

# PLANNING APPLICATION NUMBER:P13/1453

Type of approval sought	Full Planning Permission
Ward	Pedmore and Stourbridge East
Applicant	Mr M. Doveston
Location:	<b>36, SWINDELL ROAD, PEDMORE, STOURBRIDGE, DY9 0TJ</b>
Proposal	<b>SINGLE STOREY STORAGE SHED IN REAR GARDEN (RETROSPECTIVE)</b>
Recommendation Summary:	<b>REFUSE AND ENFORCE</b>

## SITE AND SURROUNDINGS

1. The site is located within a 1950's housing development which is within a predominantly residential area. The site contains a detached pitched roof dwelling that has a long garden extending just over 29m.

## PROPOSAL

2. Retrospective planning permission is sought for a single storey rear garden shed. It is a timber structure with uPVC windows in the front elevation and concrete roof tiles. It measures 3.7m wide, has a depth of 3.1m and a ridge height of 3.3m. It is located in the extreme south eastern corner of the garden close to but not overhanging the rear garden of the adjacent dwellings.

## HISTORY

3. Relevant history

APPLICATION	PROPOSAL	DECISION	DATE
SB/68/160	Extension to form dining room	Approved	29/05/1968
P12/0782	Two storey side extension (following demolition of garage). Single storey rear and front extensions	Approved	29/08/2012

## PUBLIC CONSULTATION

4. Five notification letters have been sent directly to nearby and adjacent dwellings. Two letters of objection have been received to the application which make the following points:

- It projects 6 feet above a 6 feet high fence. From my garden level it is 12 feet high;
- In close proximity to my property (approx 12 feet) leading to loss of light to my house and garden;
- The building is more obtrusive than necessary for a garden shed. It has a pitched tiled roof and guttering. It has windows and doors similar to those for a small residence which make it look more like a chalet than a shed;
- It is large and dominant when viewed from bedroom windows and is much higher and larger than any other sheds in neighbouring gardens

## RELEVANT PLANNING POLICY

5. National Planning Policy Framework (2012)

Paragraph No. 56 states that good design is a key aspect of sustainable development.

6. Black Country Core Strategy (2011)

ENV2 - Historic Character and Local Distinctiveness

7. Saved Dudley Unitary Development Plan Policies (2005)

Policy DD1 – Urban Design

## ASSESSMENT

### Key Issues

- Design and Appearance
- The impact of the development on adjacent residents

### Design and Appearance

8. The garden shed is constructed with horizontal wooden boards and a pitched concrete tiled roof. There are two uPVC windows in the front elevation on either side of a wooden entrance door. In appearance, the choice of materials, general design and the construction of the building are of a good quality. However, compared with other garden sheds nearby and, considering that it is only a storage shed, it does appear to be relatively tall.

### Impact of the development on adjacent residents

9. Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) states that a building within 2.0m of the curtilage of a dwelling house cannot exceed 2.5m in height without the benefit of planning approval. This is to minimise the impact of development upon adjacent neighbours when a building is built in close proximity to the site curtilage.
10. In this case, the building has a height of 3.3m and is set within the extreme south eastern corner of the rear garden within inches of the site curtilage. To the rear the visual impact of this building is exacerbated by a number of factors:
  - the change in levels between the application site and the house directly to the rear (8 Wythwood Close) which is set at a lower level such that a significant proportion of the rear of the building is visible above the boundary fence;
  - 8 Wythwood Close is angled slightly towards the shed such that its side and rear elevation are in close proximity to the building;

- The shed can be readily viewed from the patio and particularly a side facing lounge window of 8 Wythwood Close which is within approximately 6.0m of the shed.

11. Taking these factors into account it is considered that the structure has an overbearing appearance when viewed from 8 Wythwood Close and is therefore detrimental to the residential amenity of the occupant of that dwelling.
12. An objection letter has also been received from the occupant of 1 Lightwoods Road citing the excessive scale of the building. However, whilst it is accepted that the building can be seen by other surrounding dwellings, it is considered that it is of sufficient distance to prevent an adverse impact upon habitable room windows and garden patios of other dwellings within the vicinity of the site.

## CONCLUSION

- 13 The choice of materials and general design of the building are considered to be acceptable. However, the height of the development, in close proximity to the rear site boundary, gives the building an overbearing appearance when viewed from the adjacent dwelling 8 Wythwood Close which is set at a lower level and in close proximity to it. On this basis it is considered that the development would adversely affect the amenity of the occupants of that dwelling and would therefore not comply with National Planning Policy Guidance, Policy ENV2 of the Black Country Core Strategy and Policies DD1 and DD4 of the adopted Dudley Unitary Development Plan.

## RECOMMENDATION

14. It is recommended that the application is REFUSED for the following reason:

## 2<sup>nd</sup> RECOMMENDATION

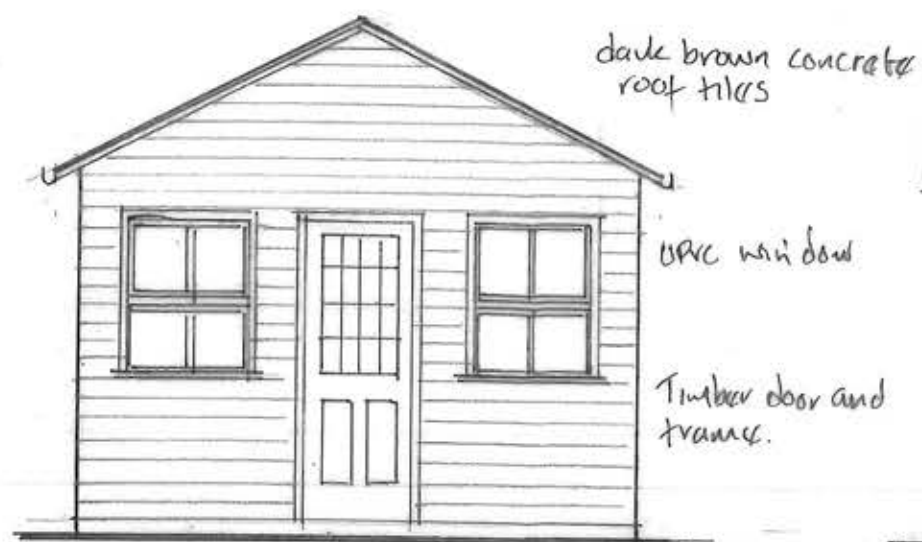
15. That Enforcement Action is authorised for the removal/relocation of the structure.

Conditions and/or reasons:

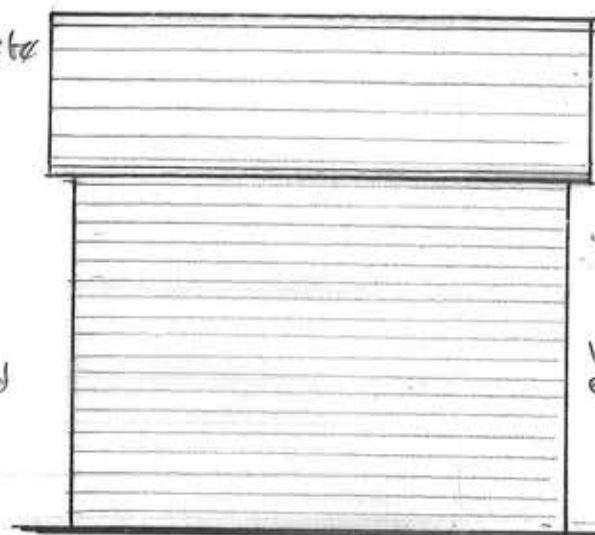
1. The height of the development, in close proximity to the rear site boundary, gives the building an overbearing appearance when viewed from the adjacent dwelling 8 Wythwood Close which is set at a lower level and in close proximity to the structure as such it is contrary to National Planning Policy Guidance, Policy ENV2 of the Black Country Core Strategy and Policies DD1 and DD4 of the adopted Dudley Unitary Development Plan.
2. That Enforcement Action is taken with respect to the structure which is the subject of this application.

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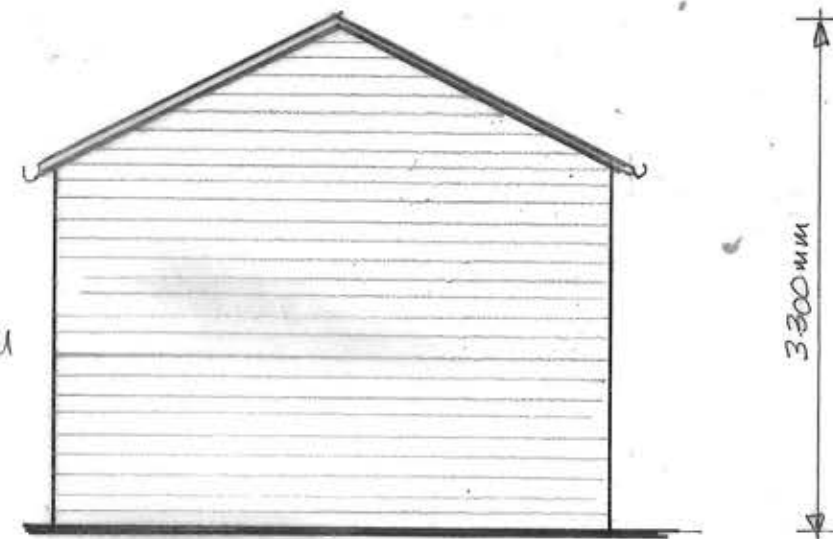


FRONT ELEVATION (FACING HOUSE)

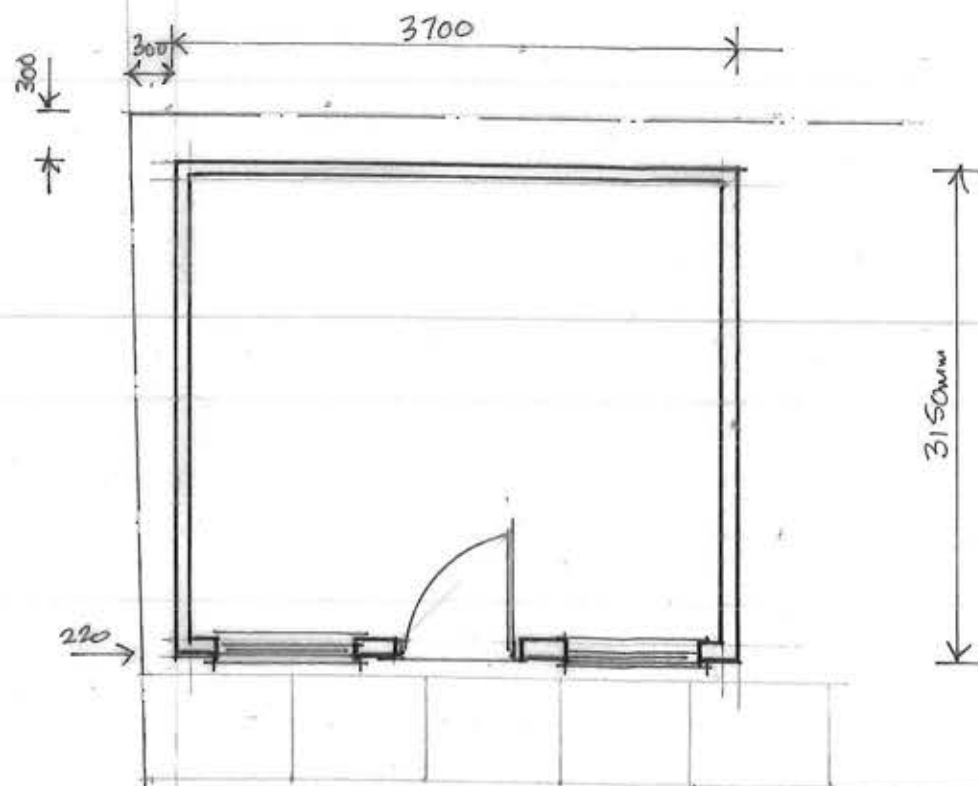


SIDE ELEVATIONS

V Matchboard to all elevations.



REAR ELEVATION.



PLAN

Client <b>MR. M. DOVESTON</b>	
Address <b>36, SWINDELL ROAD, PEDMORE, STOURBRIDGE DY9 0TS</b>	
Project <b>PROPOSED GARDEN SHED</b>	
Scale <b>1:50</b>	Drawn <b>PJC</b>
Dwg No <b>0015/13/01</b>	Date <b>OCT 2013</b>