

PLANNING APPLICATION NUMBER:P21/1104

Type of approval sought	Full Planning Permission
Ward	Norton
Agent	Tim Holloway
Case Officer	Sarah Wilkes
Location:	36, SANDY ROAD, NORTON, STOURBRIDGE, WEST MIDLANDS, DY8 3AH
Proposal	SINGLE STOREY SIDE AND REAR EXTENSIONS (FOLLOWING DEMOLITION OF EXISTING GARAGE), TWO STOREY REAR EXTENSION AND LOFT CONVERSION WITH SIDE DORMER TO FORM HABITABLE USE AND ELEVATIONAL CHANGES TO INCLUDE NEW JULIET BALCONY TO REAR AND LOFT
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

REFERRAL TO DEVELOPMENT CONTROL COMMITTEE

The application has been referred to Development Control Committee as the applicant is a Councillor.

SITE AND SURROUNDINGS

1. The application site comprises a detached three bedroom property with pitched roof and front and rear facing gables. There is an existing single storey extension to the rear with flat roof and there is also a detached garage within the rear garden which abuts the north eastern boundary of the site. The plot is generous and there is sufficient hardstanding to accommodate several vehicles to the front and side of the property.
2. 38 Sandy Road is the neighbouring detached house to the south west and this property has a garage attached to its north eastern side and which adjoins a single storey rear extension. 34 Sandy Road is the neighbouring detached house to the north east and is of the same house type as the application property. This dwelling

also has a detached garage and a single storey rear extension set in from the common boundary with the application property. The site backs onto 81 Greyhound Lane to the north.

3. The property is located within a wholly residential context and surrounding properties are mix of house types and designs and occupy generous plots.

PROPOSAL

4. It is proposed to erect single storey side and rear extensions (following demolition of the exiting garage), two storey rear extension and loft conversion with side dormer.
5. At ground floor level the extension would project 1.4m to the north eastern side of the property and would extend a maximum of 6.7m beyond the existing two storey wall to the rear. A 22cm distance would be retained between the boundary with 38 Sandy Road and a distance of 84cm would be retained between the boundary with 34 Sandy Road. Internally the ground floor would consist of a cloak room, shower/wc, extended utility and open plan kitchen/dining room. To the side the extension would adopt a shallow pitched roof lowering to a flat roof to the rear.
6. At first floor level the extension would provide extended bedroom and bathroom and would project 2.2m beyond the existing two storey wall to the rear. It would span the full width of the existing rear elevation finishing with a rear facing gable. To the rear French doors would be provided at first floor level for the extended bedroom with Juliet style balcony. A second set of doors and Juliet balcony would also be inserted at second floor level to serve one of the new bedrooms within the loft conversion.
7. The loft conversion would provide two additional bedrooms with shower room and staircase accommodated within the proposed side dormer which would be located on the north eastern side of the property. The dormer would consist of a box type design set down from the existing ridge height of the main roof and with side facing obscure glazed non opening bathroom and landing windows.

8. The application is supported by a Planning Statement outlining the planning history of the site and advising of previous contact with the Local Planning Authority regarding the proposals.
9. This application is before Development Control Committee as the applicant is a Councillor.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P20/1130/LDO	Householder Local Development Order for a proposed single storey side/rear extension.	Approved with conditions	18/08/2020
P08/0795	One and two storey side extension, first floor rear, rear conservatory and loft conversion with window in rear elevation (resubmission of refused application P07/2328)	Approved with conditions	23/06/2008
P07/2328	One and two storey side extension, first floor rear, rear conservatory and loft conversion with window in rear elevation.	Refused	01/02/2008

10. Planning application P07/2328 was refused for the following reasons;
 1. The proposed development, by reason of its roof and gutter detailing would be detrimental to the character and appearance of the original dwelling and appear as an incongruous feature in the wider street scene. The proposal would

therefore be contrary to Policy DD4 Development in Residential Areas of the Adopted Unitary Development Plan (2005) and of Planning Guidance Note 17 – House Extension Design Guide.

2. The proposed development by reason of its siting and its projection beyond the limit set out in the Council's Planning Guidance Note No. 12 – The 45 Degree Code, would detrimentally impact upon the outlook and amenities of the neighbouring property No.34 Sandy Road in conflict with the objectives of Policy DD4 Development in Residential Areas of the Adopted Unitary Development Plan (2005) and of Planning Guidance Note 17 – House Extension Design Guide.

PUBLIC CONSULTATION

11. Direct notification was initially was carried out to five neighbouring properties and one letter of objection has been received which raises the following material planning concerns:
 - *“That the proposed rear single storey extension has taken no consideration of Planning Guidance Note 12 – The 45 Degree Code”.*
 - *“That the proposal shows an extension with the same projection from the property as was proposed in planning application No P07/2328 which was refused due to ‘detrimentally impacting the outlook and amenities of No 34 Sandy Road’”* and that this proposal was subsequently amended and approved under application P08/0795 taking this into account.
 - Concerns regarding the overall scale and appearance of the development specifically the dormer roof extension which is not in keeping with other properties nearby. That it does not take into account Planning Guidance Note 17 ‘2.2 Scale and appearance’ or ‘4.5 Dormer Extensions’ and lacks a 1m setback from the fascia line.

12. The letter also raises concern that the drawings incorrectly show the boundary with no. 34 and uses land belonging to no. 34 to accommodate the front gate. It is also raised that the two opening doors within 838mm of the boundary would be considered a fire hazard under Building Regulations.
13. Amended plans were subsequently submitted altering the red line boundary of the site to exclude a small area of land between the gable end of 34 Sandy Road and the application site. The same neighbours were reconsulted giving them the full timeframe to comment and one objection was received from the original objector. The objection notes that the amended plans have not taken account any of the original objections other than the correction to the extent of the site boundary.

OTHER CONSULTATION

14. None required

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF)

Black Country Core Strategy (2011)

- ENV 3 Design Quality

Dudley Borough Development Strategy (2017)

- S6 Urban Design
- L1 Housing Development, extensions and alterations to existing dwellings

Supplementary Planning Documents / Guidance

- PGN 12 The 45 Degree Code
- PGN 17. House Extension Design Guide
- Parking Standards SPD

ASSESSMENT

15. Key issues;

- History
- Visual Amenity
- Neighbouring Amenity
- Highway Safety
- Other Matters

History

16. Refused application P07/2328 proposed a two storey side extension, a first floor rear extension, a rear conservatory and a loft conversion. The two storey side extension was deemed to be inappropriate in design terms and this formed the first reason for refusal. The rear elevation of the conservatory was splayed with the maximum depth beyond the two storey rear wall being 6.5m closest to the boundary with 34 Sandy Road. The conservatory breached the 45 Degree Code guidelines with regards to this neighbour and this formed the second reason for refusal. It is pertinent at this point to note that this application was determined on 4th February 2008 prior to the legislative changes to the General Permitted Development Order which came into force on 1st October 2008.
17. Application P08/0795 was subsequently submitted with improvements to the design of the two storey side extension and with a splayed wall incorporated to the conservatory in order to ensure compliance with the 45 Degree Code with regards to 34 Sandy Road. The rear elevation of the conservatory was levelled with the depth of the conservatory towards the boundary with 38 Sandy Road also increased resulting in a 3.1m projection beyond the garage of this neighbouring property. This application was subsequently approved and is deemed to be extant as some works associated with this application were started.
18. It is at this point worthy of note that whilst a loft conversion was proposed under both of these previous submissions a dormer extension was at no point presented for consideration with the additional roof space gained through the first floor rear and two storey side extensions proposed.

19. More recently an application for a single storey side and rear extension was submitted and approved under the Council's Local Development Order ref: P20/1130/LDO. The extension had a 4m projection beyond the two storey rear wall of the property, however, at this point it is also worthy of note that the rear wall of the property was originally staggered with the rear elevation of the existing kitchen forming part of the original rear elevation.

Visual Amenity

20. The scale and design of the two storey rear extension is comparable to what was previously approved under P08/0795. The design would reflect the existing property and this aspect of the development would not be viewed within the context of the street scene. Likewise the single storey side and rear extension is deemed to be satisfactory in scale and design terms.

21. Unlike the previous extant approval, the current application proposes a side dormer which would be a relatively large addition to the existing roof plane and would be visible from the street scene. In design terms, what is proposed now is not comparable to the two storey side development approved under application P08/0795, however, consideration is given to the fact that permitted development allows large side dormers under Class B of the General Permitted Development Order (as amended). The dormer would be set well back from the front elevation and would also be set back from the existing eaves. Whilst large in scale and of a box design, on balance, refusal of permission on design grounds is not deemed to be sustainable given the significant fallback position. It is, however, deemed necessary to attach a condition ensuring that the external elevations of the dormer are tiled to match the existing roof. In this respect, the proposed development is deemed to be in accordance with Policy ENV3 of the Black Country Core Strategy, Policies L1 & S6 of the Dudley Borough Development Strategy and PGN 17 – House Extension Design Guide.

Neighbour Amenity

22. For all house extensions, the Council will seek to ensure that any such proposals would not harm the occupiers of adjacent properties in terms of daylight, outlook, privacy and inter-visibility.

23. In a similar vein to the 2007 refusal the proposed single storey rear extension would breach the 45 Degree Code guidelines with regards to 34 Sandy Road. It is, however, considered that there has been a significant change in circumstances since this refusal was issued through the 2008 changes to permitted development rights issued by Central Government. The 2008 update to the legislation was more prescriptive than previous versions of the General Permitted Development Order in terms of the depth, scale and position of development proposed and to a certain extent sets a new benchmark.

24. The proposed development requires planning permission, however, current permitted development rights allow single storey side and single storey rear extensions to detached properties to extend 4m beyond the original rear wall. Permitted development rights do not, however, allow single storey “wrap around” extensions where the overall width of the development would exceed half the width of the original dwellinghouse (as the current proposal does). As stated previously, the original rear wall of the application property includes the rear wall of the current kitchen and the depth of the proposed extension beyond this original feature would be 4m. The scale of the single storey side/rear extension proposed is also less than what permitted development rights technically allow when considering its proximity to the boundary with 34 Sandy Road. It is also noted that the existing garage would be demolished which sits right on the common boundary and represents an improvement in terms of 34 Sandy Road. Whilst the existing garage is of minimal height, in comparison the proposed extension it would be set off the common boundary and would adopt a flat roof albeit set higher than the eaves level of the existing garage. On balance, whilst the single storey side/rear extension would undoubtedly breach the 45 Degree Code with regards to 34 Sandy Road, given the existing relationship and the changes in legislation since the 2007 refusal, refusal of planning permission is not deemed to be sustainable in this instance.

25. There would be no breach of the 45 Degree Code guidelines as a result of the single storey aspect of the development in terms of 38 Sandy Road and no significant loss of light, outlook or privacy would be experienced in this respect as a result of the proposals.
26. As previously stated the two storey rear extension is of the same scale as what was approved under the 2008 approval. There would be no breach of the 45 Degree Code with regards to this aspect of the proposals which would be modest and set in from neighbouring boundaries either side. Whilst the proposal also now incorporates doors and Juliet balcony at first floor level, generally speaking, Juliet balconies are not deemed to be any worse than a window opening in terms of the potential for overlooking to arise. Likewise, the inclusion of the doors and Juliet style balcony at second floor level featured on the extant consent.
27. The proposed dormer would be sited on the north eastern roof plane towards the boundary with 34 Sandy Road. There would be two side facing windows, however, both would serve non-habitable rooms and would not, therefore, give rise to overlooking. No loss of privacy would be experienced in this regard.
28. In the balance of considerations and taking into account the significant legislative changes since the 2007 refusal, the proposed development is deemed to be acceptable in accordance with Policy L1 of the Dudley Borough Development Strategy.

Highway Safety

29. There would be no loss of existing parking provision and it is considered that there are no highway safety matters arising.

Other Matters

30. The amended plans provided by the applicant revising the extent of the site boundary would appear to have addressed the objectors' concerns regarding the accuracy of the drawings in this regard. Concerns raised regarding the side facing doors and the potential for them to pose a fire risk are not material to the determination of this planning application and are covered by separate legislation.

CONCLUSION

31. On balance, it is considered that there would be no demonstrable harm to neighbouring amenity and that the proposed development would be of appropriate design, scale and appearance that would not have an adverse impact upon the character of the area. There are no significant highway safety matters arising.

RECOMMENDATION

32. It is recommended that the application is APPROVED subject to the following conditions;

Conditions and/or reasons:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drg No. 2018.001 Rev B, Site Plan Drg No. 2018.005 Rev A, Existing & Proposed Elevations Drg No. 2018.004 Rev B, Existing Floor Plans Drg No. 2018.002 Rev A & Floor Plans Drg No. 2018.003 Rev F.
REASON: For the avoidance of doubt and in the interests of proper planning.
- 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.
REASON: To ensure the satisfactory appearance of the development in accordance with BCCS Policy ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings/ Policy D2 Incompatible Land Uses (in part)
- 4) The external elevations of the dormer extension hereby approved shall be

tiled to match in appearance, colour and texture those of the existing roof tiles unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the satisfactory appearance of the development in accordance with BCCS Policy ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings/ Policy D2 Incompatible Land Uses (in part)

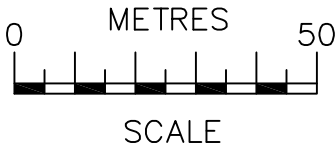
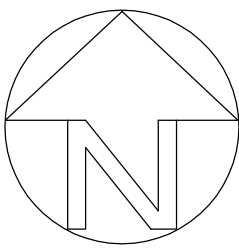
1st Floor 161 Lower High St. Stourbridge West Mids DY8 1TS
 Telephone & Fax: 01384 371705

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Rev.	Description	Drawn	Chk	Date
A	Title block amended & scale bar added.	th	th	May 21
B	Boundary to no. 34 amended slightly.	th	th	Jul 21



Location Plan.



DESIGN BUREAU

1st Floor 161 Lower High St. Stourbridge West Mids DY8 1TS
 Telephone & Fax: 01384 371705 E-mail: info@harcdb.co.uk

Proposed Side & Rear Extensions
 & Loft Conversion at 36 Sandy Road,
 Norton, Stourbridge, West Midlands.

client [REDACTED]

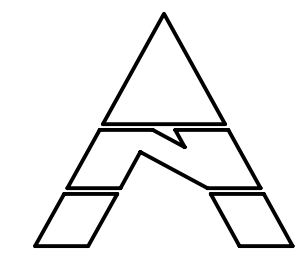
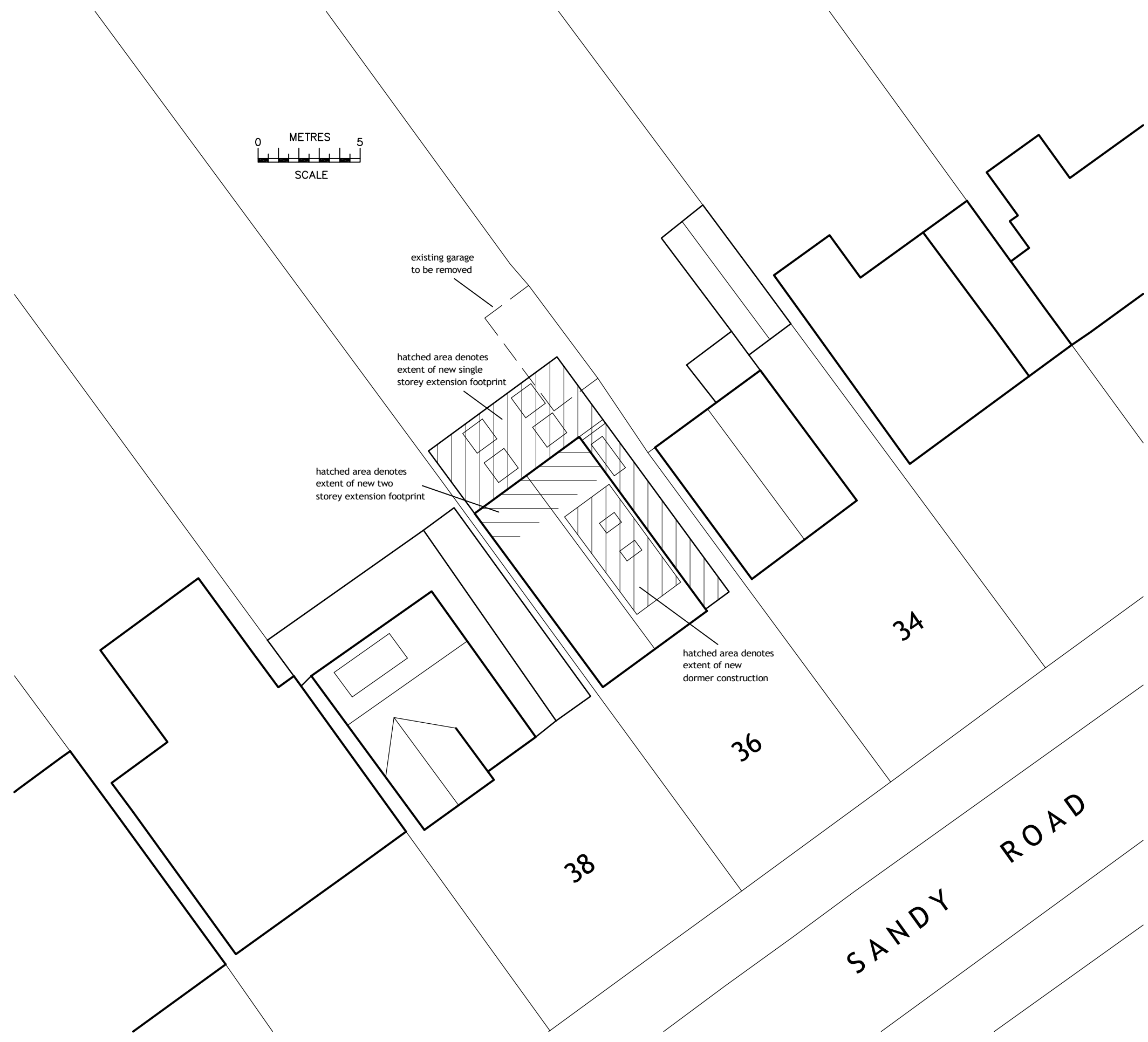
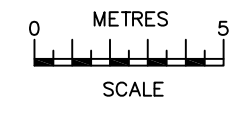
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Plot File:2018.001B

Plot Date: 20.07.21

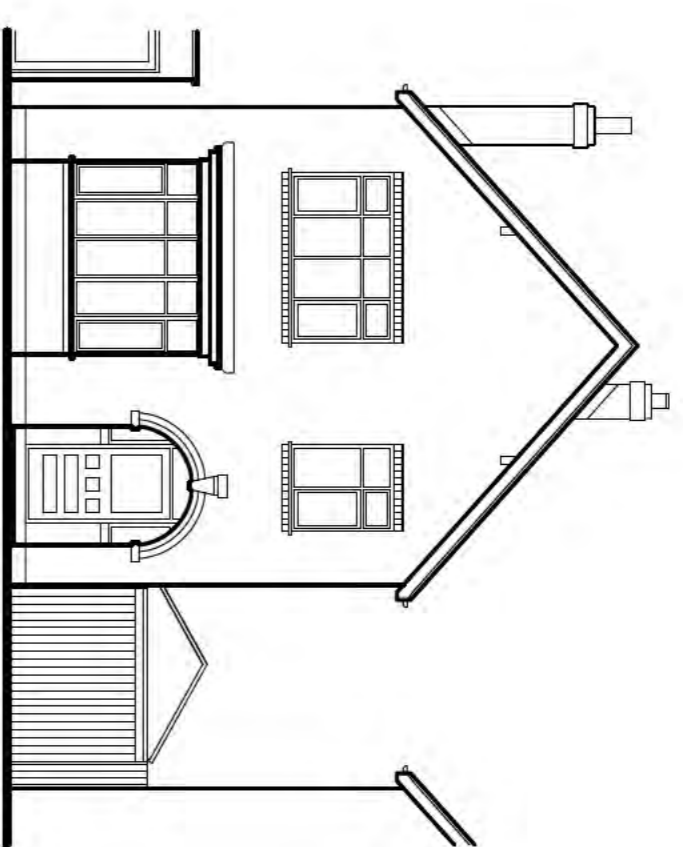
Rev.	Description	Drawn	Chk	Date
A	Boundary to no. 34 amended slightly.	th	th	Jul 21



**Proposed Side & Rear Extensions
& Loft Conversion at 36 Sandy Road,
Norton, Stourbridge, West Midlands.**

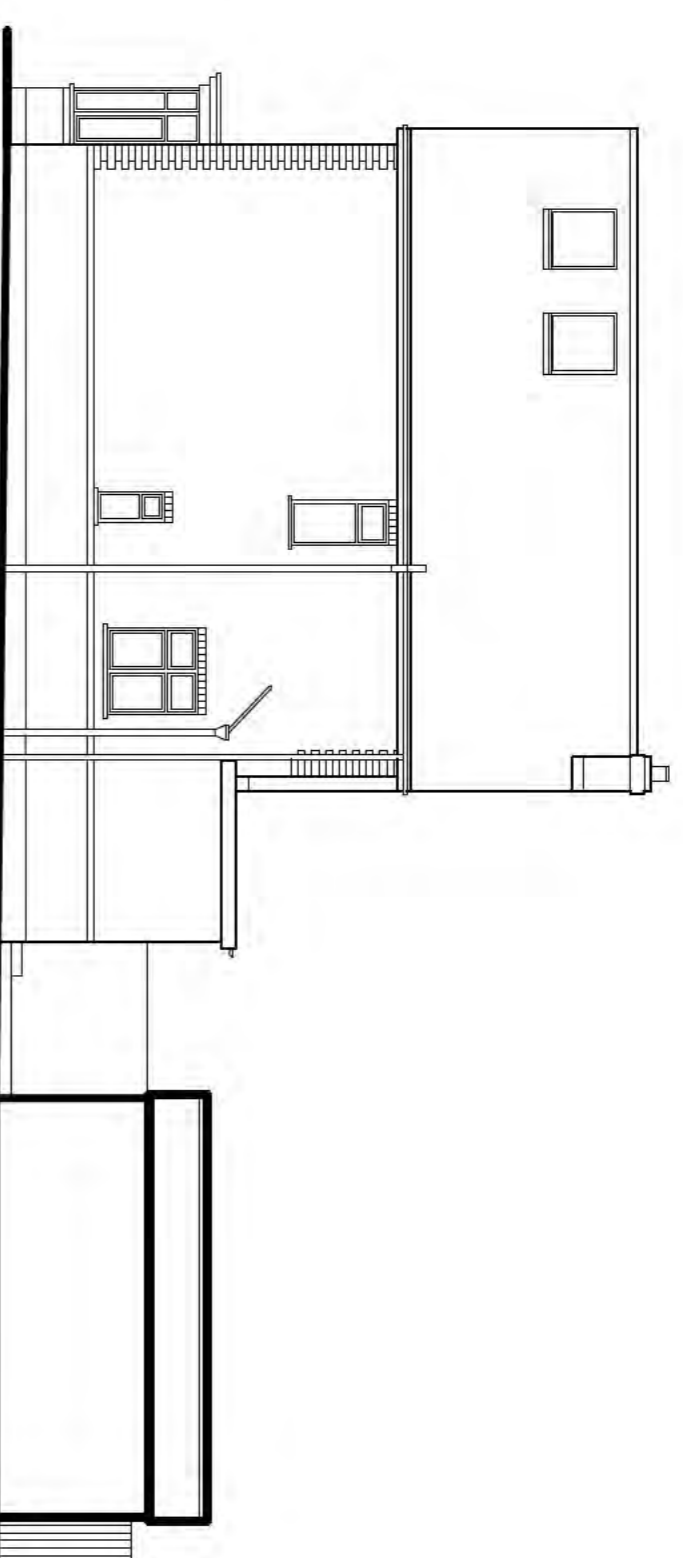
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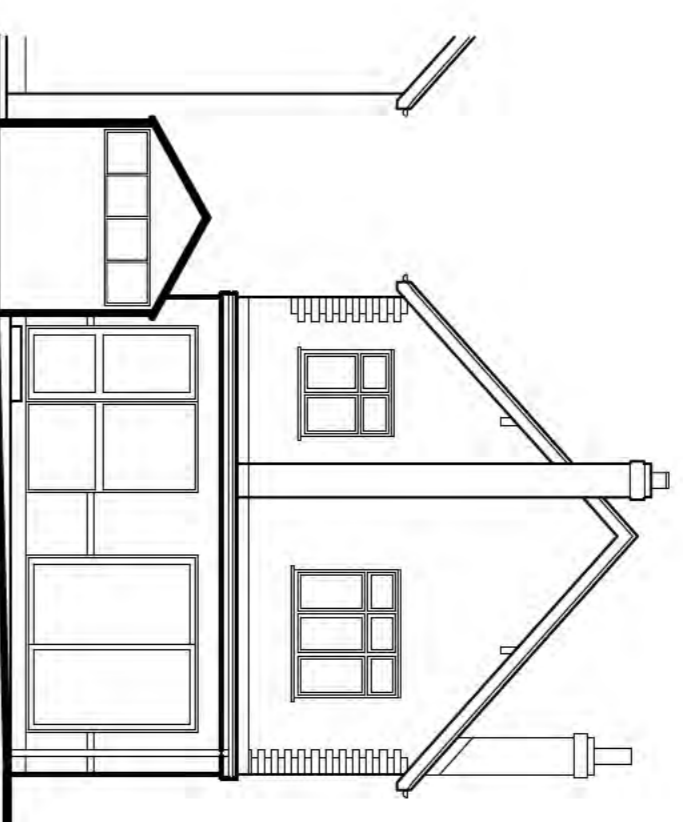


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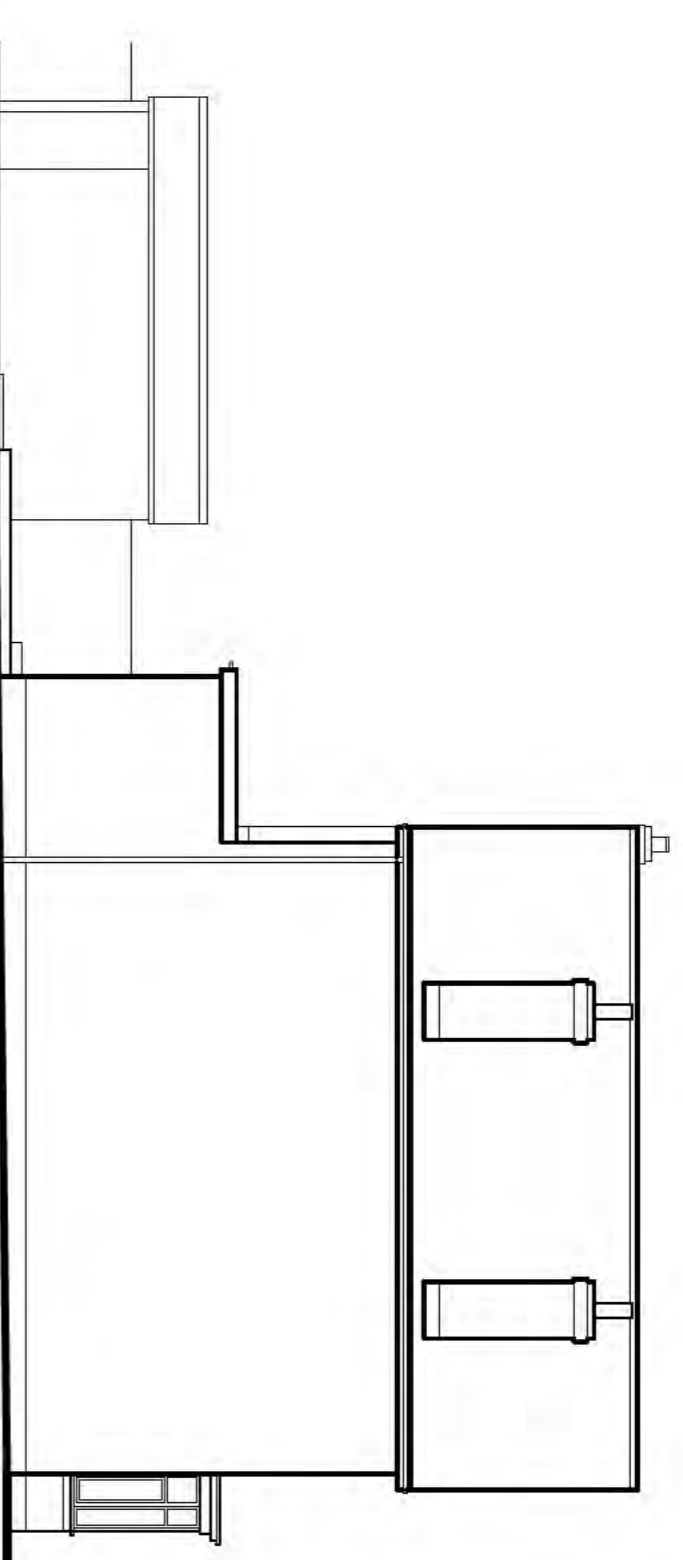
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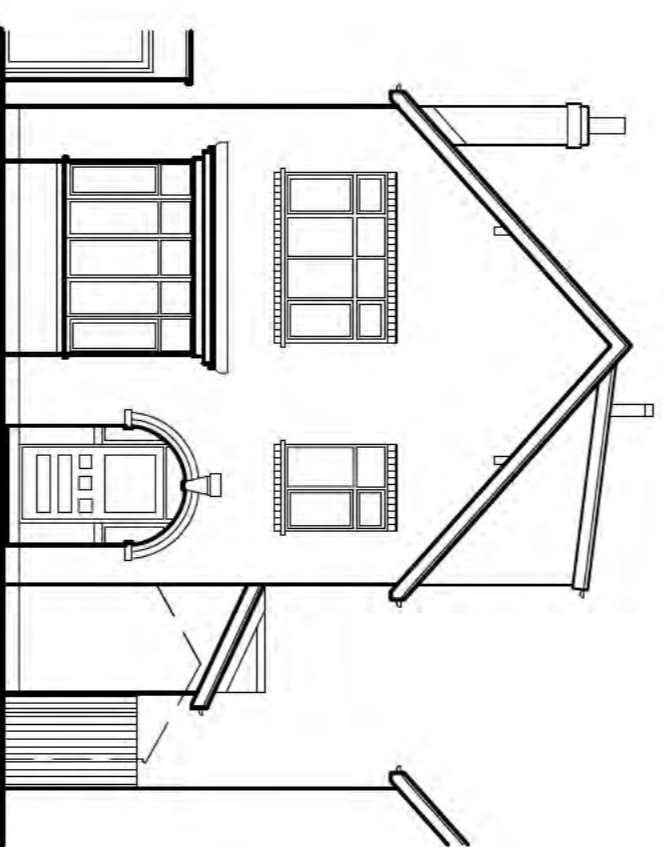
Side Elevation



Rear Elevation

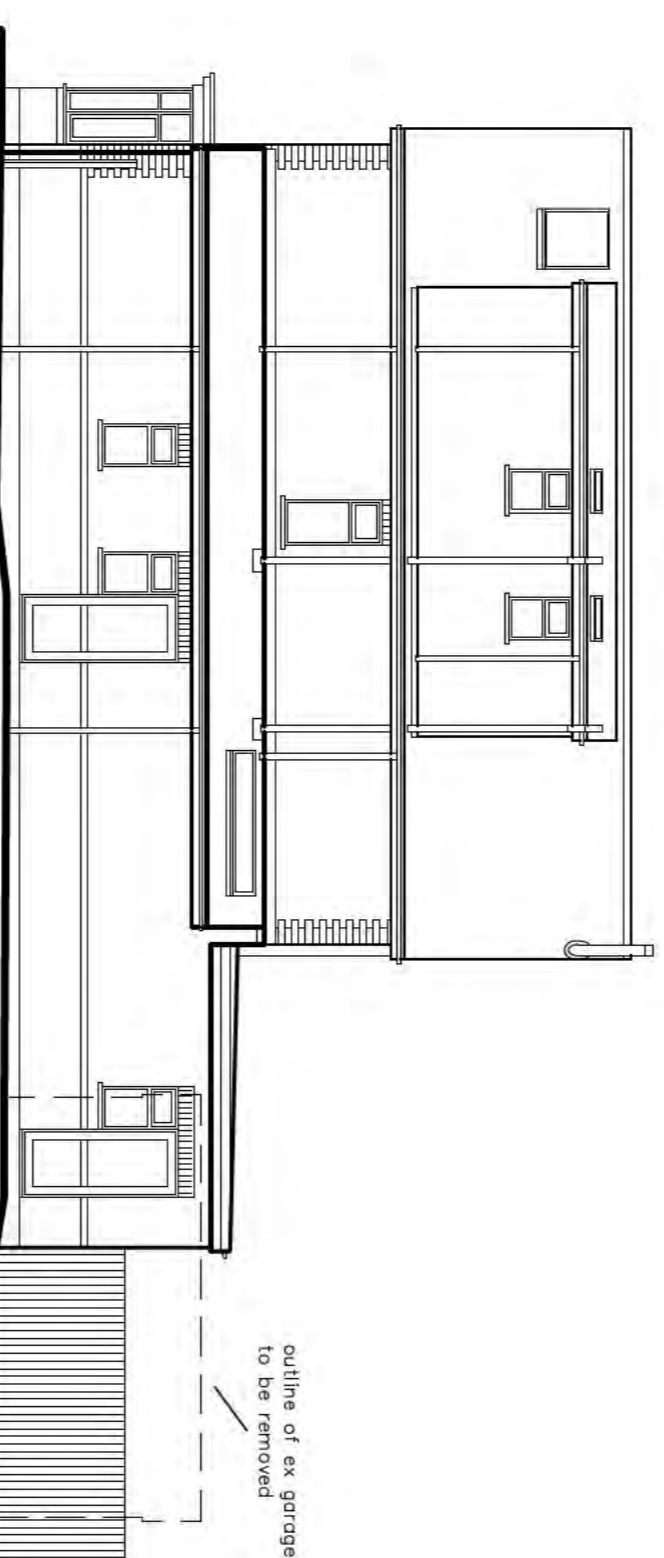


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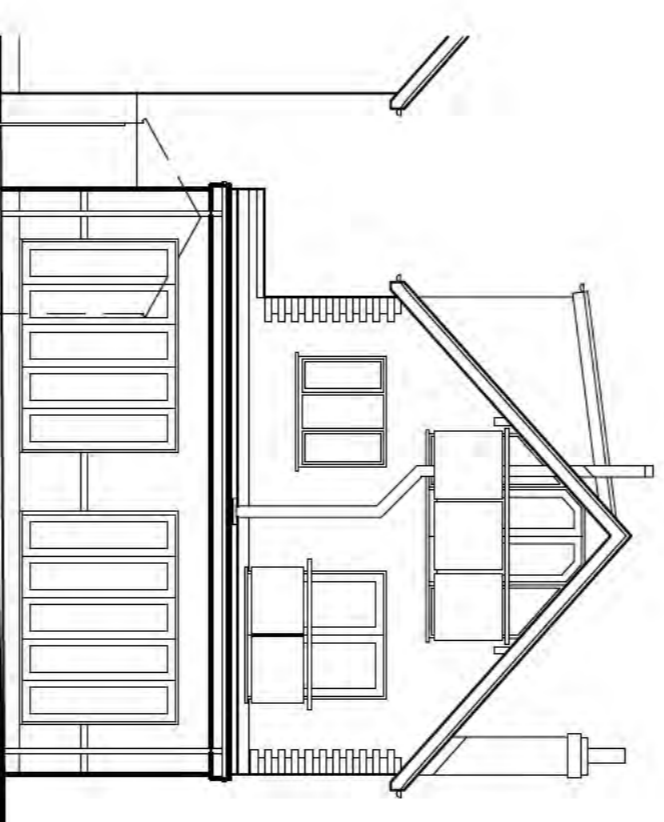


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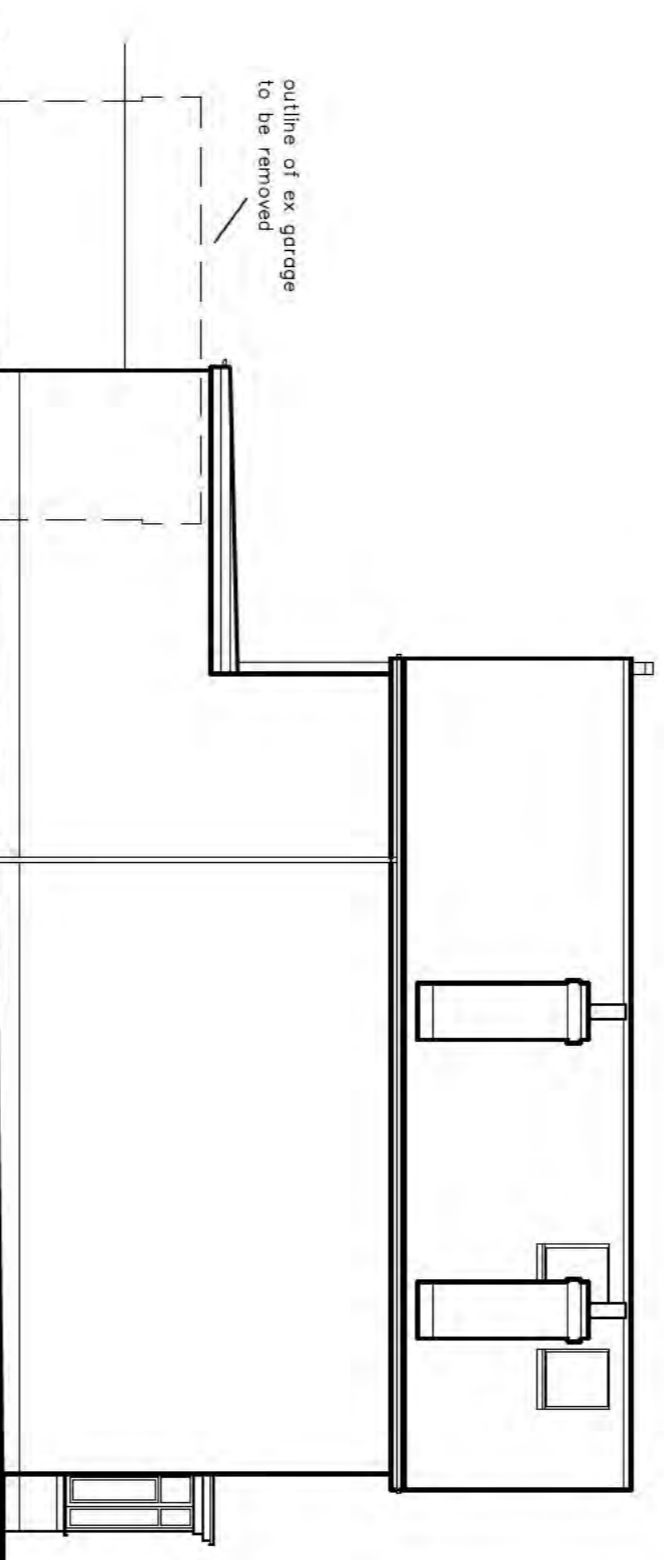
PROPOSED



Side Elevation



Rear Elevation



Side Elevation

Proposed Materials

Walls

Walls to receive new brickwork to match existing in colour and texture up to line of brick banding at ground floor & to be rendered to match existing elsewhere. Note: proposed front & side elevation to no. 36 Sandy Road are to be brick in their entirety to match the existing.

Roof

New roof tiles to the main roof extension to be concrete plain tiles to match existing in size, colour and texture. The new roof pitch is to match the existing & existing tiles are to be re-used where possible.

New roof tiles to the ground floor 'lean-to' side extension are to be concrete pan tiles to match the existing in colour & texture and to be appropriate for the proposed roof pitch.

Windows & external doors

Grey PVCU of the configuration shown.

External bi-fold doors

Grey powder coated aluminium of the configuration shown.

Dormer construction

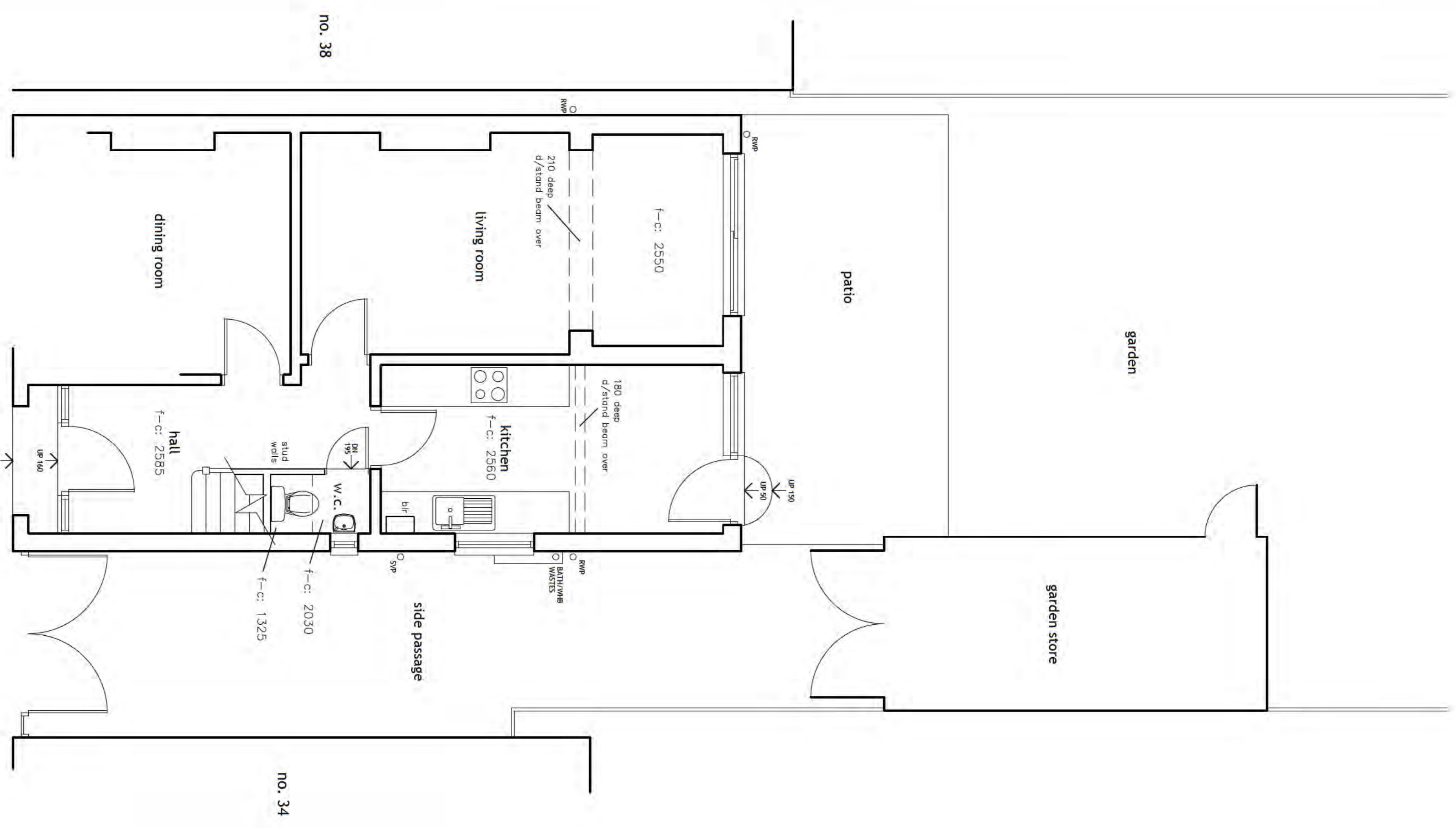
To be finished with tile hanging to consist of concrete plain tiles to match the existing roof tiles in size, colour & texture.

Fascias, barge boards, soffits, etc

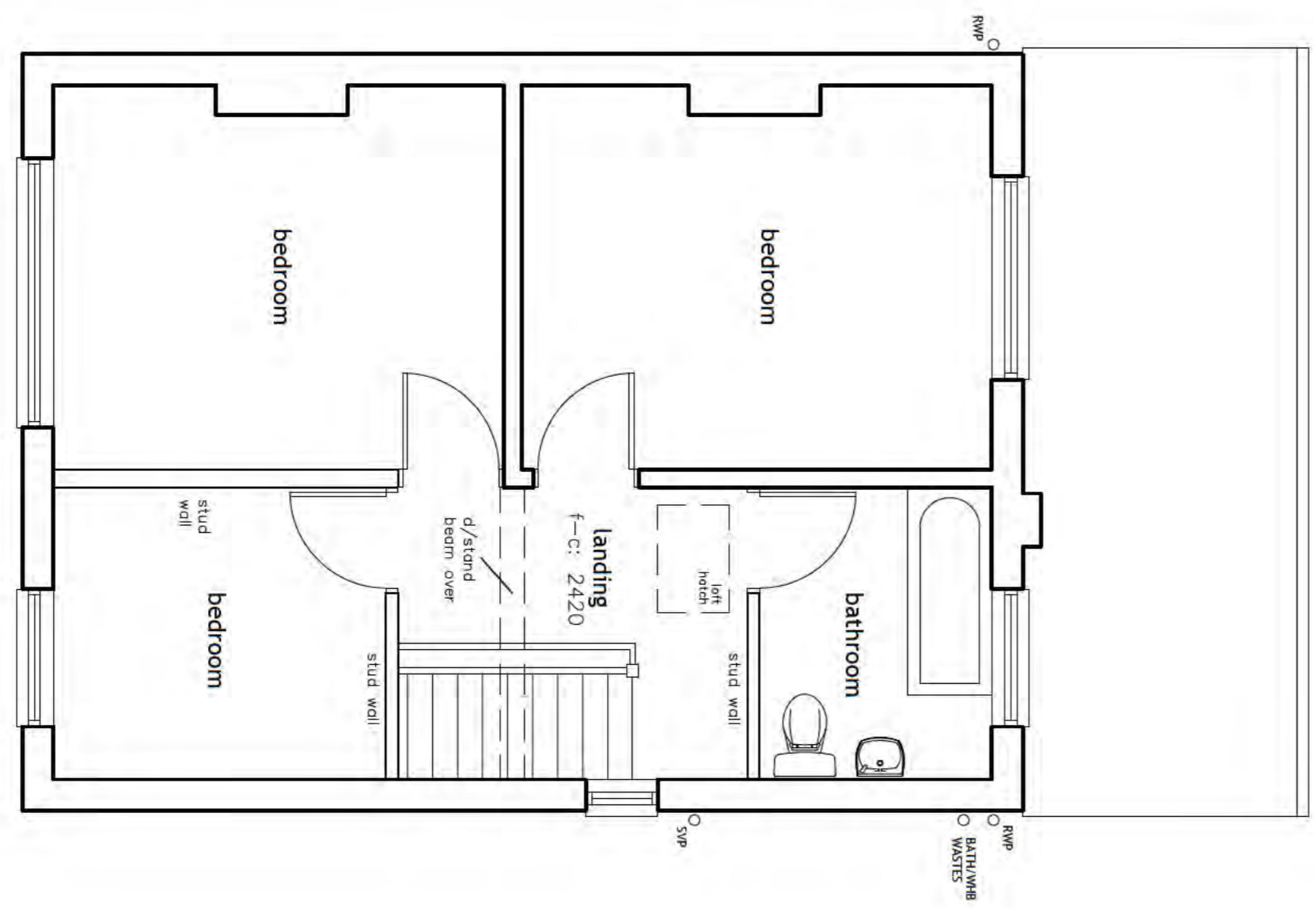
Black PVCU to match existing.

Rainwater goods

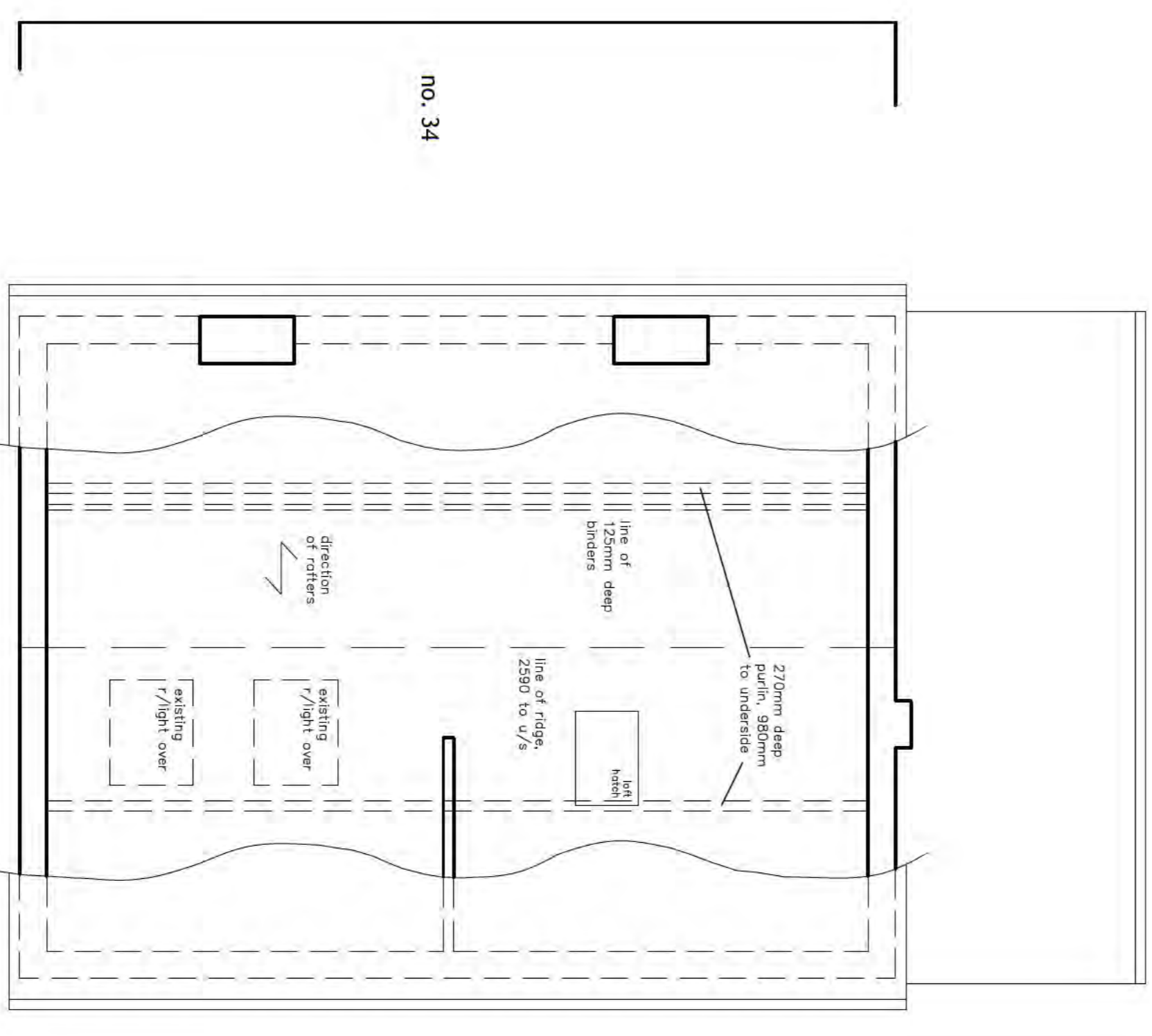
Black PVCU to match existing.



Ground Floor Plan



First Floor Plan



Loftspace Plan

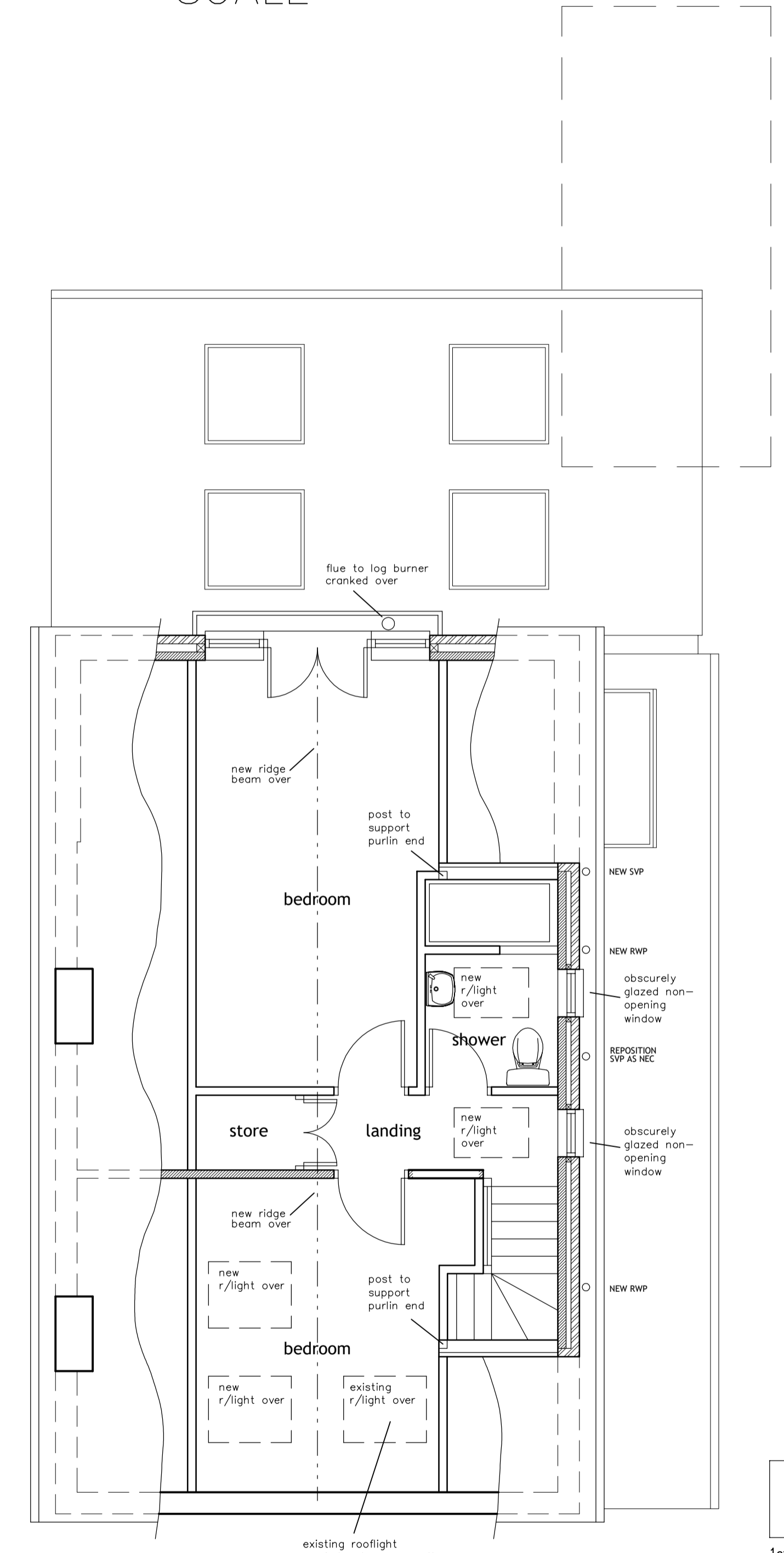
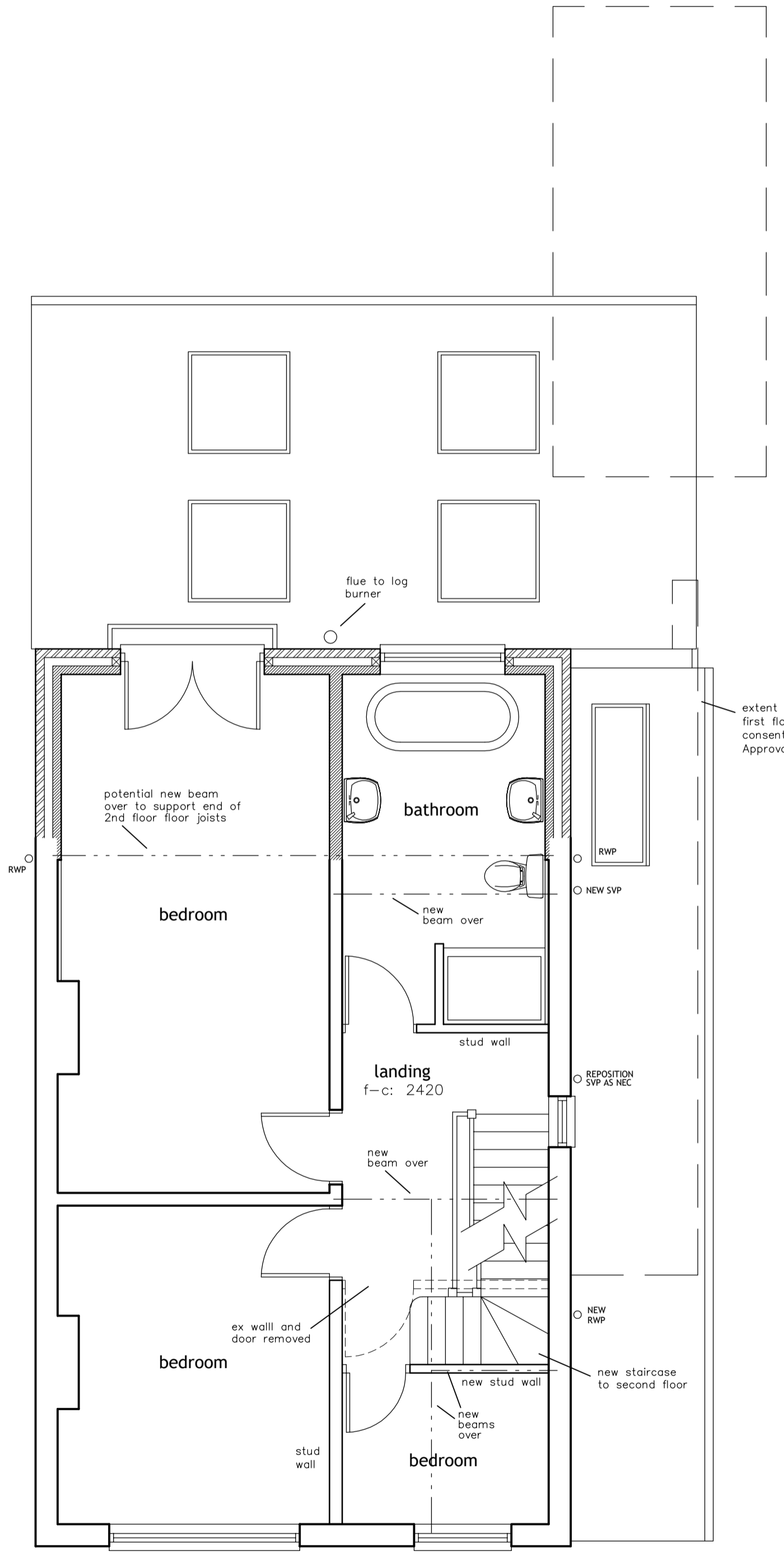
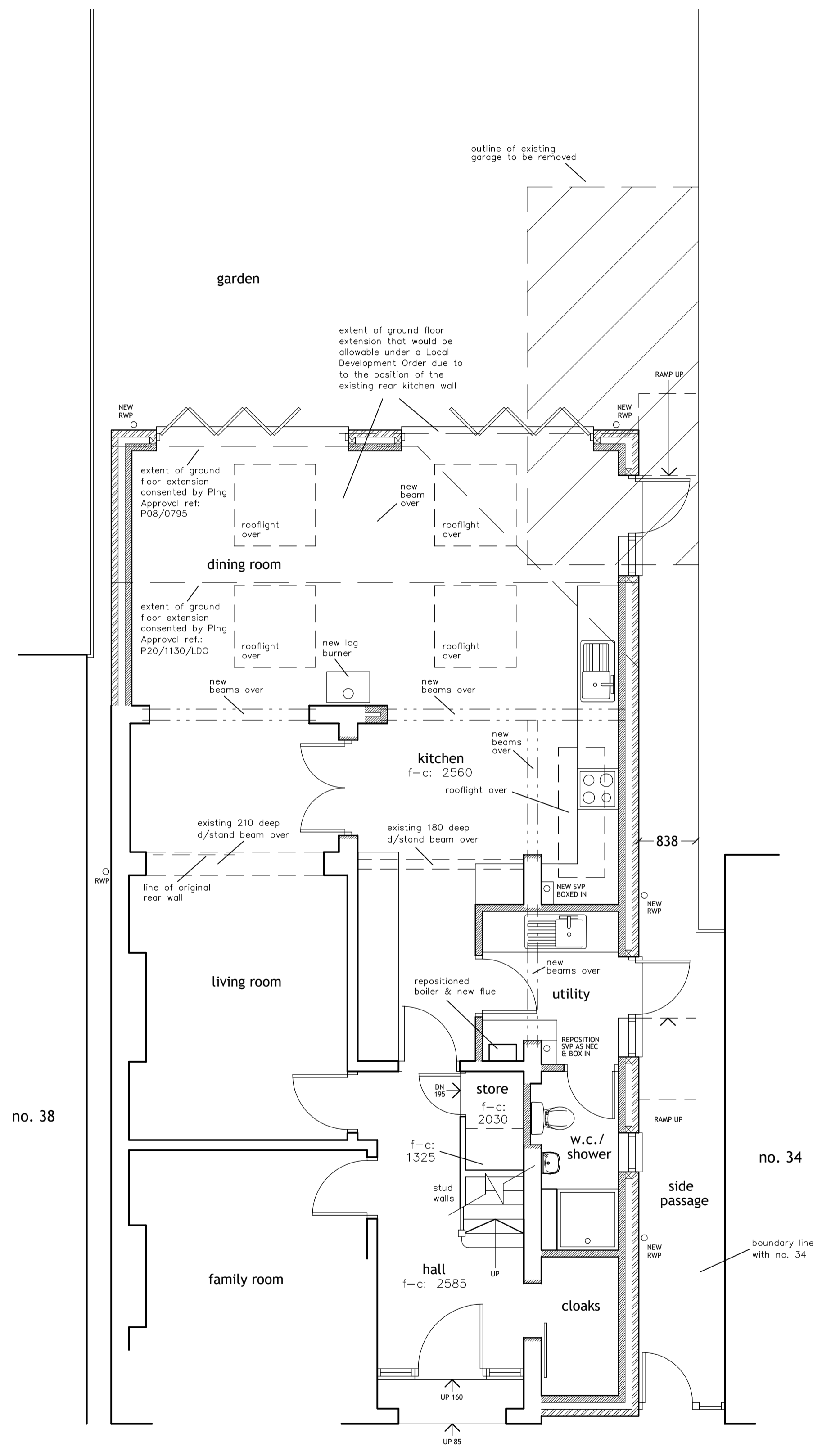
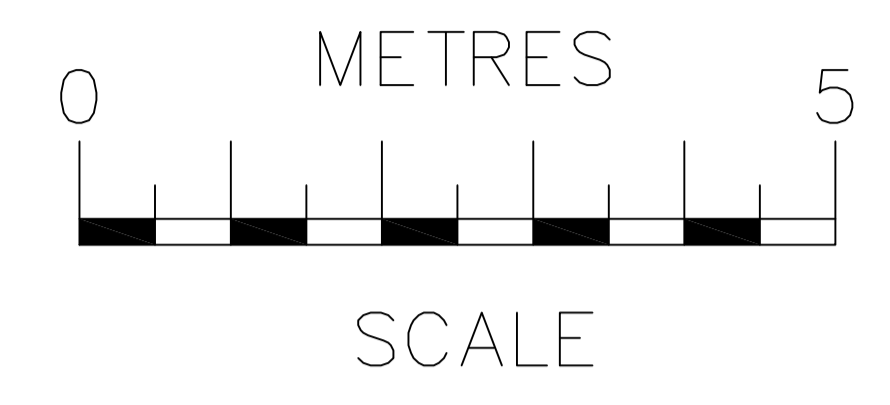
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 D E S I G N B U R E A U

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 Telephone & Fax: 01394 371705 E-mail: info@harc.co.uk
**Proposed Side & Rear Extensions
 & Loft Conversion at 36 Sandy Road,
 Norton, Stourbridge, West Midlands.**

dwg title Existing Floor Plans
 scale 1:50
 date Jul 20
 2018.002 A
 Proj Date 04.05.21

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Rev. Description	Drawn	Chk	Date
A Proposals amended.	th	th	Sep 20
B Proposals amended.	th	th	Nov 20
C Proposals amended.	th	th	Nov 20
D Ground floor rear extension length reduced.	th	th	May 21
E Rooflights over s/f landing & shower added.	th	th	May 21
F Boundary to no. 34 amended slightly.	th	th	Jul 21



Proposed Side & Rear Extensions
& Loft Conversion at 36 Sandy Road,
Norton, Stourbridge, West Midlands.

client: [REDACTED]

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Plot File: 2018_002A,003F&004A Plot Date: 20.07.21