

PLANNING APPLICATION NUMBER:P13/0327

Type of approval sought	Full Planning Permission
Ward	Sedgley
Applicant	Mr S. Cove
Location:	248, NORTHWAY, SEDGLEY, DUDLEY, DY3 3RL
Proposal	PART A FIRST FLOOR SIDE EXTENSION (RESUBMISSION OF WITHDRAWN APPLICATION P12/1262) PART B SINGLE STOREY REAR EXTENSION.
Recommendation Summary:	PART APPROVE & PART REFUSE (SPLIT DEC'N)

SITE AND SURROUNDINGS

1. The application site comprises a modern 1970's detached chalet style dwelling. The house occupies a corner plot with Rowena Gardens and the Northway. It is a dual aspect property comprising a principle elevation facing both streets.
2. The property has been previously extended with the addition of a single storey side extension, a first floor rear extension to accommodate an additional bedroom, the erection of a conservatory within the rear garden and erection of a detached garage located to the rear of the site.
3. The house is set back some 18 metres from the back edge of the footpath associated with the Northway and is set in between 5 and 7.5m from the back edge of the pavement of Rowena Gardens.
4. The frontage of the site facing the Northway is open in nature comprising a long driveway and a grassed area planted with mature shrubs. The frontage associated with

the dwelling facing Rowena Gardens is similarly open and is softened by the planting of three mature conifers that stand approximately 4 metres in height.

5. The application site lies within a row of four similar house types. The application property is detached and adjoins a row of three linked detached properties. The application property has a single storey side extension, which due to the large overhang associated with the fascia and guttering of the neighbouring property, there is only a 0.12m separation between the dwellings. 246 to 242 Northway that immediately adjoin the application site to the north are linked by single garages that are set back from the front elevation of the dwellings.
6. The application site and numbers 246-242 Northway are chalet style house types. The two middle properties (no's. 246 and 244) are built of facing brick with the two outer properties comprising tile hanging to the first floor of the forward facing gable.
7. The site is located within a modern estate built during the 1960's and 1970's. There are a number of similar house types within close proximity to the application site.
8. Immediately opposite the site is 250 Northway. This was a house type identical to the application site and the properties that adjoin it but it has been extensively extended with the addition of a two storey side and rear extensions and alterations made to the facing brickwork and materials on the elevations as well as the roof tiles. No. 250 Northway adjoins a chalet style dwelling the same as the application site and this remains unaltered (no. 1 Rowena Gardens).
9. Rowena Gardens is characterised by a large number of the detached chalet style house types. There is a row of six chalet style properties located on the south side of Rowena Gardens including no. 11 to 21. Two of these properties have been extended (No. 17 and 19) with the addition of a first floor side extension. Both extensions are set back significantly from the front elevation of the dwelling with the extension at no. 17 comprising a flat roof and the extension at no. 19 comprising a pitched roof over.

10. The north side of Rowena Gardens comprises a greater mix of house types. There is not a row of identical chalet style dwellings on this side of the road. There are two chalet style dwellings adjoining each other at the head of the cul-de-sac (no. 14 and 16) and these remain unaltered. There is a chalet style dwelling located on its own at no. 8 Rowena Gardens and this has been extended with the addition of a first floor side flat roof extension.
11. Situated to the south of Rowena Gardens is Manderley Close. This cul-de-sac comprises some chalet style dwellings. There are two dwellings located next to each other to the rear of no. 242 Northway (no. 1 and 3). No. 1 Manderley Close comprises a first floor side extension with a pitched roof. There are also further chalet style dwellings at no. 2, 6 and 9 Manderley Close. These remain unaltered in terms of the addition of a first floor side extension.
12. In short, there are a total of eighteen chalet style dwellings within the immediate vicinity of the site. Of these, five have been extended with the addition of a first floor side extension. The majority of the house types remain unaltered and largely remain as originally built.

PROPOSAL

13. The proposal comprises the erection of a first floor side extension and the erection of a pitched roof over the existing conservatory.
14. The first floor side extension would be set back 2.25m from the front of the original dwelling. The ridge height of the roof would match the ridge of the original roof on the dwelling. The roof would be pitched and would comprise a side facing gable to no. 246 Northway. The first floor window within the front elevation of the proposed extension would comprise a gable over, with a similar pitch to that of the original house. The pitch of the roof over the extension would be shallower than the pitch on the original dwelling.

15. The proposed extension would comprise a window at first floor on both the front and rear elevations serving new bedrooms. There would also be a first floor side window serving a proposed bathroom facing 246 Northway.
16. There is an existing single storey rear conservatory that has been added to the property. The proposals include the demolition of the glazed elevations and roof associated with the conservatory thereby leaving the dwarf wall brickwork on the lower elevations and to then re-build the elevations and roof with facing brickwork and windows and a traditional tiled roof over. This element requires planning permission since the rear extension is not erected on the original rear elevation of the dwelling as this has already been extended with the addition of a two storey rear extension.
17. The proposed single storey rear extension would extend 3.4m from the rear of the existing dwelling, would extend 2.2m high to its eaves and would measure 3.6m high to its ridge. The new elevations and roof would be built of materials to match the original dwelling.

HISTORY

248 Northway

APPLICATION No.	PROPOSAL	DECISION	DATE
CC/79/2549	Erection of bedroom at first floor level.	Approved with Conditions	27/07/71
CC/79/2353	Erection of garage.	Approved with Conditions	27/09/79
90/51492	Erection of fencing to enclose land within garden.	Refused	06/09/90
P06/1929	Single storey side extension to convert existing car port in to living room with bay window. Flat roof entrance porch to side.	Refused	16/01/2007

P12/1262	First floor side extension and elevational changes and new pitched roof to existing conservatory.	Withdrawn	15/11/2012

18. Planning application P12/1262 was withdrawn following concerns regarding the impact of the proposed extension on the street scene and character of the area. Extensive pre-application discussions have been held with the applicant and his agent to explore whether this issue could be resolved. During this process a number of extensions to other properties in the vicinity of the application site were noted by the applicant to be of a similar basis.

250 Northway

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2110	Two storey side and rear extensions	Approved with Conditions	29/11/05

17 Rowena Gardens

APPLICATION No.	PROPOSAL	DECISION	DATE
95/50385	First floor side extension	Approved with conditions	06/06/95

19 Rowena Garden

APPLICATION No.	PROPOSAL	DECISION	DATE
CC/79/2419	First floor side extension	Approved with conditions	29/10/79

8 Rowena Gardens

APPLICATION No.	PROPOSAL	DECISION	DATE
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CC/78/1744	First floor side extension	Approved with conditions	22/08/78
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1 Manderley Close

APPLICATION No.	PROPOSAL	DECISION	DATE
90/50228	First floor side extension	Approved with conditions	19/04/90

19. The above planning applications relate to other first floor side extensions that have been added to other chalet style dwellings within close proximity to the site.

PUBLIC CONSULTATION

20. The application has been advertised by way of neighbour notification letters being sent to the occupiers of fourteen properties within close proximity to the application site. The latest date for comments was the 9th April 2013. At the time of writing the report, two letters have been received raising the following material planning considerations:

- First floor rear window would result in an unacceptable level of overlooking and a loss of privacy.
- The property has already been significantly extended; this is why the rear garden is so small.

OTHER CONSULTATION

21. Not applicable

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

22. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.
23. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. One of the golden threads of achieving the delivery of sustainable development relates to the environmental role of the planning system. The NPPF states this as ensuring that development contributes towards protecting and enhancing our natural, built and historic environment.
24. Paragraph 9 of the NPPF states that in pursuing sustainable development that development should involve seeking a positive improvement in the quality of the built environment, including replacing poor design with better design.
25. The NPPF is underpinned by a number of core planning principles. This includes amongst other things seeking high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. In terms of design, the core principles acknowledge the importance of taking into account the different roles and character of different areas.
26. Section 7 of the NPPF relates specifically to the importance of requiring new development to incorporate good design. Paragraph 56 states that:
- 'The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'*
27. Paragraph 58 provides specific advice for decision makers stating that new development should:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- respond to local character and history and reflect the identity of the local surroundings;
- are visually attractive as a result of great architecture.

28. Paragraph 64 states that:

“Permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions.”

- Technical Guidance to the National Planning Policy Framework
- Circular 11/95 – The Use Conditions in Planning Conditions

Black Country Core Strategy 2011

- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality

Unitary Development Plan 2005

- DD4 Development in Residential Areas

Supplementary Planning Guidance/Documents

- PGN 17. House extension design guide
- Parking Standards SPD

ASSESSMENT

29. The main issues are

- Design
- Neighbour Amenity
- Access and Parking

Design

30. The proposed alterations to the existing single storey rear extension would be modest merely changing the elevations from glazed panels and a glazed roof to traditional brick facing elevations with casement windows and the addition of a tiled roof. The roof over the existing extension would increase the overall height of the extension from 3.1m to 3.6m high to its ridge. The minor increase in height would improve the overall proportions of the extension and the amended materials would result in an extension that complements the original dwelling greater than the existing conservatory.
31. The alterations to the existing conservatory only require planning permission since it does not extend from the rear of the original dwelling. The depth of the extension, its eaves and ridge heights are all within the limits of permitted development. The proposed development merely relates to amending the materials of the existing conservatory and slightly increasing the overall height of its roof. These alterations would complement the appearance of the dwelling and would not detract from the character of the property and would not have an adverse visual impact upon the character of the area.
32. The application site sits within a row of four identical house types whose front elevation faces the Northway. The chalet style dwellings are of a distinctive appearance with a strong roofline characterised by a steep pitched roof whose eaves extend down to ground floor level. The row of four properties have not been extended at first floor. The application site has a single storey side extension that immediately adjoins 246 and 246, 244 and 242 are linked by garages which are set significantly back from the front elevation. The application site and 246 are in line with each other with 244 and 243 following a staggered building line that follow the road alignment of the Northway.
33. This particular part of the street scene of the Northway is distinctive due to the unique style and nature of the chalet style house type. The distinctiveness of the street is

created by the unusual form of this house type and it is considered that the visual gap and separation that is afforded to these properties by the steep pitched roof is what defines the specific character of this part of the Northway. To allow the addition of the first floor side extension at the application site would result in the erosion of the existing pattern, rhythm, form and visual separation between the row of four dwellings to the detriment of the local character and distinctiveness of this particular part of the Northway.

34. The proposed first floor side extension is considered to constitute poor design due to its inappropriate roof design that would form an incongruous addition when set against the unique style and appearance of the existing roof and dwelling, thereby failing to respond to the local character of the area and being detrimental to the visual appearance of the street scene.

35. As illustrated by the planning history, a small proportion of some of the existing chalet style bungalows have been extended at first floor. All of these extensions, with the exception of the one at 250 Northway are older developments. All of these extensions were approved prior to the formal adoption of PGN17, saved Policy DD4 of the Dudley Unitary Development Plan and policies ENV2 and ENV3 of the BCCS. PGN17 was written to specifically address issues of poor design with respect to house extensions and to ensure that proposed developments complemented the original dwelling and did not have an adverse impact upon the street scene. The core principles and guidelines inherent within PGN17, which is Supplementary Planning Guidance, were then encompassed within Policy DD4 of the Dudley Unitary Development Plan. In light of this, it is considered that precedent should not be afforded a great deal of weight. The extensions that have been added to the existing chalet style dwellings illustrate poor design and should not be replicated given the current adopted policy background.

36. The Local Development Framework comprising the BCCS and saved Policies within the Adopted Dudley Unitary Development Plan provides an up-to-date policy framework in which to assess proposed developments against along with the added weight of the NPPF which came into force in 2012. The proposed development would not be in accordance with the Development Plan being contrary to the NPPF, Policies

ENV2 and 3 of the BCCS, Policy DD4 of the Dudley Unitary Development Plan and PGN17.

Neighbour Amenity

37. The original dwelling was built with a 14 metre separation distance between the rear elevation of the application property and the side elevation of no. 2 Rowena Gardens. The two storey rear extension approved at the application site in 1979 reduced this separation distance to 11 metres. The proposed first floor side extension would be built to the side of the already extended rear resulting in the addition of a first floor rear window serving a proposed bedroom being within 11m of the side boundary of no. 2 Rowena Gardens.
38. The first floor window in the existing rear elevation largely facing the blank side gable of no. 2 Rowena Gardens with an oblique view of the private amenity space of this neighbouring property. The proposed first floor rear window would directly face and look into the rear garden space associated with no. 2 Rowena gardens and would only be sited 11m away from the side boundary of this property. The reduced separation caused by the already extended property from the original separation distance of 14m from no. 2 Rowena Gardens and the fact that the window would directly face into the private amenity space of this property would result in an unacceptable impact in terms of overlooking and therefore a loss of privacy to the occupiers of this property thereby being contrary to saved Policy DD4 of the Adopted Dudley Unitary Development Plan and PGN17 and PGN12.

Access and parking

39. The proposed development would result in the creation of a five bedroom dwelling. The site has a large area of off street parking located on the frontage to the Northway as well as a second driveway and garage accessed from Rowena Gardens. The site has sufficient off street parking provision to meet the parking demand of the proposed development thereby being in accordance with the Parking Standards SPD.

CONCLUSION

40. This particular part of the street scene of the Northway is distinctive due to the unique style and nature of the chalet style house type. The distinctiveness of the street is created by the unusual form of this house type and it is considered that the visual gap and separation that is afforded to these properties by the steep pitched roof is what defines the specific character of this part of the Northway. To allow the addition of the first floor side extension at the application site would result in the erosion of the existing pattern, rhythm, form and visual separation between the row of four identical dwellings to the detriment of the local character and distinctiveness of this particular part of the Northway.
41. The proposed first floor side extension would constitute poor design due to its inappropriate roof design that would form an incongruous addition when set against the unique style and appearance of the existing roof and dwelling thereby failing to respond to the local character of the area and being detrimental to the visual appearance of the street scene.
42. The proposed window on the first floor side extension would face directly face into the private amenity space of no. 2 Rowena Gardens and due to the limited separated distance of only 11 metres between the rear extension and the side boundary of this neighbouring property would result in an unacceptable impact in terms of overlooking and therefore a loss of privacy to the occupiers of this property.
43. The proposed ground floor rear extension is of appropriate design and will have no adverse impact upon the amenities of local residents.

RECOMMENDATION

44. It is recommended that the first floor side extension Part A be REFUSED for the following reason(s):

1. This particular part of the street scene of the Northway is distinctive due to the unique style and nature of the chalet style house type. The distinctiveness of the street is created by the unusual form of this house type and it is considered that the visual gap and separation that is afforded to these properties by the steep pitched roof is what defines the specific character of this part of the Northway. To allow the addition of the first floor side extension at the application site would result in the erosion of the existing pattern, rhythm, form and visual separation between the row of four identical dwellings to the detriment of the local character and distinctiveness of this particular part of the Northway. For these reasons, the proposed development would be contrary to the NPPF, policies ENV2 and ENV3 of the BCCS, saved Policy DD4 of the Dudley Unitary Development Plan and PGN17.
2. The proposed first floor side extension would constitute poor design due to its inappropriate roof design that would form an incongruous addition when set against the unique style and appearance of the existing roof and dwelling thereby failing to respond to the local character of the area and being detrimental to the visual appearance of the street scene. For these reasons, the proposed development would be contrary to the NPPF, policies ENV2 and ENV3 of the BCCS, saved Policy DD4 of the Dudley Unitary Development Plan and PGN17.
3. The proposed window on the first floor rear extension would face directly face into the private amenity space of no. 2 Rowena Gardens and due to the limited separated distance of only 11 metres between the rear extension and the side boundary of this neighbouring property would result in an unacceptable impact in terms of overlooking and therefore a loss of privacy to the occupiers of this property. For these reasons, the proposed development would be contrary to saved Policy DD4 of the Dudley Unitary Development Plan.

45. It is recommended that the single storey rear extension Part B be APPROVED subject to conditions.

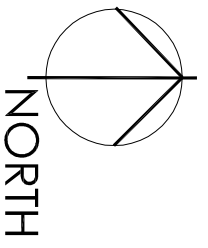
REFUSAL STATEMENT INFORMATIVE

The local planning authority is aware of the requirement of paragraph 186 and 187 in the National Planning Policy Framework to work with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application. In this case, after careful balanced consideration the LPA/Officers considers that there are insurmountable design issues relating to the overall principle of erecting a first floor side extension at the application site as well as the adverse impacts upon neighbouring properties that have not been satisfactorily resolved to demonstrate that the scheme would result in the creation of a sustainable form of development and thereby failing to improve the economic, social and environmental conditions of the area. The single storey rear element of the application is acceptable and has been approved.

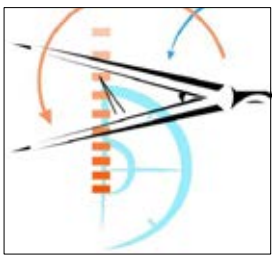
Conditions and/or reasons:

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2. The proposed first floor side extension would constitute poor design due to its inappropriate roof design that would form an incongruous addition when set against the unique style and appearance of the existing roof and dwelling thereby failing to respond to the local character of the area and being detrimental to the visual appearance of the street scene. For these reasons, the proposed development would be contrary to the NPPF, policies ENV2 and ENV3 of the BCCS, saved Policy DD4 of the Dudley Unitary Development Plan and PGN17.

3. The proposed window on the first floor rear extension would face directly face into the private amenity space of no. 2 Rowena Gardens and due to the limited separated distance of only 11 metres between the rear extension and the side boundary of this neighbouring property would result in an unacceptable impact in terms of overlooking and therefore a loss of privacy to the occupiers of this property. For these reasons, the proposed development would be contrary to saved Policy DD4 of the Dudley Unitary Development Plan.



Client:
Mr Steve Cove
248 Northway
Sedgley
Dudley
DY3 3RL



Project:
First Floor Side Extension,
Alterations to Single Storey,
Rear Extension and Roof
Alterations with New Boundary
Fence

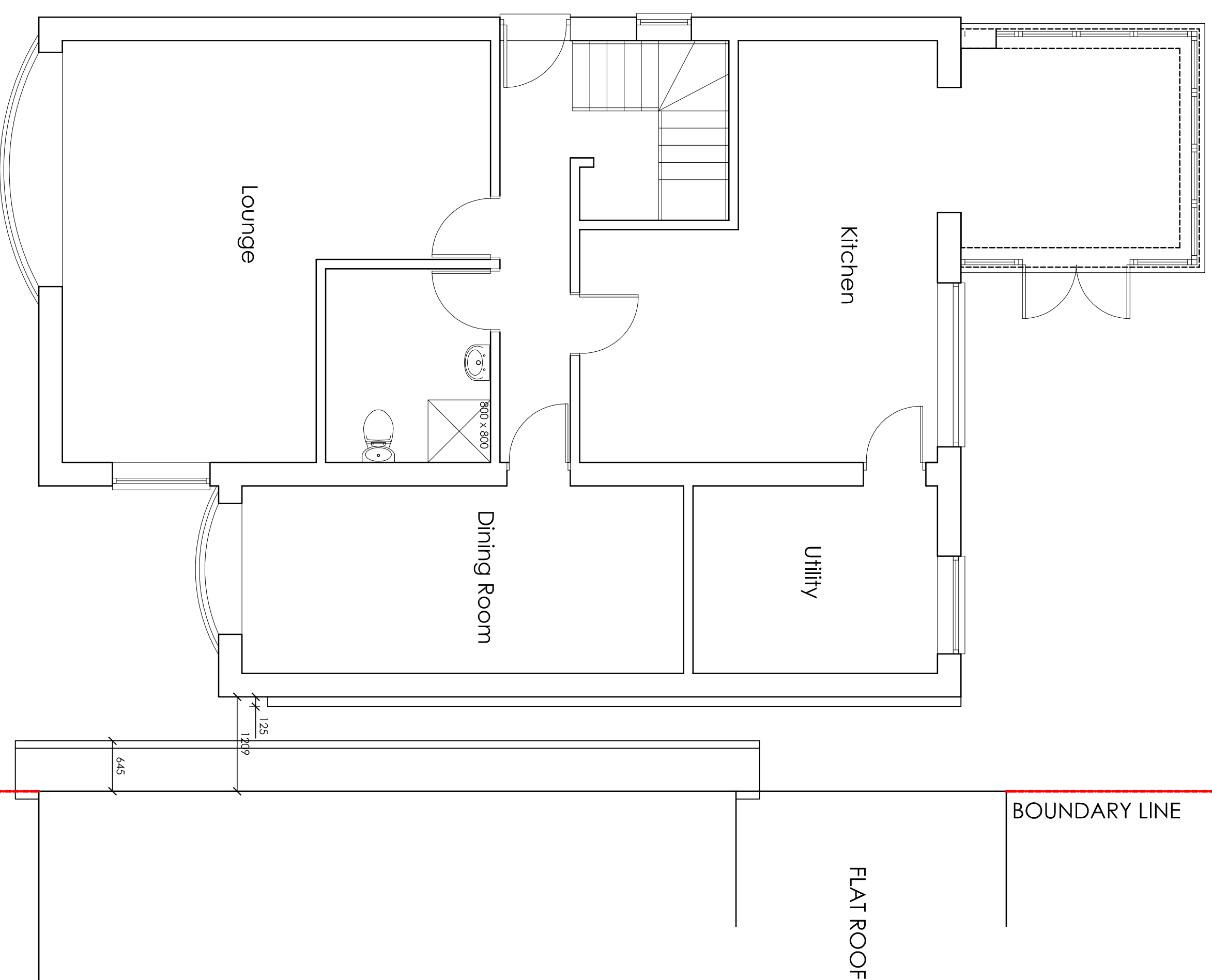
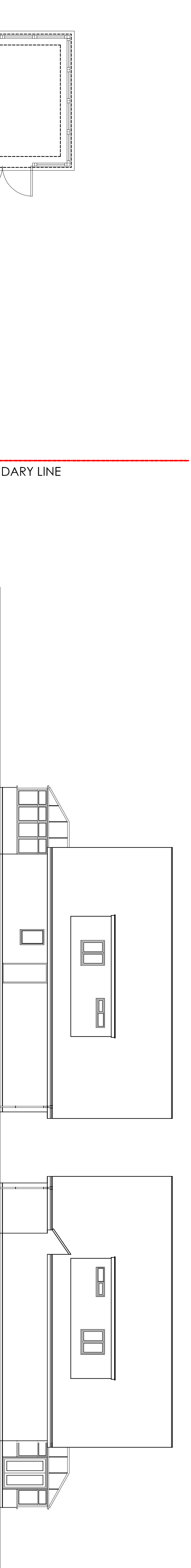
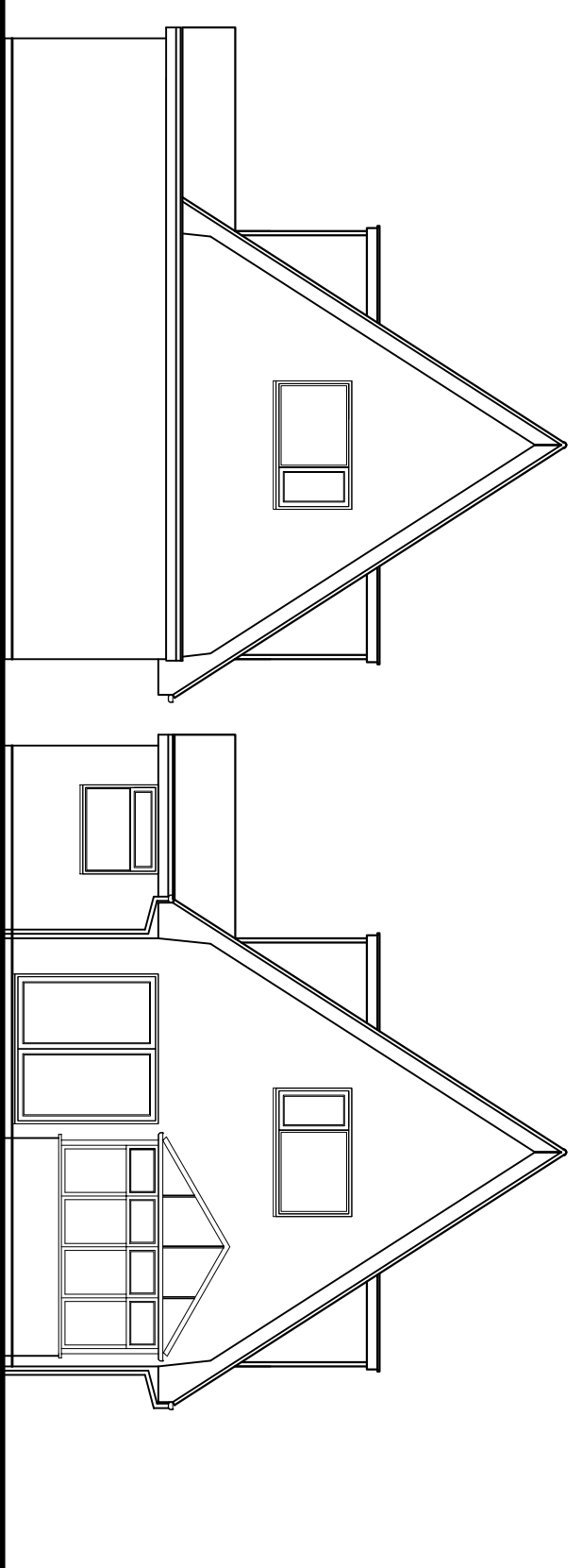
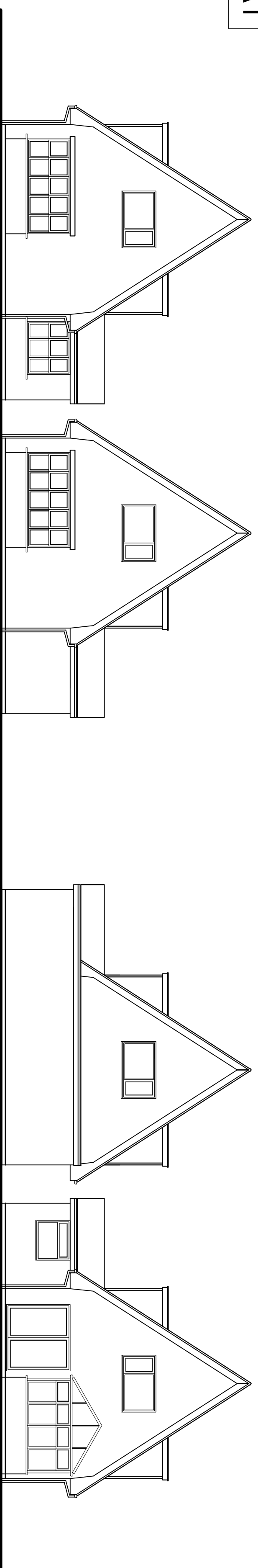
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Location Plan

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 14 Northway
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 DY3 3PH
 01902 662229
 07725627242
 info@avitect.co.uk
 www.surveyorsbuilding.com

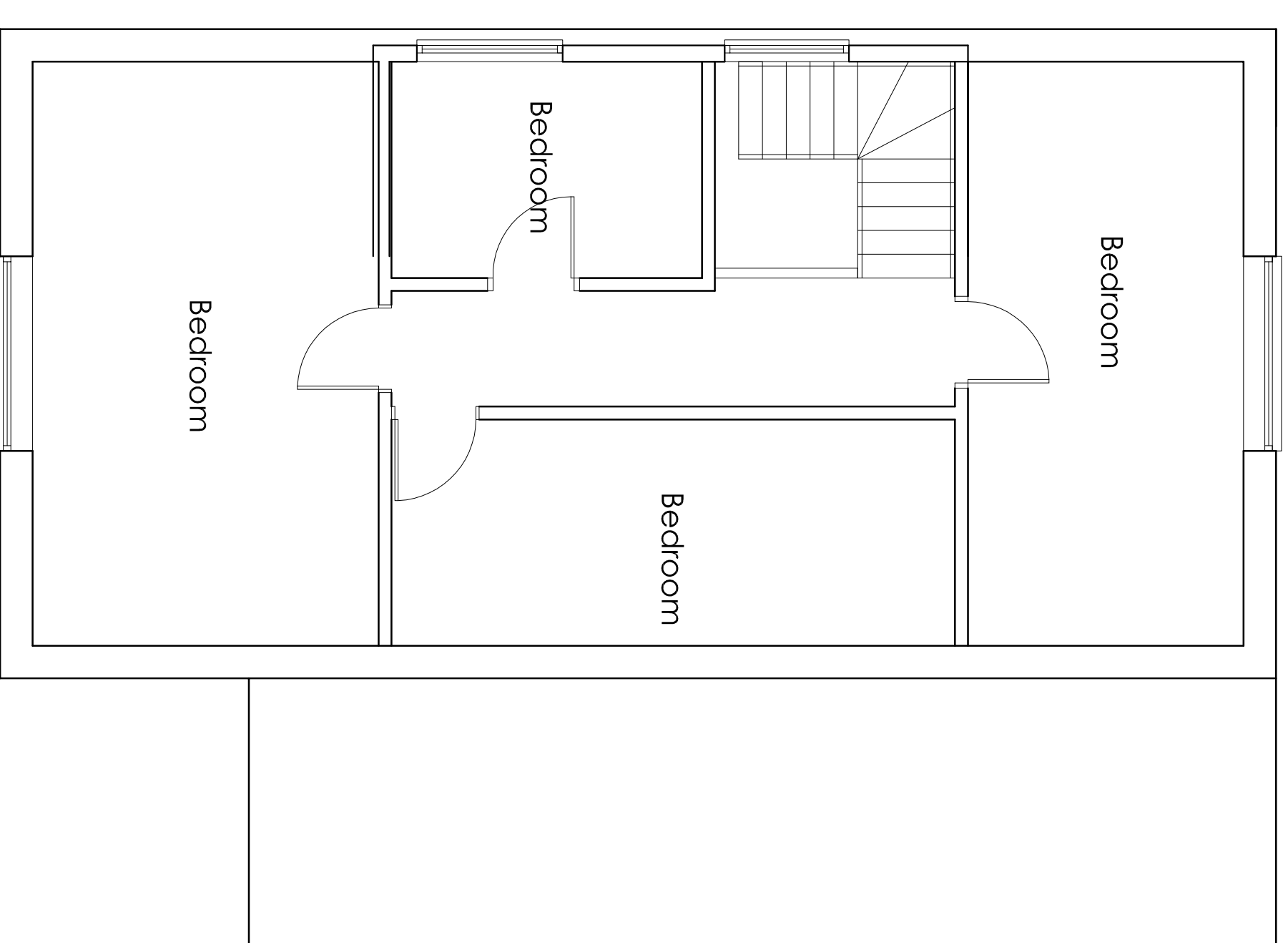
Scale @ A4: **1:1250** Date: **22_06_2012**

Job No: **12_012_SC** Drawing No: **DWG_1003** Rev: **0**

- Issue Status:
- Construction Preliminary
 - Information Approval
 - Tender
- Structural Design
 Water Efficiency
 Party Wall Surveying
 Building Surveying
 Land Surveying



Projection of Fascia and Guttering beyond external face of side external wall



EXISTING FIRST FLOOR LAYOUT

@ 1 : 100

EXISTING GROUND FLOOR LAYOUT

@ 1 : 100

Figured dimensions only are to be used. All dimensions to be checked on-site. Difference between drawings and between drawings and specification or bills of quantities to be reported to AVI Architects.
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Revisions: By: Date:
 O Original Design SH July
 A Clients Changes SH Sept 12
 B Side Window added SH Sept 12
 C Survey Updated SH Dec 12

NOTES

The works may be subject to the Party Wall Act 1996. It is the responsibility of the owner to ensure all necessary steps are taken to comply with the Act if required.

Construction Notes
 The builder is to visit the site and to verify all dimensions, levels and locations of services and drains prior to commencing any of the work. All dimensions and levels are to be confirmed on site. Standards current at the time of construction. Boundary positions shown on drawing are to be confirmed as being accurate. Designer takes no responsibility for checking work on site.

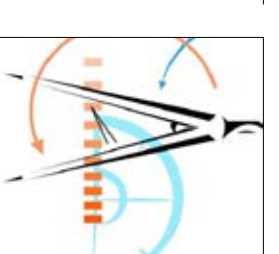
Design Information
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Plans prepared for submission to Local Authority only, responsibility for its unapproved use lies with the client.
 All details and dimensions are to be confirmed on site prior to works commencing or any ordering of materials.

All dimensions in millimeters and to structural faces.

All dimensions must be checked on site and not scaled from this drawing.
Specified Materials
 Where manufacturers of products are referred to, this is to be taken as indicative only of the type of product being referred to. Similar equivalent materials may be used in consultation with the designer. All dimensions in terms of application and technical data to builder to agree all products with building inspector.

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AVI - tect

Project: **First Floor Side Extension, Alterations to Single Storey Rear Extension and Roof Alterations**

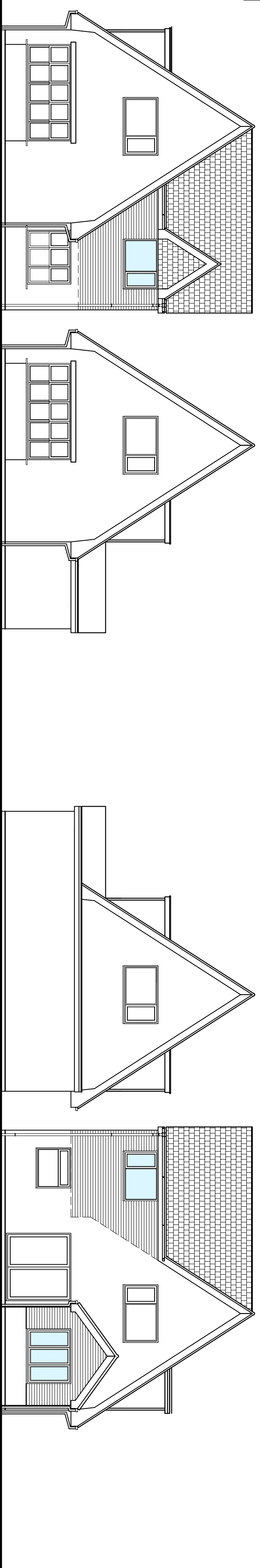
Howards Place
 14 Northway
 Sedgley, Dudley
 West Midlands
 DY3 3PH

Drawing Title: **Survey**
 Date: **22_06_2012**
 Scale @ A1: **1:50, 1:100**
 Job No: **12_012_SC DWG_1001**
 Rev: **C**

Structural Design: Preliminary Final
 Construction: Approval Tender

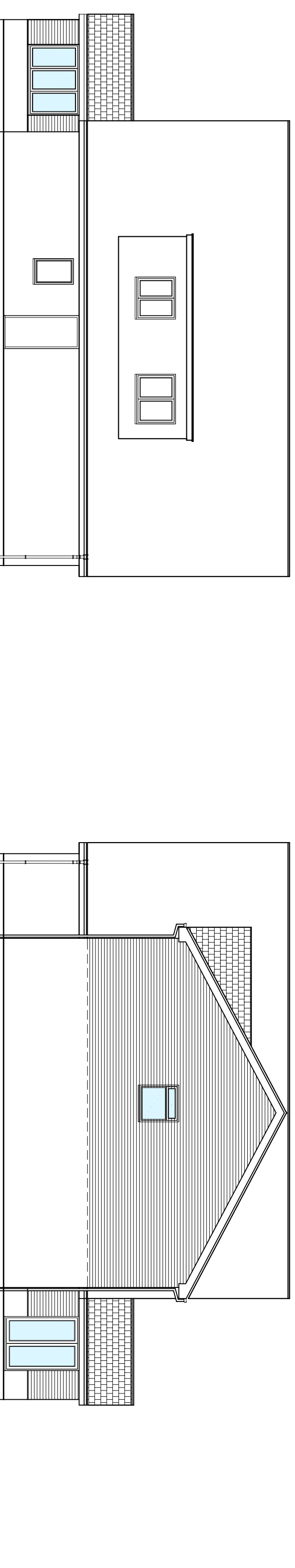
Structural Design: Preliminary Final
 Water Efficiency: Approval Tender
 Party Wall Surveying
 Building Surveying
 Land Surveying

1:50 @ A1 = 1200 (MAX)
 1:100 @ A1 = 1200 (MAX)
 1:200 @ A1 = 1200 (MAX)
 1:250 @ A1 = 1200 (MAX)



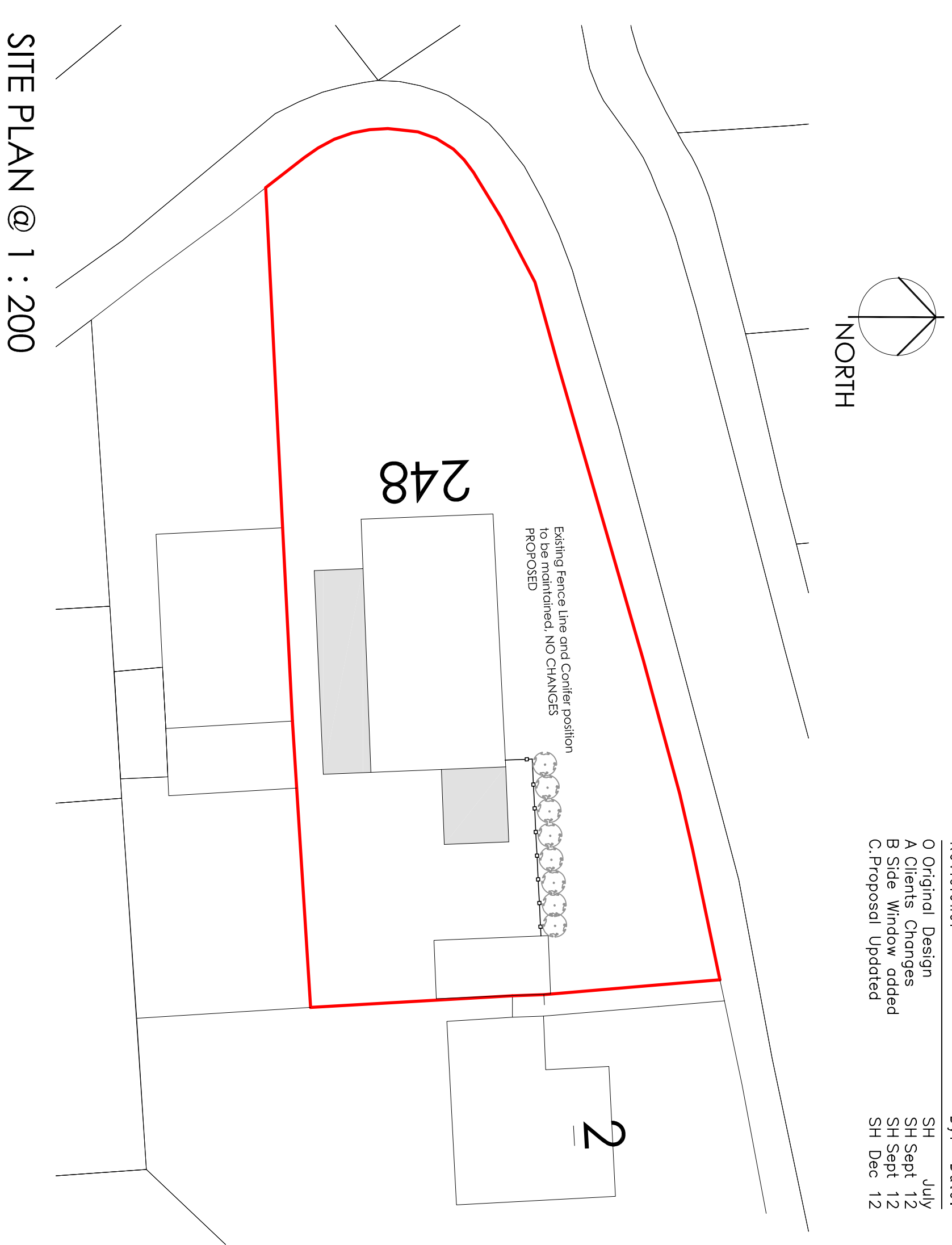
PROPOSED FRONT ELEVATION
@ 1 : 100

PROPOSED REAR ELEVATION
@ 1 : 100



PROPOSED SIDE ELEVATION
@ 1 : 100

PROPOSED SIDE ELEVATION
@ 1 : 100



SITE PLAN @ 1 : 200

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Revisions:	By:	Date:
0 Original Design	SH	July
A Clients Changes	SH	Sept 12
B Side Window added	SH	Sept 12
C.Proposal Updated	SH	Dec 12

NOTES

The works may be subject to the Party Wall Act 1996. It is the responsibility of the owner to ensure all necessary steps are taken to comply with the Act if required.

Construction Notes
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Design Information
The details shown on this drawing are to be read and followed in accordance with the drawings, specification, specific engineers drawings and any working details provided by the designer.

Designer takes no responsibility for checking or building works on site. All appropriate steps of construction.
Floor prepared for submission to local authority only, responsibility for its unsupervised use lies with other trades with the client.
All details and dimensions are to be confirmed on site prior to works commencing or any ordering of materials.
All dimensions in millimeters and to structural faces.

All dimensions must be checked on site and not scaled from this drawing.
Specified Materials
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Client:
Mr. Steve Cove
248 Northway
Sedgley, Dudley
DY3 3RL

Project:
First Floor Side Extension,
Alterations to Single Storey
Rear Extension and Roof
Alterations

Drawing Title:
Survey

Scale @ A1:
1:50, 1:100

Date:
22.06.2012

Job No.: 12.012.SC DWG.1002

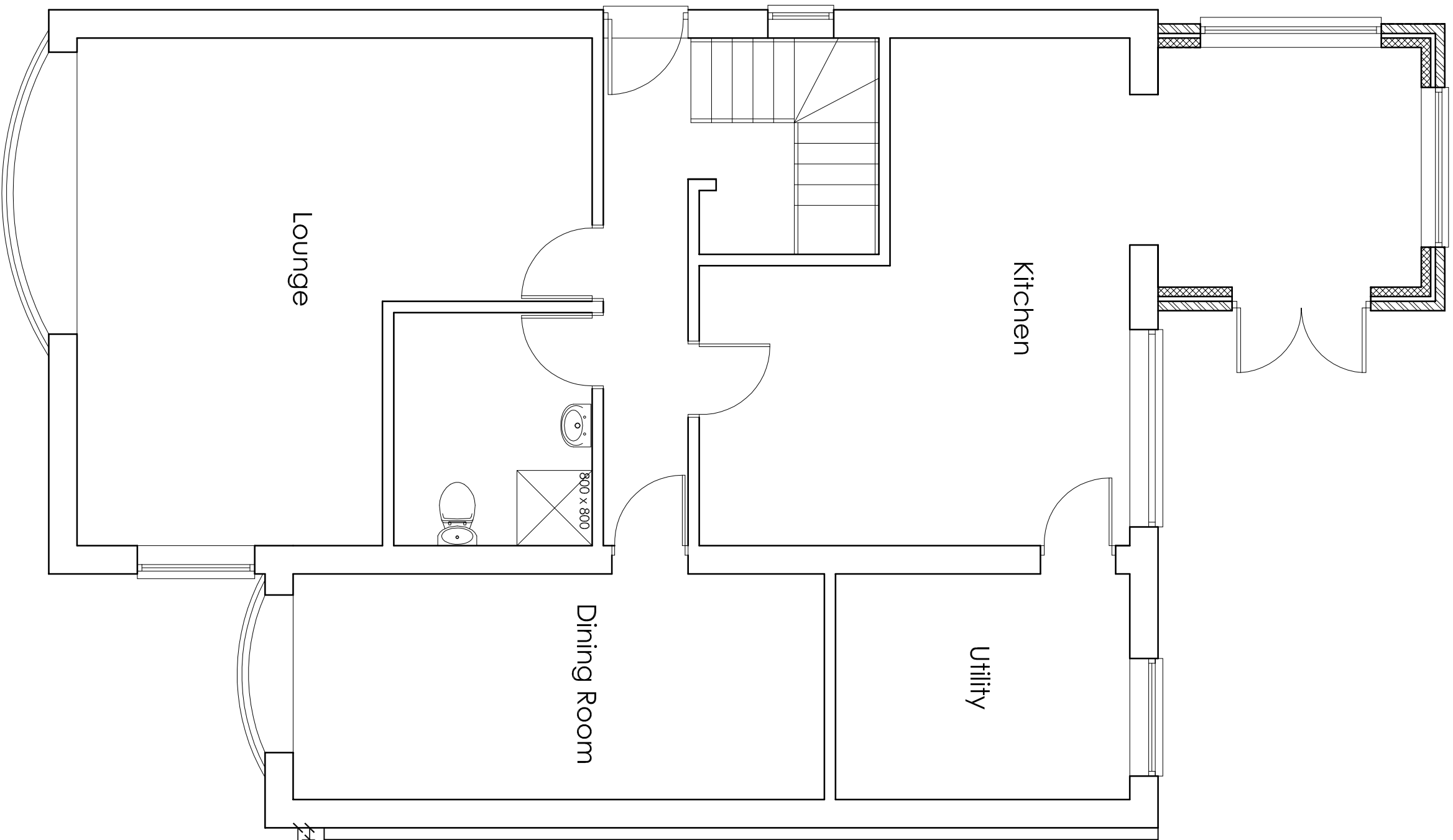
Rev.: C

Issue Status:
Construction Preliminary
Information Approval
Tender

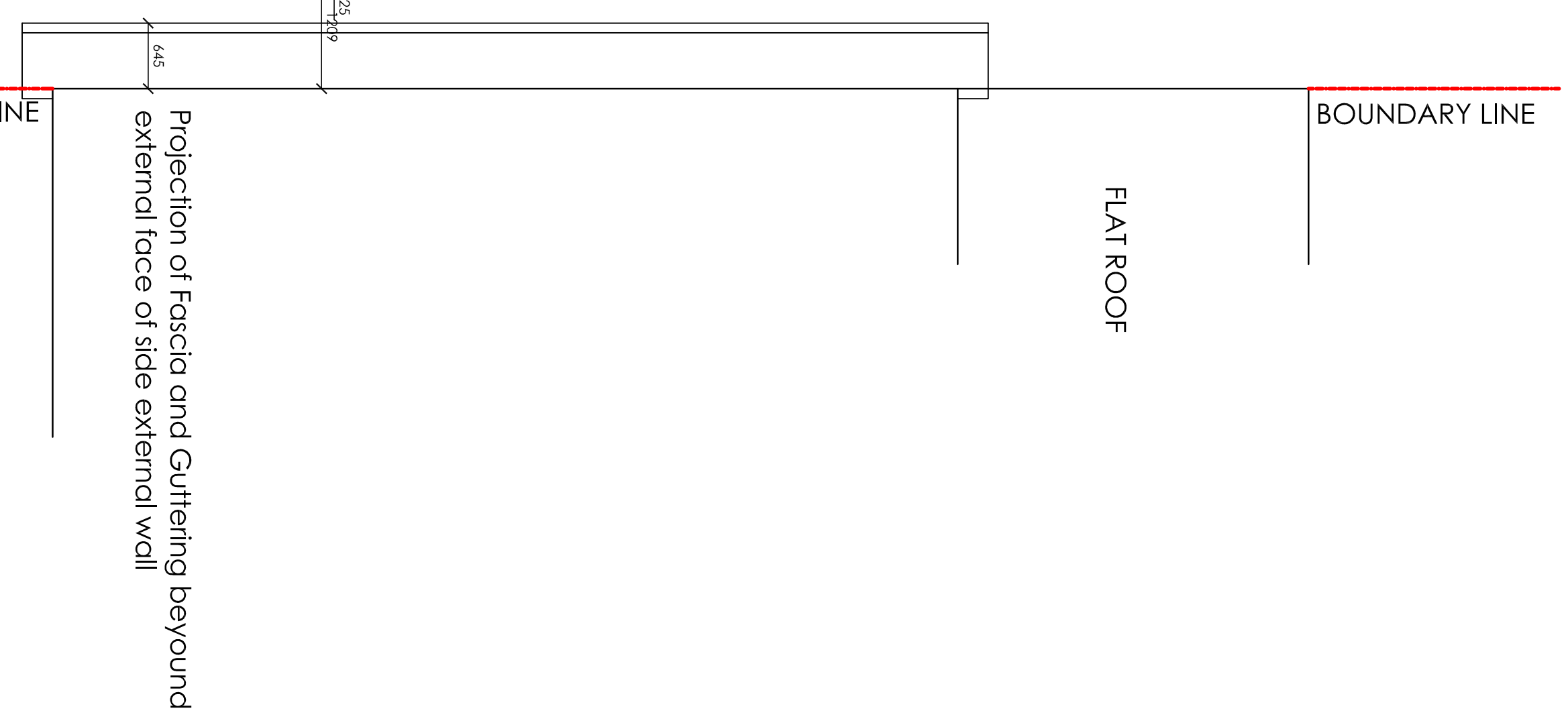
Architect:
AWI - tect
Howards Place
14 Northway
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Structural Design: Water Efficiency
Water Efficiency: Party Wall Surveying
Party Wall Surveying: Building Surveying
Building Surveying: Land Surveying
Land Surveying:

Intenders: Structural Design
Water Efficiency
Party Wall Surveying
Building Surveying
Land Surveying



PROPOSED GROUND FLOOR LAYOUT
@ 1 : 50



PROPOSED FIRST FLOOR LAYOUT
@ 1 : 50

BOUNDARY LINE
Projection of Fascia and Guttering beyond external face of side external wall

BOUNDARY LINE
FLAT ROOF