

PLANNING APPLICATION NUMBER:P10/1609

Type of approval sought	Full Planning Permission
Ward	KINGSWINFORD SOUTH
Applicant	Mr & Mrs Oakley
Location:	3, SUMMERCOURT DRIVE, KINGSWINFORD, WEST MIDLANDS, DY6 9QL
Proposal	TWO STOREY FRONT, REAR AND SIDE EXTENSION WITH REAR DORMER WINDOW AND SINGLE STOREY FRONT EXTENSION. (RESUBMISSION OF REFUSED APPLICATION P10/0459)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. This is a detached house being one of a large group of dwellings within Summercourt Drive of similar design however extensions over time have significantly altered the appearance of some of these dwellings.
2. The site is situated within a quiet cul-de-sac which is set within a well established residential area.

PROPOSAL

3. The application for extensions to this detached dwelling comprises a number of elements:
 - A two storey side extension. At ground floor level this would slightly increase the width of the existing side garage and utility as it would involve the construction of a new side wall to enable a 100mm cavity and a new outer brickwork skin. Behind the utility room would be a new kitchen and the garage would be extended to the front. A new store would be sited to the side of the garage in front of the existing dwelling, this would form part of a new two storey front gable which would have a width of 5.5m. At first floor level would be a new bedroom, bathroom and en suite. The bedroom would be at the front of the dwelling and project in line with the garage extension at the front. The bathroom would be above the new front store. A dormer window at the rear would serve the en suite. Overall, the depth of the side

extension would be 12.5m at ground floor level. This would closely match the depth of the existing side extension at the adjacent dwelling No.2 Summercourt Drive.

- A two storey rear extension which would wrap around from the side extension and project 4.0m from the rear of the original dwelling. At ground floor level this would form a dining area for the new kitchen and, when measured with the side extension would have a width of approximately 6.9m. At first floor, above the dining area would be a master bedroom. This element of the development would form a rear gable with a width of approximately 3.95m.
- At the front of the dwelling the application comprises a single storey extension to the entrance hall, the insertion of a canopy and the creation of a sitting room in front of the existing living room. This would have a width of approximately 3.45m and a depth of approximately 2.8m which would be in line with the new two storey gable on the other side of the house.

HISTORY

4. Relevant history

APPLICATION No.	PROPOSAL	DECISION	DATE
BH/58/2815	Erection of 27 Houses	Approved	21/01/1959
DB/67/2710	Erection of extension to dwellinghouse	Approved	18/08/1967
P10/0459	Two storey front, two storey rear and single storey rear extensions and front canopy.	Refused	22/06/2010

5. Planning application P10/0459 was dismissed at appeal on 15th September 2010.

PUBLIC CONSULTATION

6. The application was advertised by letters sent directly to both properties on either side of the application site (Nos. 2 and 4 Summercourt Drive) and to properties on the opposite side of the road and at the rear. One email has been received from the owner of No 2 Summercourt Drive asking for confirmation of the distance between the new extension and the boundary however no objections have been received in writing to the application.

OTHER CONSULTATION

7. None.

RELEVANT PLANNING POLICY

8. **The adopted Dudley Unitary Development Plan**

Policy DD1 – Urban Design

Policy DD4 - Development in Residential Areas

Policy DD6 – Access and Transport Infrastructure

Policy AM14 - Parking

9. **Supplementary Planning Document**

Parking Standards and Travel Plans

10. **Supplementary Planning Guidance:**

Planning Policy Guidance Note No 17: House Extension Design Guide

Planning Policy Guidance Note 12: The 45 Degree Code 9.

ASSESSMENT

Key Issues

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

Background

11. Members may recall considering a previous planning application for a two storey side and rear extension to this dwelling (P10/0459). This was refused on 22nd June 2010 following a site visit for the following reason:

‘The proposed development, built in close proximity to the side facing habitable room window of the adjacent dwelling, would lead to a loss of light and outlook to the

detriment of residential amenity. As such it would be contrary to Policy DD4 of the adopted Dudley Unitary Development Plan'

12. Application No. P10/0459 was later dismissed at appeal.
13. The first floor side facing window at No. 2 Summercourt Drive is located in the side wall of a large two storey extension (89/52103). When approved, the plans for that extension indicated the side facing window as a bathroom. It is not known when this window began to serve a habitable room but it is concluded that it is immune from planning enforcement and as such is a material planning consideration within the context of this planning application.
14. It is also considered however that the existence of the side facing window at No. 2 Summercourt Drive was contrary to the aims of the original permission which only permitted a side facing bathroom window as it has the ability to adversely affect the development potential of the adjacent dwelling.
15. Taking all of this into account, a compromise position has been sought which would facilitate development at the application site whilst minimising the impact upon the side facing bedroom window of the adjacent house. Indeed, in considering the earlier application (P10/0459) the applicant was asked to reduce the width of the extension to match the width of the existing garage. Unfortunately the applicant declined to amend the submitted plans and the application was refused on 22nd June 2010 following a site visit by the Development Control Committee.
16. In dismissing the appeal on 15th September 2010 the Inspector noted that the Local Planning Authority had put forward a compromise. However, she concluded that it did not form part of the appeal and accordingly it was not taken into account in reaching her decision.
17. This current application has therefore been submitted by the applicant in an attempt to overcome the previous refusal reason.

Design and Appearance

18. In putting forward a new application, the applicant has submitted a design which differs from the previous application in a number of ways. The main differences are as follows:

- The two storey side extension has been brought in at the side. It would slightly increase the width of the existing side garage and utility as it would involve the construction of a new side wall to enable a 100mm cavity and a new outer brickwork skin. The distance between the new extension and the side boundary would be 1.4m (in the previous application it was 0.8m);
- Another significant amendment is a change to the roof profile at the rear. The previously proposed large gable has been replaced by an almost continuation of the exiting roof plane at an angle of 30 degrees and the insertion of a rear facing dormer window;
- At the front the two storey extension would project in line with the adjacent extension at No. 2 Summercourt Drive (previously it was set back by approximately 0.6m);
- At the rear, adjacent to the side extension, there would be a small two storey gable, the roof of which would project forward of the side extension and would
 - which would project approximately 4.0m from the rear of the original dwelling;
 -
- The single storey extension to the rear of the two storey extension is no longer sought;
- At the front is the introduction of a single storey extension close to the boundary with No.4 Summercourt Drive with a depth of approximately 2.8m which would be in line with the new two storey gable on the other side of the house. There would also be a small extension to the entrance hall and a canopy above.

19. It is considered that the design of the current extensions represent an improvement to the previous application (P10/0459). Policy DD4 of the adopted Dudley Unitary Development Plan encourages development of an appropriate design and scale provided that it does not have an adverse impact on the character of a residential area. The design of the development would not be dissimilar to other extended houses within the vicinity of the site, which have also resulted in the removal of the visual gap above the original garage. Indeed, the adjacent dwelling, No. 2

Summercourt Drive has an existing large two-storey extension which projects out from the principal elevation in the form of a gable and out at the rear. On the basis that the design is sympathetic with the original dwelling and that it echoes much, in terms of appearance, that of nearby extensions, it is considered acceptable and in accordance with Policies DD1 and DD4 of the adopted Dudley Unitary Development Plan.

The impact of the development on the amenities of adjacent residents

20. The two storey element of the side extension would not project beyond the front and only marginally at the rear of the two storey extension of the adjacent dwelling No. 2 Summercourt Drive. The application site is set at a slightly higher level than No 2 Summercourt Drive. There is a gap of nearly one metre between the side wall of No. 2 Summercourt Drive and the boundary fence. If constructed, there would be a distance of approximately 1.4m between the side boundary and the new two storey development. This would increase the gap to almost 2.4m. Although this would be an increase compared with the previous application it clearly is not ideal as the new development would be closer to the side facing habitable room window of the adjacent dwelling than it is currently and outlook would therefore be affected.
21. Several points however need to be taken into account when considering this aspect of the application:
 - Firstly, it is considered that the introduction of the side facing habitable room window was not within the spirit of the original approval for the side extension at No. 2 Summercourt Drive;
 - On this basis it is considered that the introduction of the side facing window was un-neighbourly and that it would be unfair if it had the ability to sterilise the potential to build over the garage at the adjacent dwelling. Indeed, it is argued that recent changes in legislation in the form of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 supports this stance. This legislation stipulates that where permission is permitted by Classes A, B or C that any side facing upper floor window, dormer or other side facing window in a roof must be obscure- glazed;

- It should also be taken into account that the side facing habitable room window at No. 2 Summercourt Drive already faces the blank gable of the No. 3 Summercourt Drive. The outlook from this window is therefore already limited;
- The large side gable has been significantly reduced in scale so that the slope of the existing roof at the rear is continued and a rear dormer window is introduced. This considerably reduces the bulk and massing of the side gable compared with the previous application enabling oblique views to be better gained from the neighbouring habitable room. Furthermore, the rear sloping roof of the extension would face southwards thereby reducing its impact in terms of light on the adjacent window compared with the previous application.

22. Taking all of these factors into account it is considered that the applicant has made a significant attempt to minimise the impact of the development on the side facing neighbouring window whilst trying to realise his own aspirations for the extension of his dwelling. On this basis, this element of the application is now, on balance, considered to be acceptable in planning terms.
23. The other elements to the scheme comprise a rear two-storey gable, changes to the front elevation and a single storey front extension. These would not have the potential to adversely affect the amenities of adjacent residents and are also therefore acceptable.

Parking

23. The application would increase the number of bedrooms at the dwelling from three to four. Supplementary Planning Document 'Parking Standards and Travel Plans' indicates a maximum parking requirement in such cases for three off-street parking spaces. A significant proportion of the front garden of the application site is hard-surfaced and used for parking. As a result three cars could readily be parked within the site curtilage. The application would therefore be in accordance with Policy AM14 of the adopted Dudley Unitary Development Plan and Supplementary Planning Document 'Parking Standards and Travel Plans'.

CONCLUSION

24. The design and scale of the two-storey side extension have been significantly amended compared with the previously refused application (P10/0459) with the aim of facilitating development whilst attempting to minimise the impact upon the side facing habitable room window of the adjacent dwelling. In particular, the width of the side extension is less and the large side gable has been reduced in scale via amendments to the roof and the introduction of a rear facing dormer window. This amendment would increase the distance between the new development and the habitable room window, it would enable the continuation of some oblique views southwards from the window and, due to the orientation of the extension, would also improve light levels to the room compared with the previous application. It is not envisaged that the other aspects of the development would have an adverse impact upon the amenities of adjacent residents and are acceptable in terms of design. Sufficient off-street parking is available. On this basis the application would be in accordance with Policies DD1, DD4, DD6 and AM14 of the adopted Dudley Unitary Development Plan and Supplementary Planning Document 'Parking Standards and Travel Plans'.

RECOMMENDATION

25. It is recommended that the application is approved subject to the following conditions:

Reason for Approval

The design and scale of the two-storey side extension have been significantly amended compared with the previously refused application (P10/0459) with the aim of facilitating development whilst attempting to minimise the impact upon the side facing habitable room window of the adjacent dwelling. In particular, the width of the side extension is less and the large side gable has been reduced in scale via amendments to the roof and the introduction of a rear facing dormer window. This amendment would increase the distance between the new development and the

habitable room window, it would enable the continuation of some oblique views southwards from the window and, due to the orientation of the extension, would also improve light levels to the room compared with the previous application. It is not envisaged that the other aspects of the development would have an adverse impact upon the amenities of adjacent residents and are acceptable in terms of design. Sufficient off-street parking is available. On this basis the application would be in accordance with Policies DD1, DD4, DD6 and AM14 of the adopted Dudley Unitary Development Plan and Supplementary Planning Document 'Parking Standards and Travel Plans'.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No additional openings shall be formed in the side elevations of the extensions without the prior written approval of the local planning authority.
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the local planning authority.
4. The development hereby permitted shall be carried out in accordance with the following approved plan numbers 201-01 and 201-02 Rev B.



RECEIVED
2 NOV 2003

LOCATION PLAN FOR No 3 SUMMERCOURT DRIVE,

KINGSWINFORD, WEST MIDS, DY6 9QL — MR & MRS OAKLEY



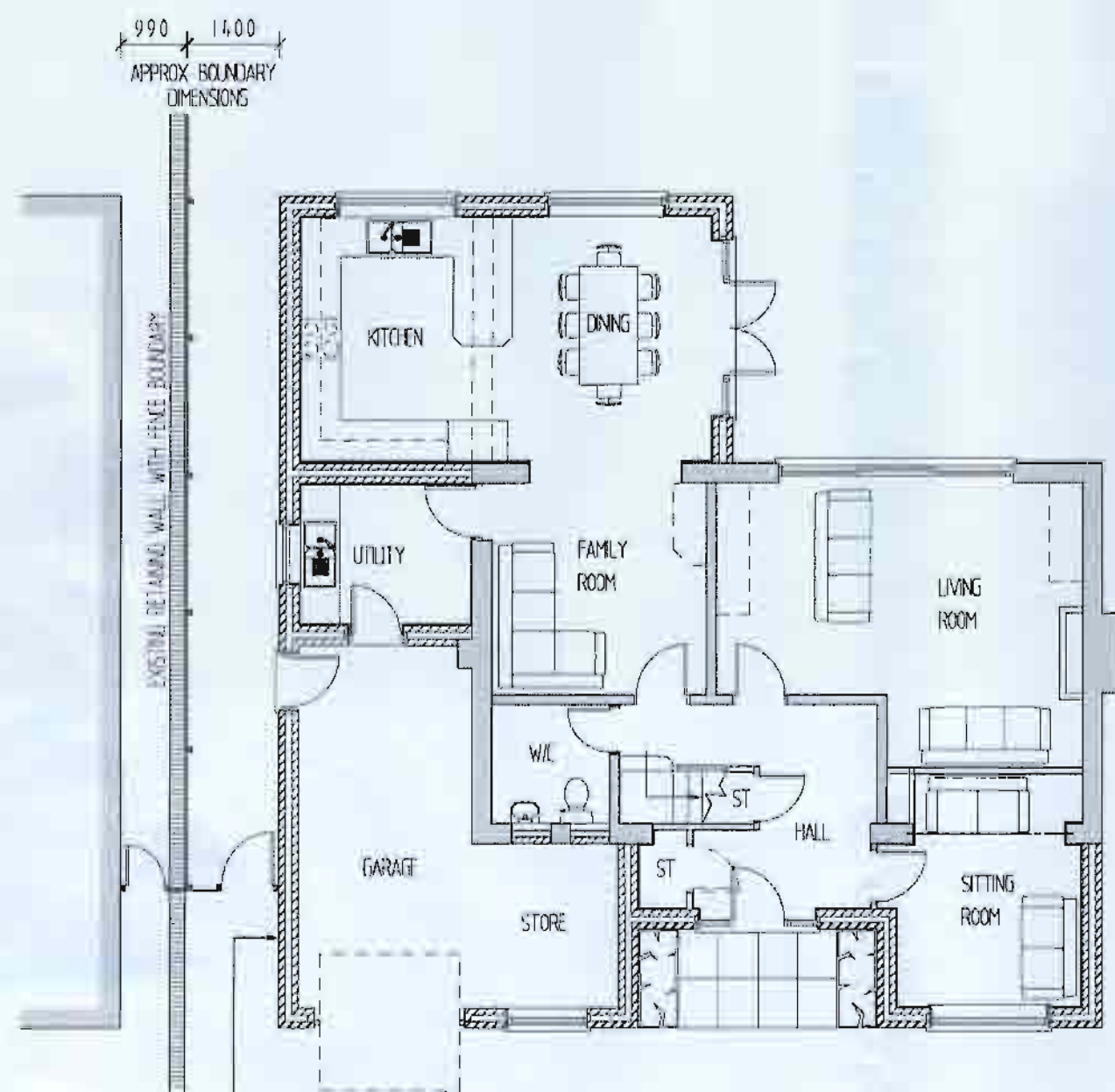
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

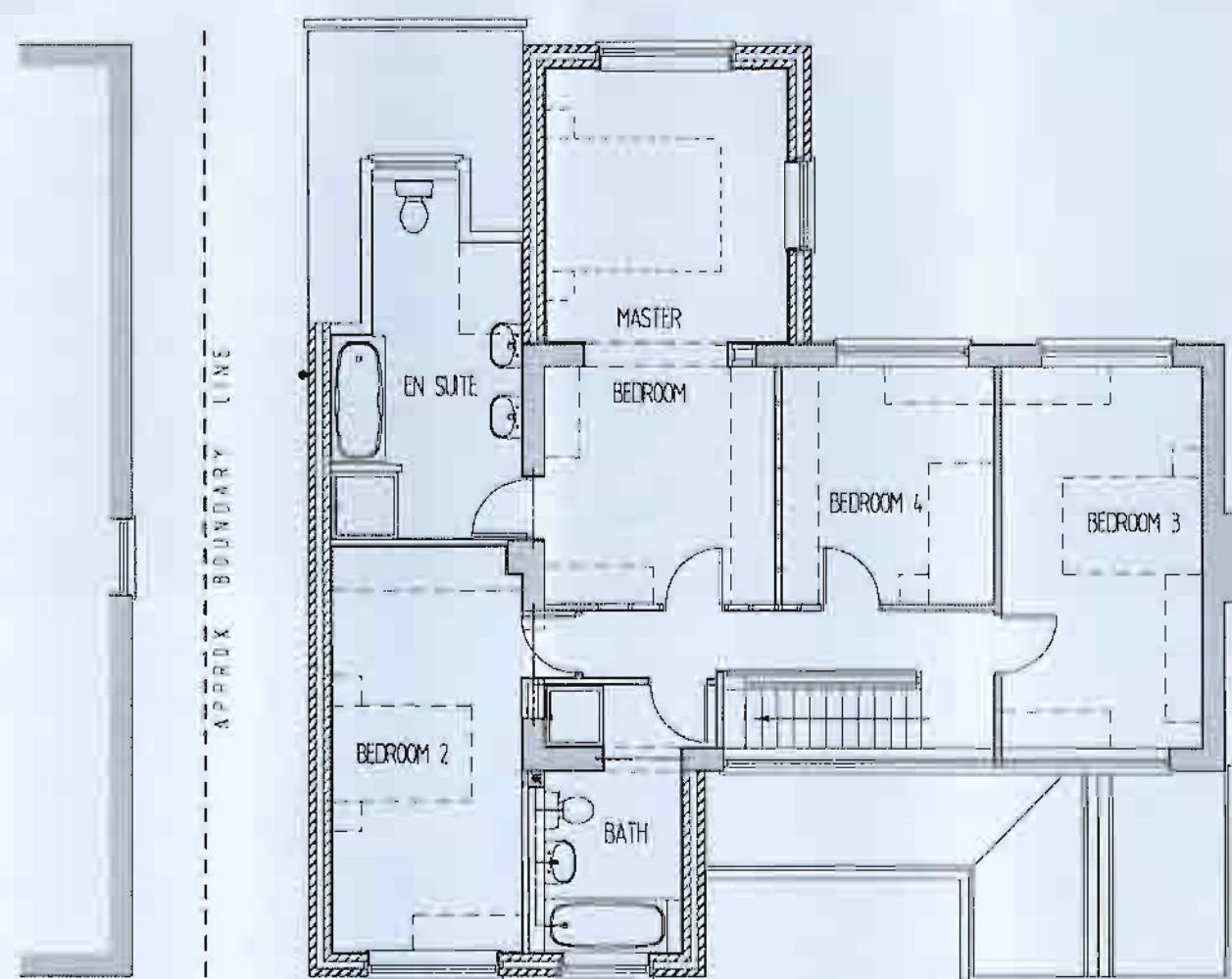


PROPOSED REAR ELEVATION



PROPOSED GROUND FLOOR PLAN

NEW WALL CONSTRUCTION TO BE BASED ON EXISTING GARAGE
WALL POSITION WITH 100mm CAVITY AND NEW 100mm OUTER
BRICKWORK SKIN IN ACCORDANCE WITH BUILDING REGULATIONS



PROPOSED FIRST FLOOR PLAN



PROPOSED SIDE ELEVATION

P10/1609
30/12/10

WENDED PLAN

REV B 17/12/10 BOUNDARY DETAILS REVISED
REV A 18/11/10 REVS TO GARLE TREATMENT AS REQUESTED

CLIENT
MR & MRS OAKLEY

PROJECT
PROPOSED ALTERATIONS AT
No 3 SUMMERCOURT DRIVE, KINGSWINFORD

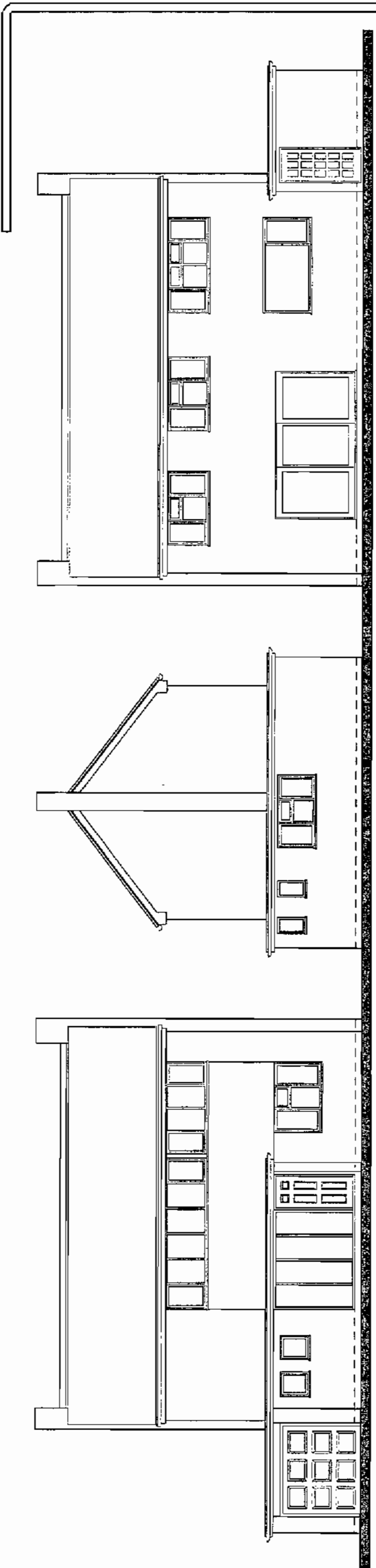
TITLE
PROPOSED FLOOR PLANS AND ELEVATIONS

JOB NO	201	DATE	SEP. 2010
DRG NO	02	REV	B
SCALE	1-100	DRAWN	JB

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PROPOSED ALTERATIONS AT No 3 SUMMERCOURT DRIVE, KINGSWINFORD.

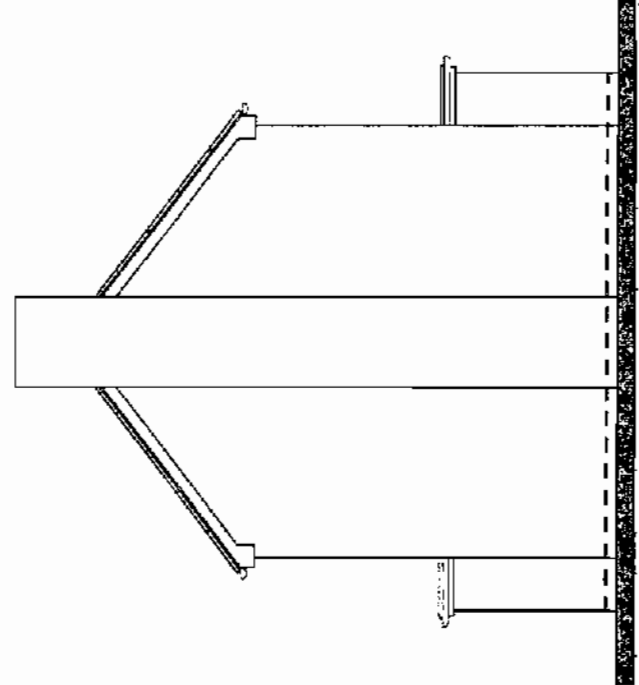
Rolling
Existing Plans
(ATB)



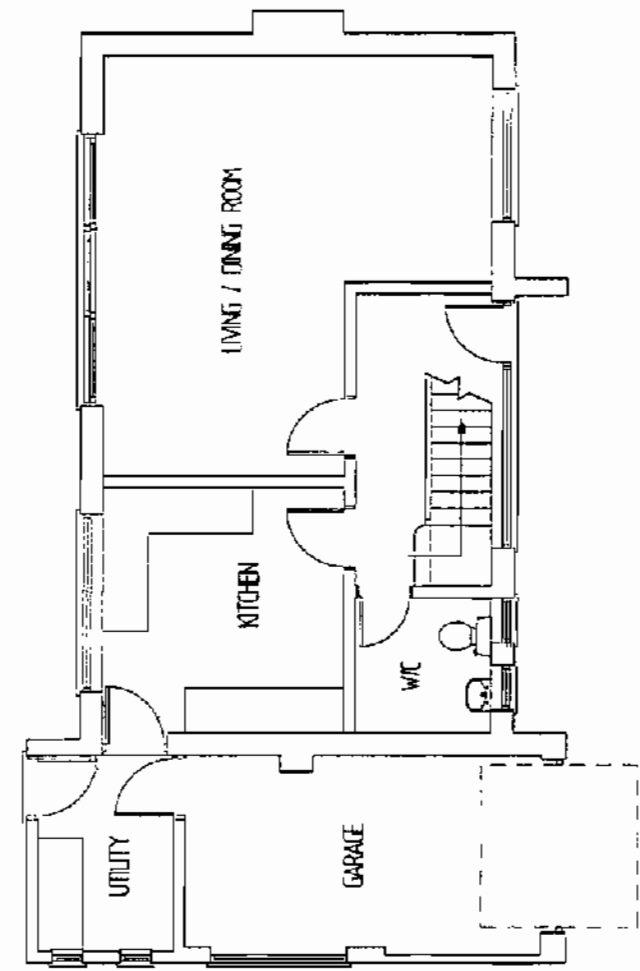
EXISTING FRONT ELEVATION

EXISTING SIDE ELEVATION

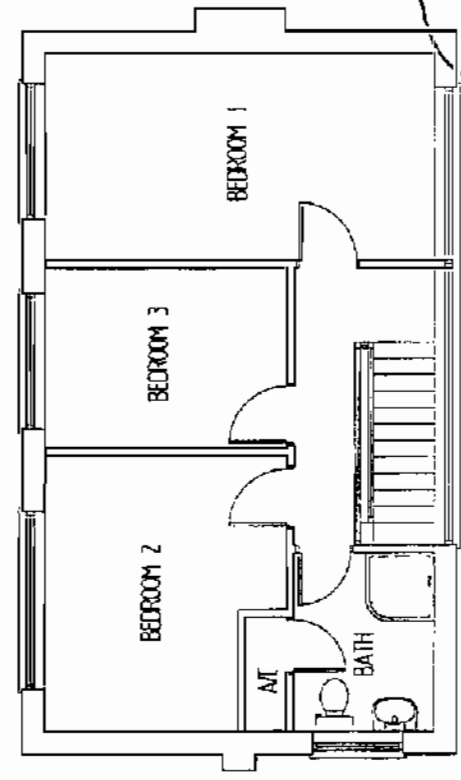
EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

<u>CLIENT</u>	
MR & MRS OAKLEY	
<u>PROJECT</u>	
PROPOSED ALTERATIONS	
No 3 SUMMERCOURT DRIVE KINGSWINFORD	
<u>TITLE</u>	
EXISTING FLOOR PLANS AND ELEVATIONS	
JOB NO	201
DATE	SEP 2010
DRG NO	01
REV	
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No 3 SUMMER COURT DRIVE EXISTING FLOOR PLANS & ELEVATIONS

