enlargement, it will not be permitted development if the size of the total enlargement (being the proposed enlargement together with any previous enlargement) exceeds these limitations.

For example, if a proposed extension of 3 metres in height is added to an existing extension which exceeds 4 metres in height, or if the proposed extension creates a total enlargement which has a width greater than half the width of the original dwellinghouse, it would not be permitted development.

With respect of the proposed rear dormer, this does not fall within permitted development as outlined below, under Class B:

In the case of 1 Stanley Road, the roof space would be enlarged not only through the proposed dormer but through the hipped to gable roof of the two storey side extension to which it is attached. Therefore, the proposed dormer does not constitute permitted development and requires planning permission.

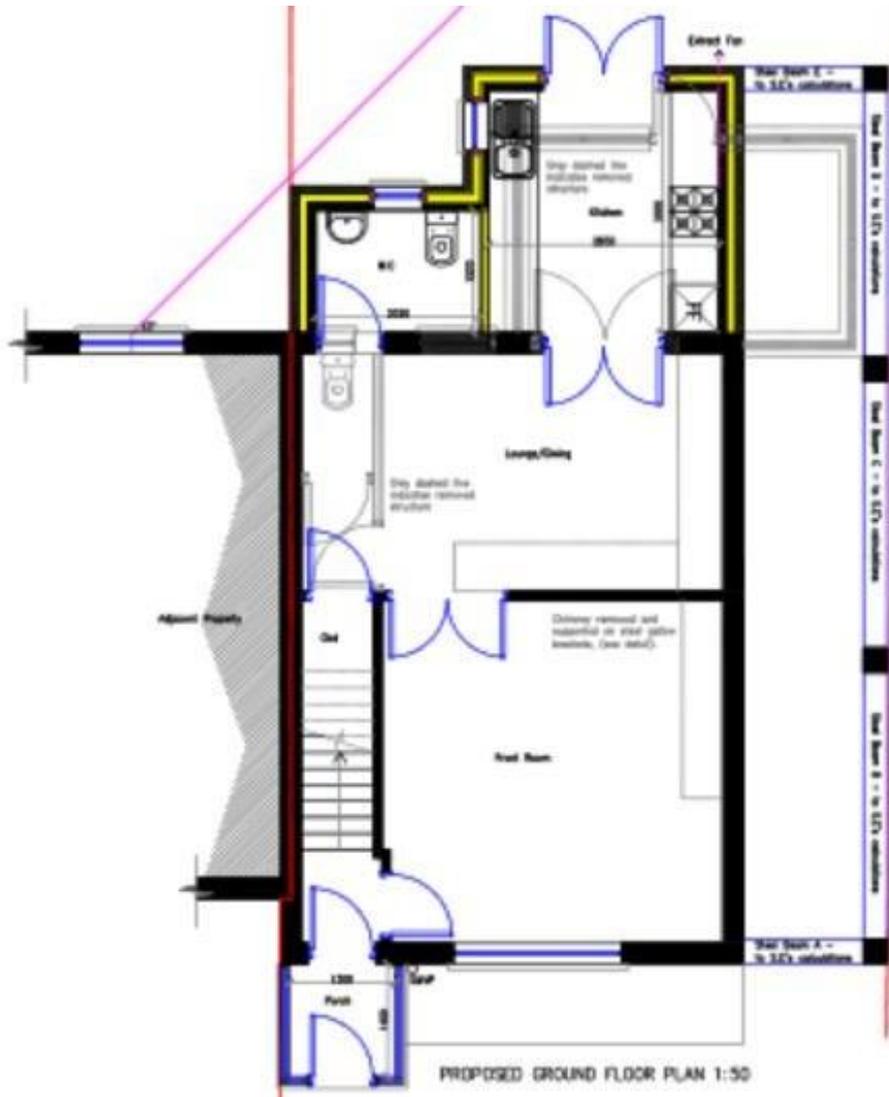
9. Publicity

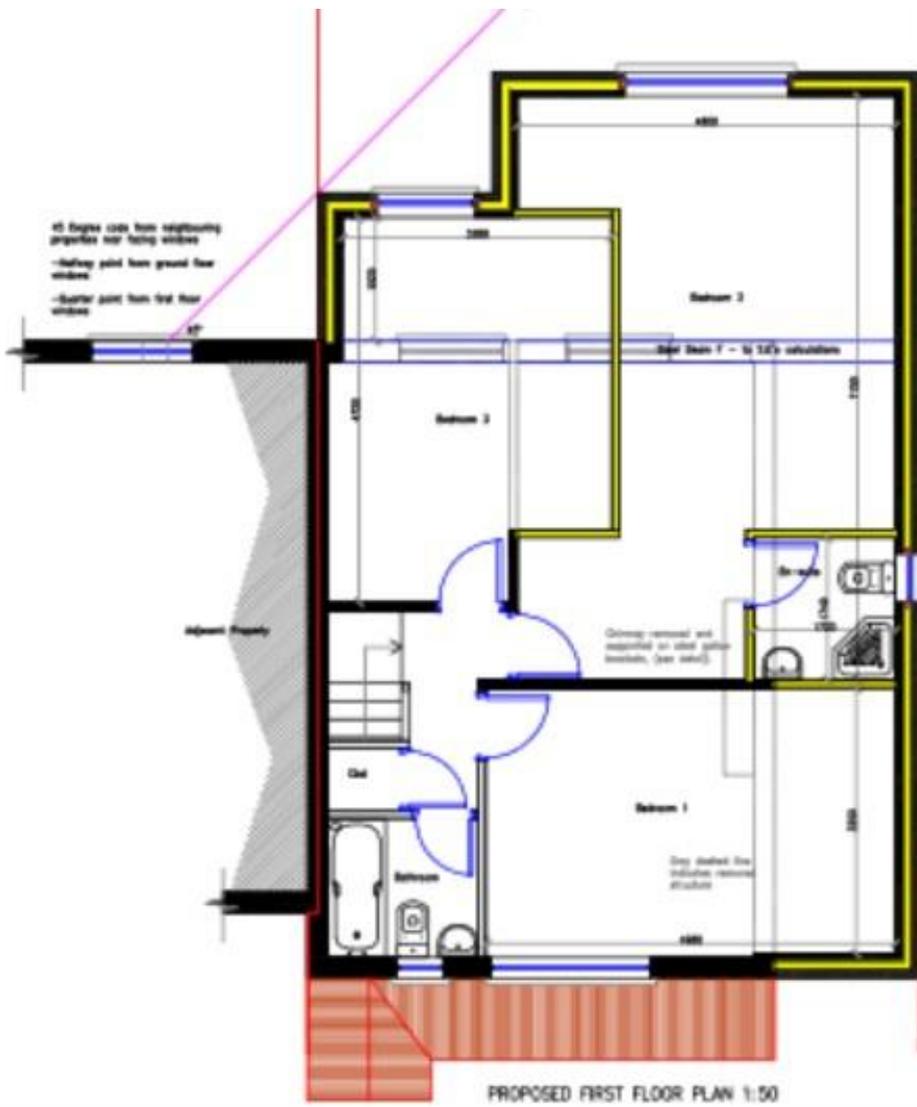
- 9.1 The proposal has been revised several times since its initial submission, with further neighbour consultations being undertaken accordingly. It was first revised in response to the incorporation of a single storey rear extension which exceeded the length approved within planning application DC/21/65947. Since then, further revisions have included incorporation of a two-storey side extension with gabled roof, a rear dormer and a flat roof to the two-storey rear extension. The current proposal has been publicised by neighbour notification letter with three objections received in response.

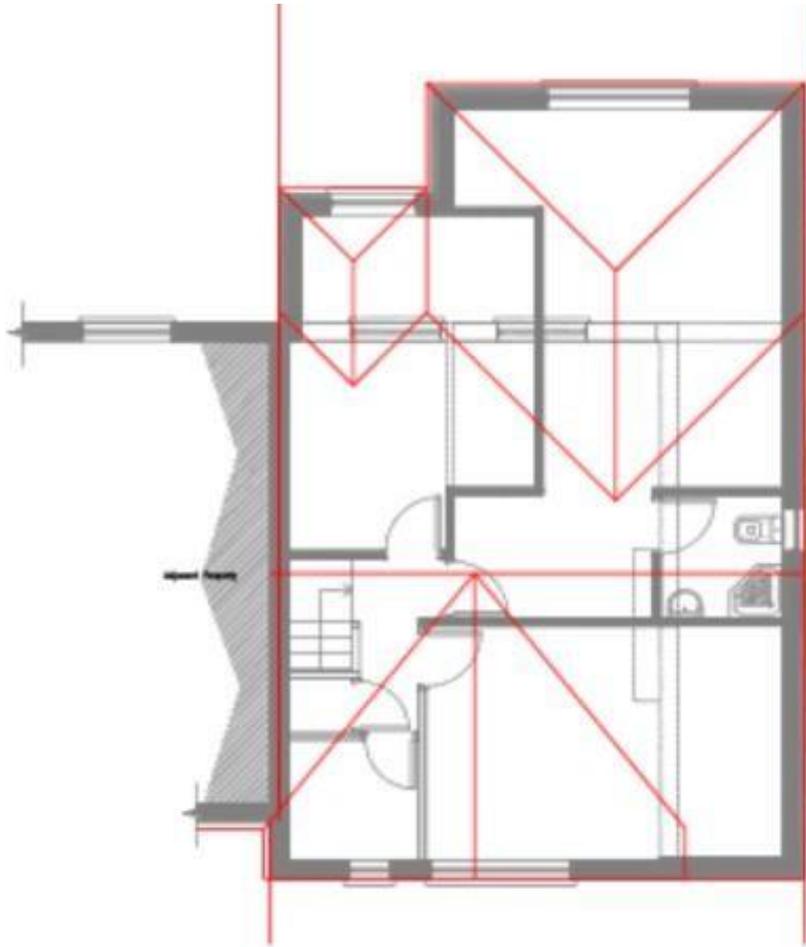


9.2 The approved developed (outlined within planning application DC/21/65947), and the proposal development is shown within the diagrams below:

Approved floor plans:



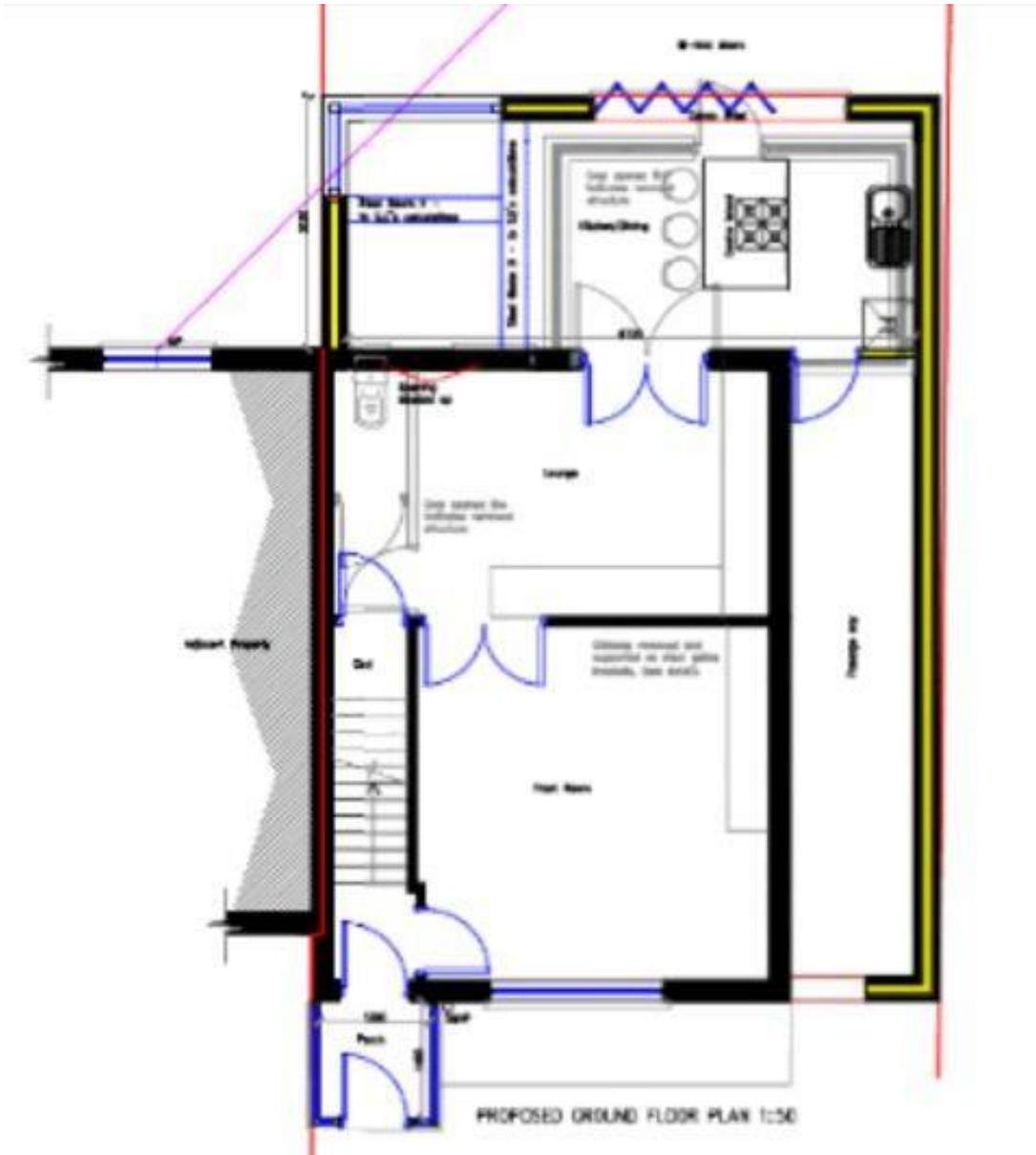


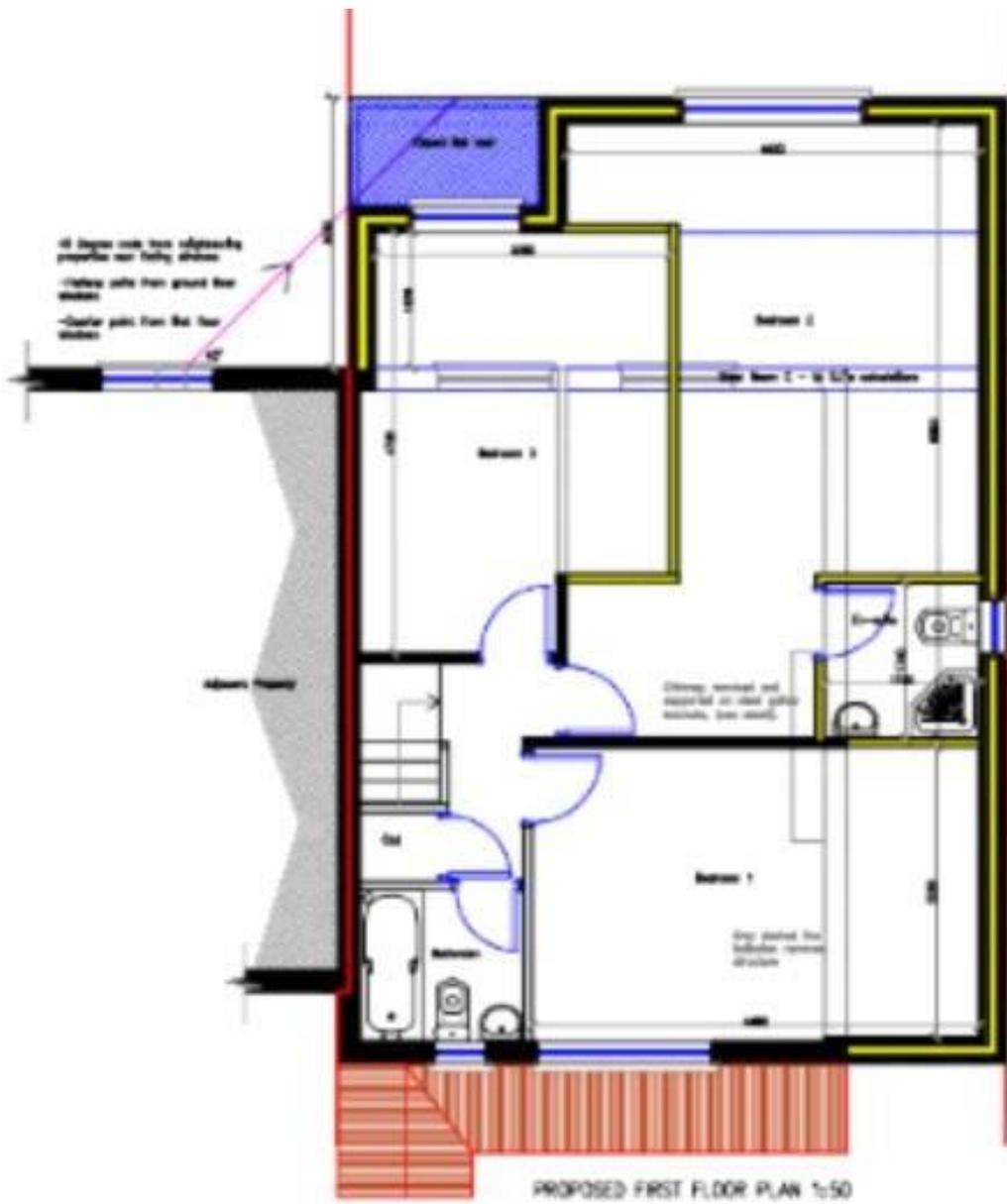


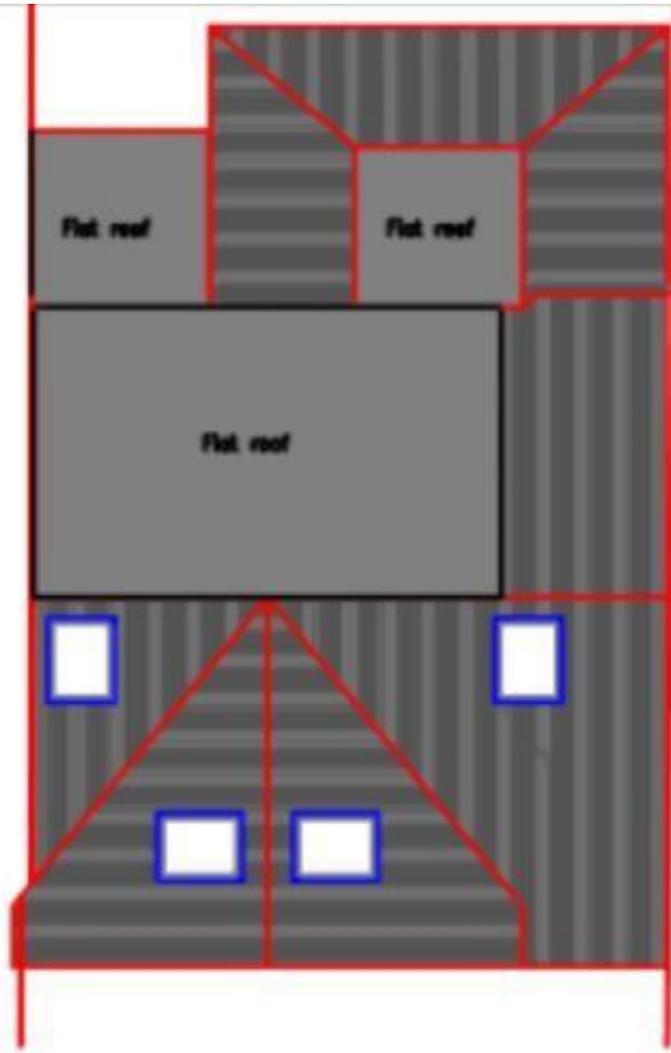
PROPOSED ROOF PLAN 1:100



Proposed floor plans:







PROPOSED ROOF PLAN 1:100



Approved elevation plans:



PROPOSED FRONT ELEVATION 1:100





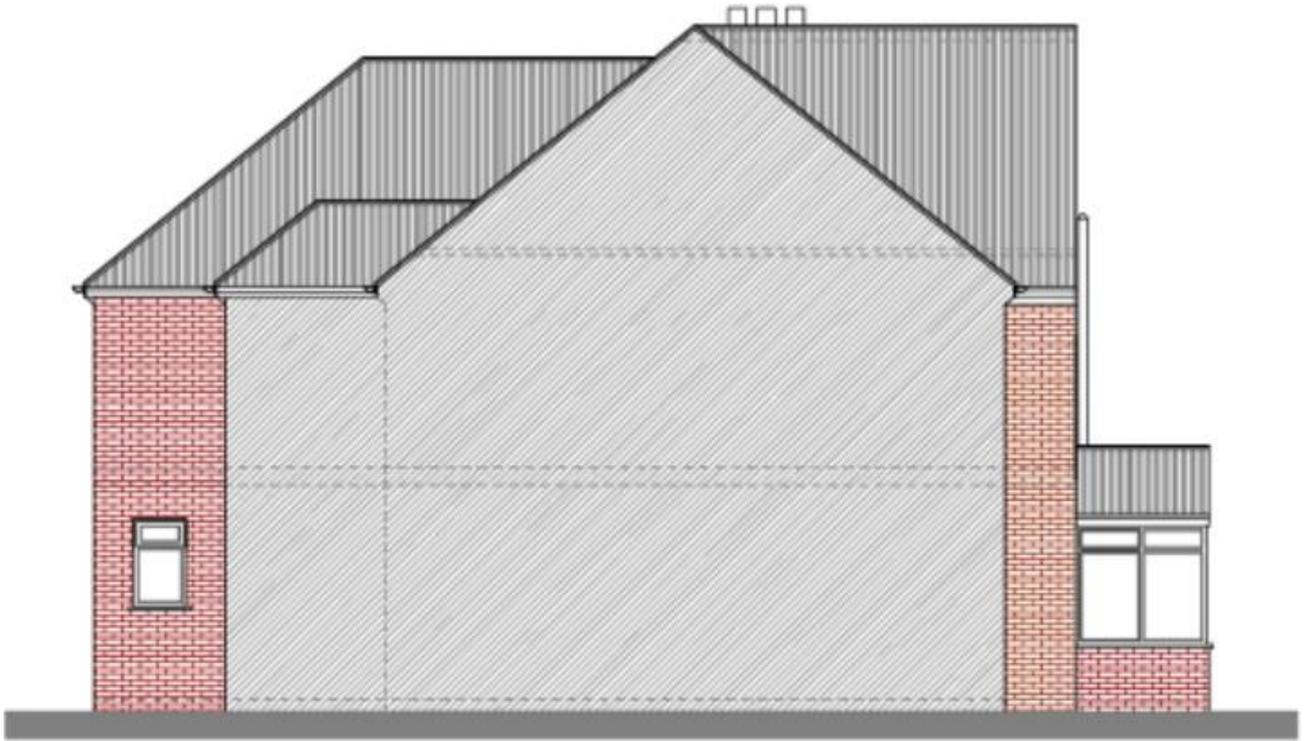
PROPOSED SIDE ELEVATION_A 1:100





PROPOSED REAR ELEVATION 1:100

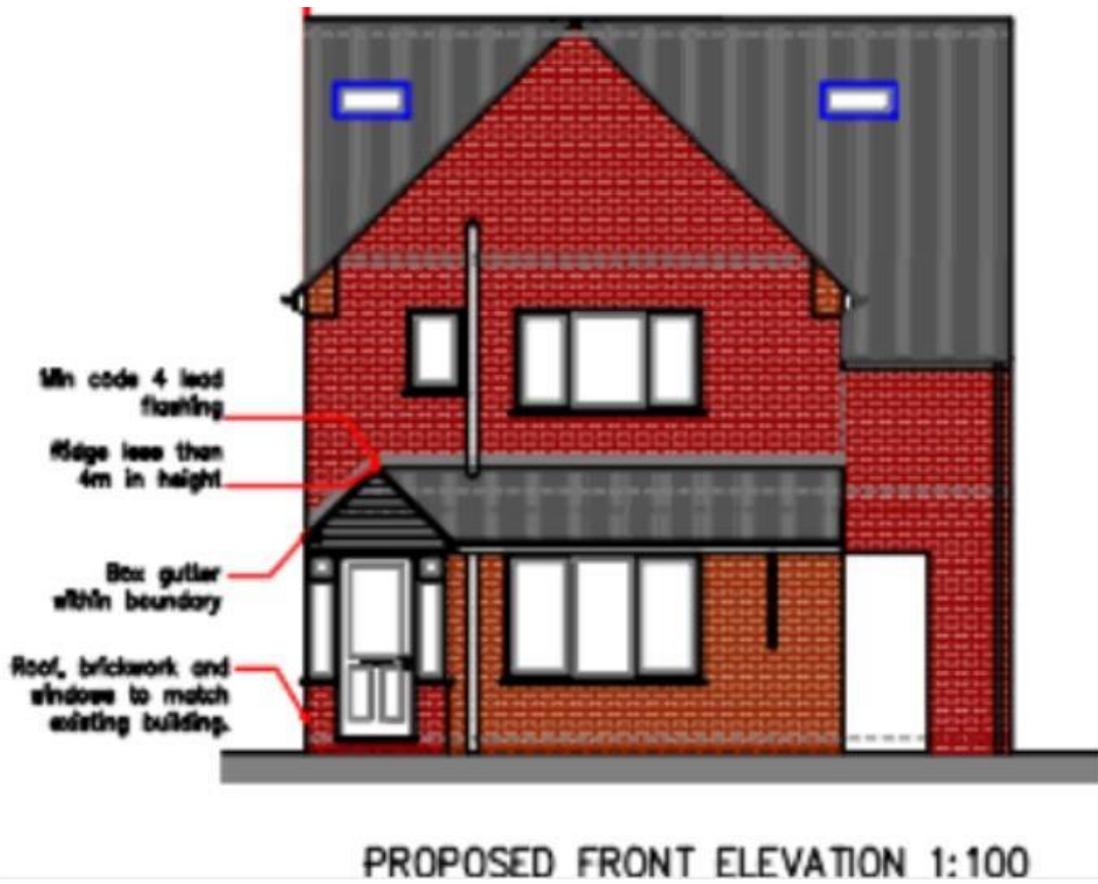


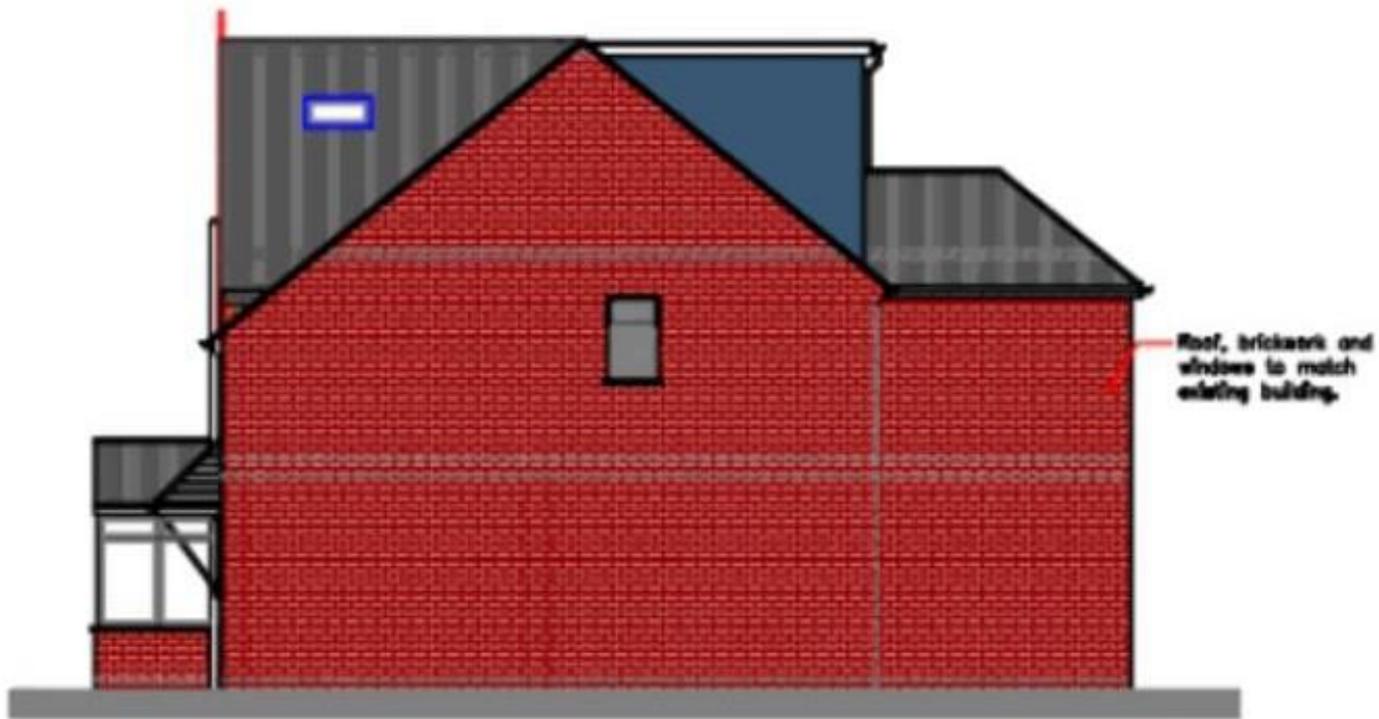


PROPOSED SIDE ELEVATION_B 1:100



Proposed elevation plans:





PROPOSED SIDE ELEVATION_A 1:100





PROPOSED REAR ELEVATION 1:100





PROPOSED SIDE ELEVATION_B 1:100



9.3 Photographs below show the development at 1 Stanley Road - taken during the case officer's site visit on 19th May 2022:

Rear elevation view:



Front elevation view:



Southern elevation view:



Northern elevation view:



9.4 Objections

Objections have been received on the following grounds:

- i) The extension would be overbearing in nature;
- ii) Loss of privacy to neighbouring properties;
- iii) Loss of light to nearby properties;
- iv) Loss of outlook to nearby properties;
- v) The site would become overdeveloped;
- vi) Loss of value to neighbouring properties;
- vii) Property boundary issues;
- viii) The character of the application property and the street would be eroded; and
- ix) The property will be used as a house in multiple occupation.

9.5 Responses to objections

I respond to the objectors' comments in turn:

- i) The rear extensions, as proposed, are of a standard domestic scale and design. The two-storey rear extension would have a staggered elevation and flat/hipped roof design to the rear of the property reduce massing and scale and negate loss of amenity to residents of neighbouring properties.

A gabled roof is proposed to the side extension. While neighbouring properties have hipped roofs, there are also instances of gables incorporated into the design of these properties, and the existing forward projecting gable elevation in the application property is prominent enough to lessen any impact a gable roof may have on the character of the property. The width of the side extension would be less than half of that of the existing property.

Given the separation distance exceeding 14m between the application property and properties to its northern boundary there would be no loss of amenity to residents of those properties.

- ii) With reference to the 14m separation between neighbouring properties in i), there would not be a direct line of sight from the



proposed two storey rear/side extensions into habitable rooms of neighbouring properties. The proposed first floor window, serving an en suite bathroom to bedroom two on the property's northern elevation, would be obscurely glazed (by condition). There would be in excess of 21m separation distance between the proposed rear dormer and properties located directly to its rear, in line with the Council's residential design guidance. No habitable windows of neighbouring properties would therefore be significantly affected by this proposal.

- iii) Due to the orientation of the sun, that the two-storey rear/side extensions would be located in excess of 14m away from properties to its northern boundary, and that the single storey rear extension would have an obscurely glazed finish (by condition) adjacent to the boundary with 3 Stanley Road, the proposal would not cause significant loss of light to neighbouring properties.
- iv) The 'corner' of the single storey rear extension adjacent to 3 Stanley Road would be glazed and would thereby soften the appearance of the extension. The single storey extension's projection at 3.03m is marginally more than what would be allowable under permitted development for development of a single storey rear extension.

There would be a separation distance in excess of 14m from the application property to all other properties in the vicinity.

It is therefore considered that the proposal would not have a significant impact on the outlook of adjacent properties.

- v) The proposed extensions would be proportional to the existing property and would not be out of scale with the surrounding area. The proposed development would allow more than 50% of the property's curtilage to remain undeveloped. These properties have generous rear gardens and driveways to their frontages.
- vi) Loss of value to neighbouring properties is not a material planning consideration.
- vii) Development up to the property boundary is permitted under the planning regime depending on amenity impact. Should any issues arise in relation to the boundary as a result of such development



this would fall within party wall legislation and is not a material planning consideration.

- viii) The proposed porch and canopy are sympathetic to the character of the existing property, mirroring the forward projecting gable elevation and fenestration in its design. The existing forward projecting gable elevation in the application property is prominent enough to lessen any impact a gable roof may have on the character of the property. The dormer would not be highly visible from the street.
- ix) This application is for the development of 1 Stanley Road for use which remains ancillary to that of the existing dwelling-house. The committee may consider reasonable conditions to this effect.

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 There are no concerns raised over the impact of the proposal on residential amenity, or in respect of its design and appearance. An obscurely glazed finish to the single storey rear extension would not detract from existing materials within nor the overall character of the



property. The remaining development would be constructed of materials that match the existing property and would not be overly dominant given its size and design. The development is therefore considered to be compliant with policies ENV3 and SAD EOS 9.

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 light/ or outlook

No element of the scheme would significantly impact on the amenity of the occupiers of adjacent properties as discussed above.

13.3 Design, appearance and materials.

The scale of the extensions would be proportionate to the existing property. Its design would cause no undue harm to the character of the existing property or the visual amenity of the surrounding area. The proposal is therefore compliant with the council's supplementary design guidance.

13.4 Other matters

The council requires three off-street spaces for a five-bed house. Two useable spaces are apparent to the driveway and a third could be accommodated on-street in front of the driveway (this space is unavailable to anyone other than the application property in any case). No significant inconvenience to users of the highway is therefore anticipated.



14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In this instance it is considered that the scheme is policy compliant 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

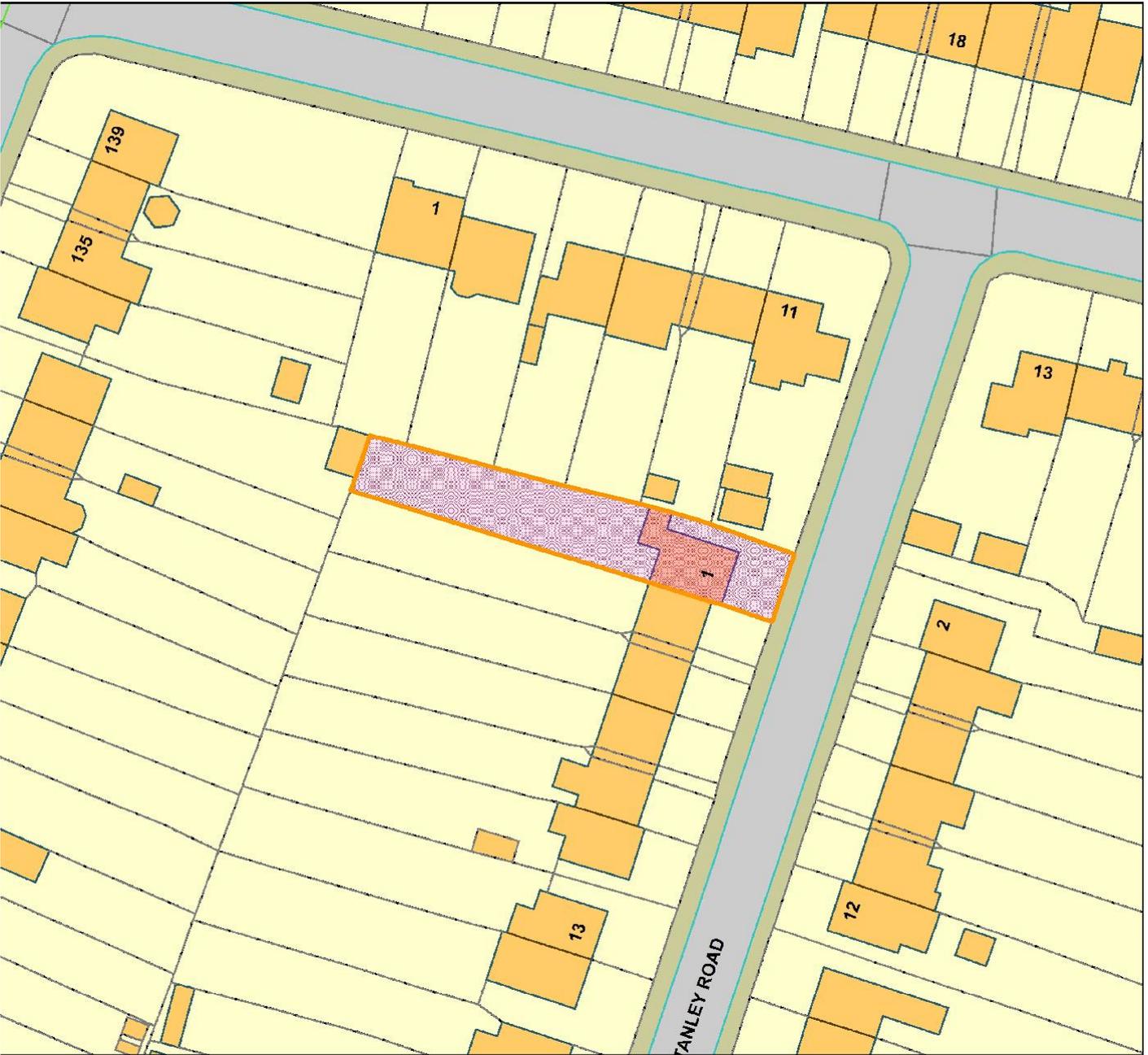
16. Appendices

Site Plan
Context Plan
2021_72_02A REV H



DC/22/66646

1 Stanley Road, West Bromwich



Legend



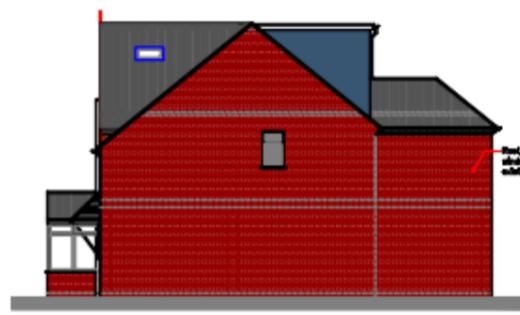
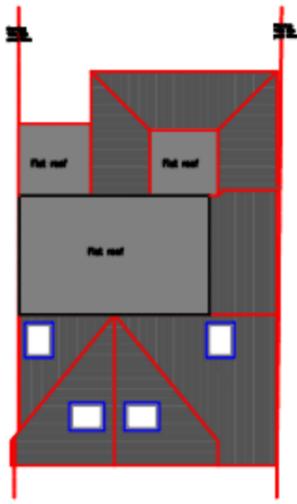
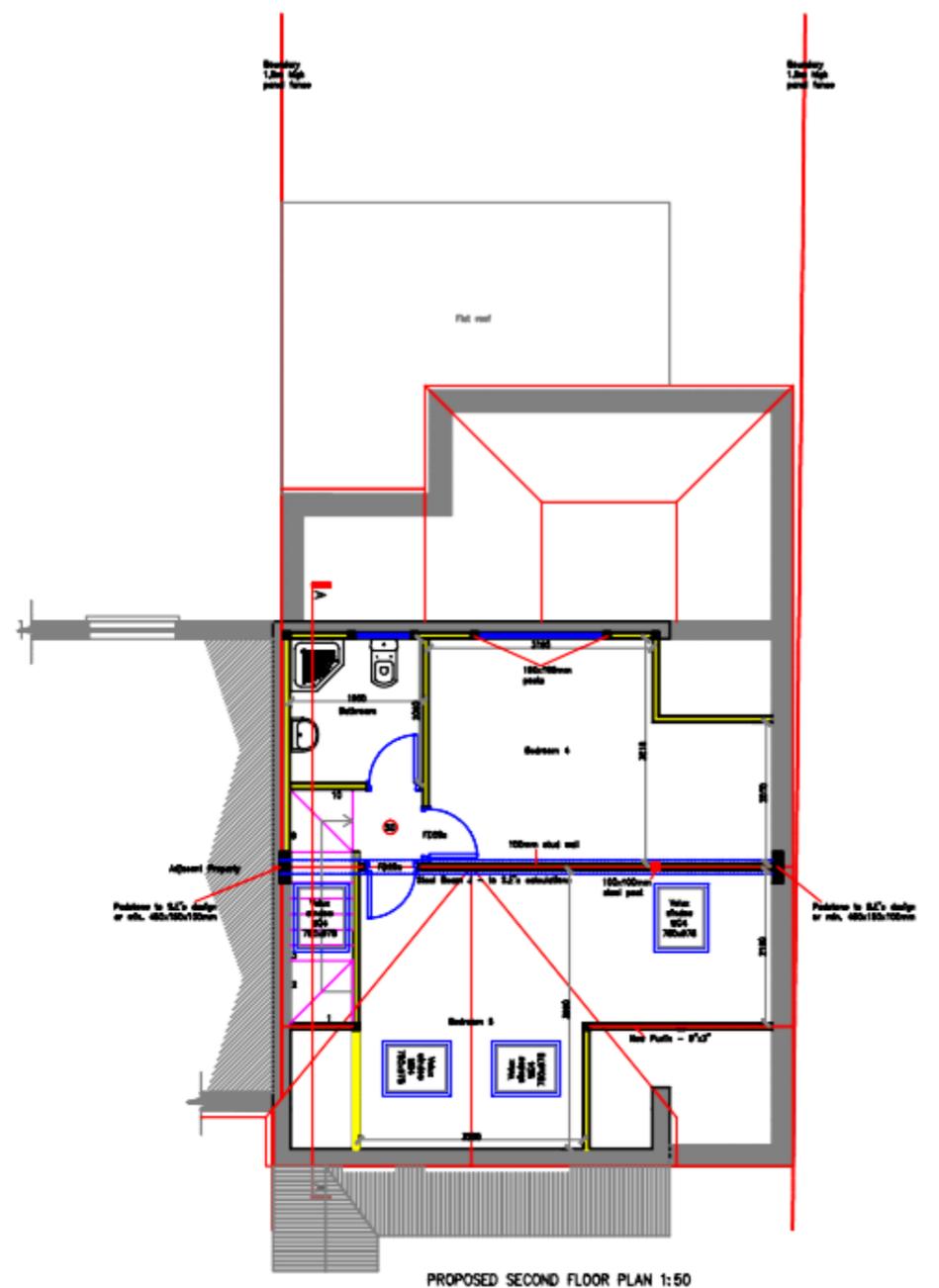
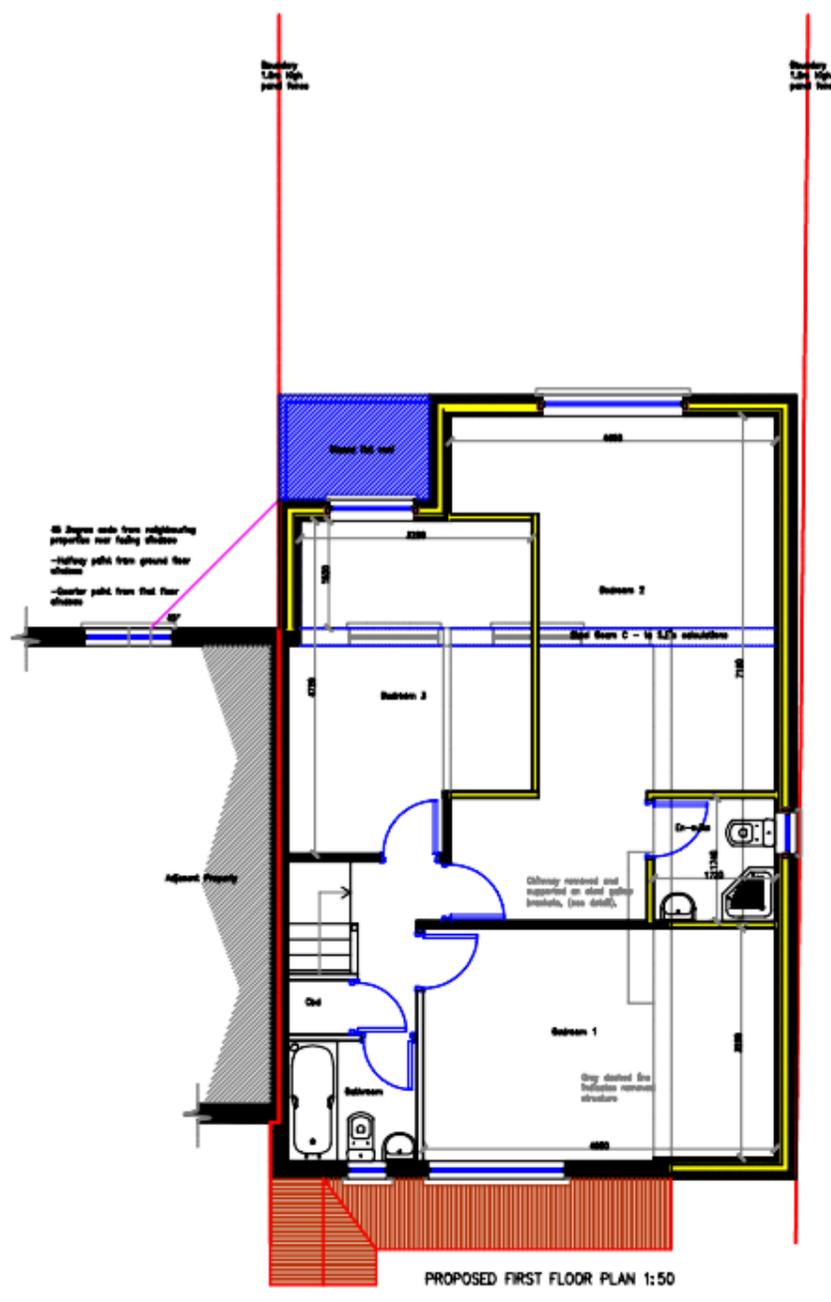
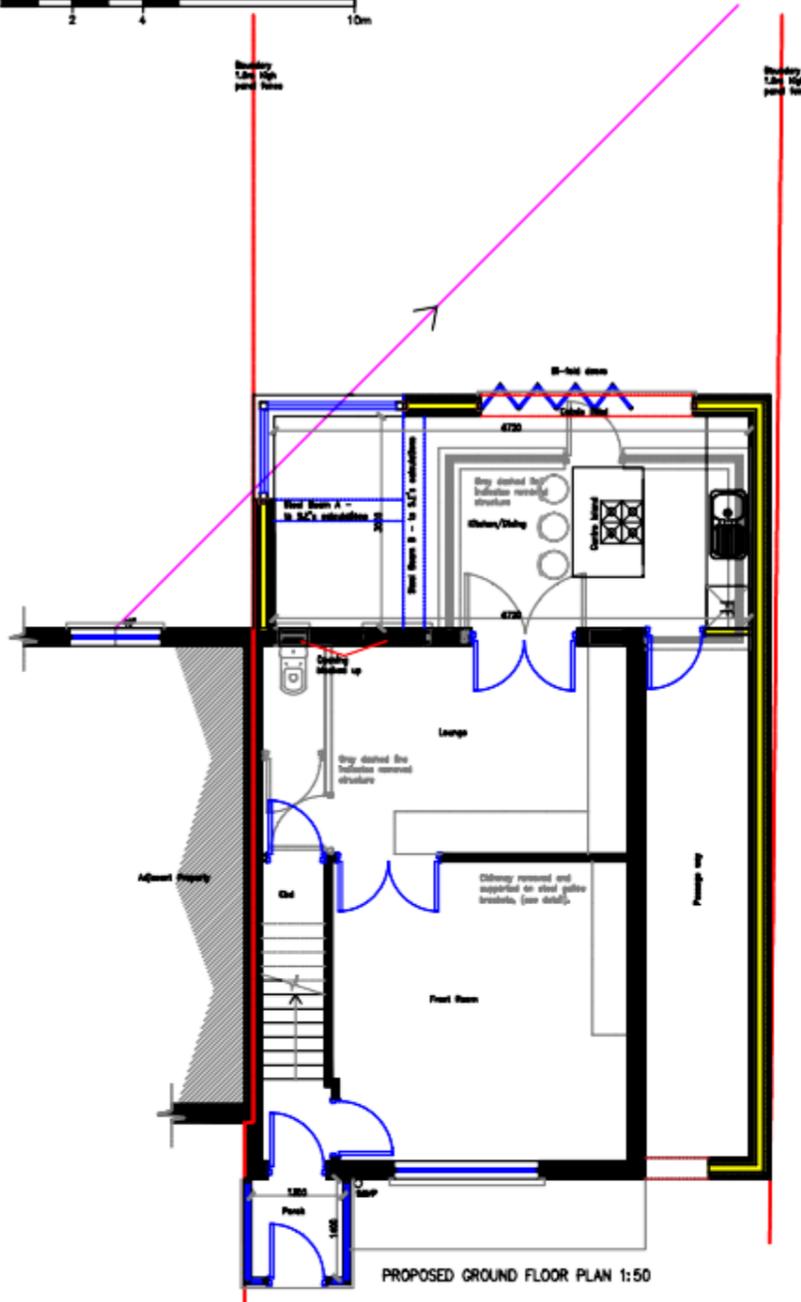
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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	07 June 2022
OS Licence No	





Rev	Date	Description
Rev B	14/05/21	Box gutter
Rev C	23/05/21	Amended elevations as per the conversation with the planning officer.
Rev D	04/06/21	Steel flat roof at that floor level

PROPOSED PLANS		Project	Subcontractor
		RT	Building Regulations/Planning submission
		Scale:	Date:
		1:100 / 1:1250@A1	15/07/21
1 Stanley Road, Bury St Edmunds, Suffolk, IP11 1AA		Client:	Drawn by:
		SHALE STUDY FRONT AND REAR & TWO STOREY SIDE AND REAR EXTENSION	2021_72_02A
		Sheet:	Rev: