

PLANNING APPLICATION NUMBER:P07/1905

| | |
|-------------------------|--|
| Type of approval sought | Full Planning Permission |
| Ward | St. Thomas's |
| Applicant | Mr Z.I. Iqbal |
| Location: | 26, GRAZEBROOK ROAD, DUDLEY, DY2 8SX |
| Proposal | SINGLE STOREY SIDE/REAR EXTENSION TO CREATE LOUNGE, SHOWER ROOM, BATHROOM, STORE, BEDROOM AND KITCHEN. (RETROSPECTIVE). |
| Recommendation Summary: | REFUSE |

SITE AND SURROUNDINGS

1. The site comprises an inter-war semi detached house within an estate of similar properties just to the south of Dudley town centre. It is set at the same level as the attached semi (no.28) but is about 2.0m higher than the neighbouring property on the other side (no.24).However, this house is set about 8.0m in from the common boundary.
2. The property faces the Grazebrook Memorial Park on the other side of Grazebrook Road.

PROPOSAL

3. It is proposed to erect a single - storey extension at the side and rear of the property to provide a lounge extension, kitchen, bedroom and two disabled person's bathrooms. The rear extension would project 4.3m into the rear garden and the side extension would be 1.6m wide finishing 0.8m from the boundary with no. 24.
4. The extensions are complete and have been furnished. The property is now a care home providing 24 hour care to four adults with learning difficulties. Care is provided by two carers who provide 24 hour cover and also reside at the property.

HISTORY

5. None

PUBLIC CONSULTATION

6. Notification letters were sent to the two flanking properties and the two residential properties adjoining at the rear in Adshead Road. A letter was also sent to the house opposite adjacent to the Memorial Park. No representations have been received. It is known that some local residents know that the property is a care home.

OTHER CONSULTATION

7. As the proposal is for extensions to a residential property and not a change of use, no other consultations have been undertaken. The issue of whether the proposed development also constitutes a change of use is discussed later in the report.

RELEVANT PLANNING POLICY

8. Adopted UDP

DD4 Development in Residential Areas.

SI Social Inclusion, Equal Opportunities and Social Wellbeing.

SI4 Community Development.

CS1 Special Needs Accommodation.

CS2 Health and Social Care Facilities.

Supplementary Planning Document

Parking Standards and Travel Plans.

ASSESSMENT

9. The key issues are:
- Has a material change of use taken place
 - Impact upon local residents
 - Design
 - Parking

Has a material change of use taken place

10. Dwelling houses fall within Class C3 of the Town and Country Planning Use Classes Order. The Explanatory Note to this Order States:

Class C3 (dwelling houses) is a new class which comprises use as a dwelling house by an individual, by people living together as a family or by not more than six residents living together as a single household. In the case of people living together as a household rather than a family, the use will continue to be within the class notwithstanding that an element of care (as defined in article 2) is provided for residents. The intention of this class is to include, for example, use as a dwelling house by individuals living together in the community who have formerly been in an institution of some kind.

The property as extended contains four bedrooms, a staff room, a single kitchen and a lounge. The agent has stated that four adults with learning difficulties would reside at the property with two carers providing 24 hour care. Total occupancy would, therefore, be 6 adults. The residents will visit the Wellington Road Day Centre on a daily basis where they will receive tuition. All social worker and psychologist contact and counselling will take place at the Day Centre during the residents' visits.

11. On the basis of the above, it is considered that the use would be in accordance with the Explanatory Note to the Use Classes Order and, therefore, no change of use (to Class C2) is involved.

Impact upon local residents.

12. The extension applied for has already been built. The rear part projects 4.3m from the original back wall of the house and is very close to the boundary with no.24. It does contravene the 45° code guidelines but the neighbour has a large conservatory projecting 4.0m in a similar position. The extension does take some light from the conservatory but this is not a habitable room and it would be difficult to justify refusing permission on the grounds of loss of light and outlook to the neighbours' lounge because of the presence of the conservatory.
13. There is a clear-glazed window in the side of the extension facing no.28 which is a secondary window to the proposed ground-floor bedroom. It is 0.8m from the boundary (which is currently partly unfenced because of the building work) and overlooks a large, old, detached garage at the side of no.28. It is unlikely that there would be any overlooking of no.24 which is set much lower such that even a standard 2.0m high fence on the boundary would prevent any overlooking.
14. The properties at the rear in Adshed Road are well removed and are not affected by the extension.

Design

15. The extension has been built in red facing bricks with a heavily profiled, red roof tile. The house itself is rendered (in cream/pale yellow) and has a slate roof. Such finishes and materials are typical of the dwellings in the road. Although the extension appears quite small from the road, the red bricks and tiles used in its construction – particularly the tiles – do make it appear prominent. These materials have not been approved. The replacement of the roof tiles with tiles to match the

house in colour and profile needs to be carried out to integrate the extension into the streetscene.

Parking

16. Prior to its conversion, the property was a three-bed roomed house. Like the rest of the estate, it was built at a time when on-site parking facilities were not provided. The current standard for a three-bed roomed house is two parking spaces.
17. The parking standard for a residential institution (Class C2) is one space per 4 bed spaces. This would translate into a practical requirement for two spaces in this case. The frontage to the property has been fully hard surfaced under the building works and ranges from 5.0m deep along the boundary with no.24 to about 4.4m at the boundary with no.28. The Group Engineer considers the provision of two side-by-side parking spaces on the deeper area adjacent to no. 24 would be achievable without vehicles overhanging the footway. At present this would not be achievable because a low, ornamental wall has been erected along this part of the frontage. The removal of this wall could be required by condition but, as things stand at the moment, it means the required amount of on-site parking cannot be provided satisfactorily.

CONCLUSION

18. The proposed extension has been built and the property is now a care home for four adults with learning difficulties. However, no material change of use has occurred because the use falls within the definition of use as a dwelling house within Class C3. A refusal of permission based upon use would not, therefore, be justified. The extension is large, particularly at the rear, but it is not considered that it has a detrimental effect upon the adjoining occupiers sufficient to justify a refusal of permission. The facing materials used in its construction do not match the house or nearby properties and make the extension appear prominent. In this context, the red facing bricks are considered acceptable but the roof tiles are not and should be replaced. The required two parking spaces could be provided but are not usable

because a low wall has been built preventing satisfactory access to them. Accordingly, the current parking provision is unsatisfactory.

RECOMMENDATION

19. It is recommended that the application be refused for the following reasons:

SECOND RECOMMENDATION

20. That enforcement action be authorised to secure the removal of the roof tiles and the front boundary wall.

Conditions and/or reasons:

1. The roof tiles used in the external elevations of the development are incongruous and result in the development appearing prominent and detrimental to the street scene and visual amenities of the area. As such, the development is contrary to policy DD4 of the adopted Dudley UDP.
2. The development proposed would generate a requirement for two parking spaces to be provided within the site. The provision of two usable spaces is not possible at present because of the presence of a wall along the boundary with the highway. As such, the development would lead to parking in the road which would be contrary to highway safety and policy DD4 of the adopted Dudley UDP.

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels, at completion points before work starts.

The Contractor is to comply in all respects with current building legislation - British Standard Specifications, Building Regulations, and the Environmental Protection Act 1990 (etc.), weather or not specifically stated on this drawing.

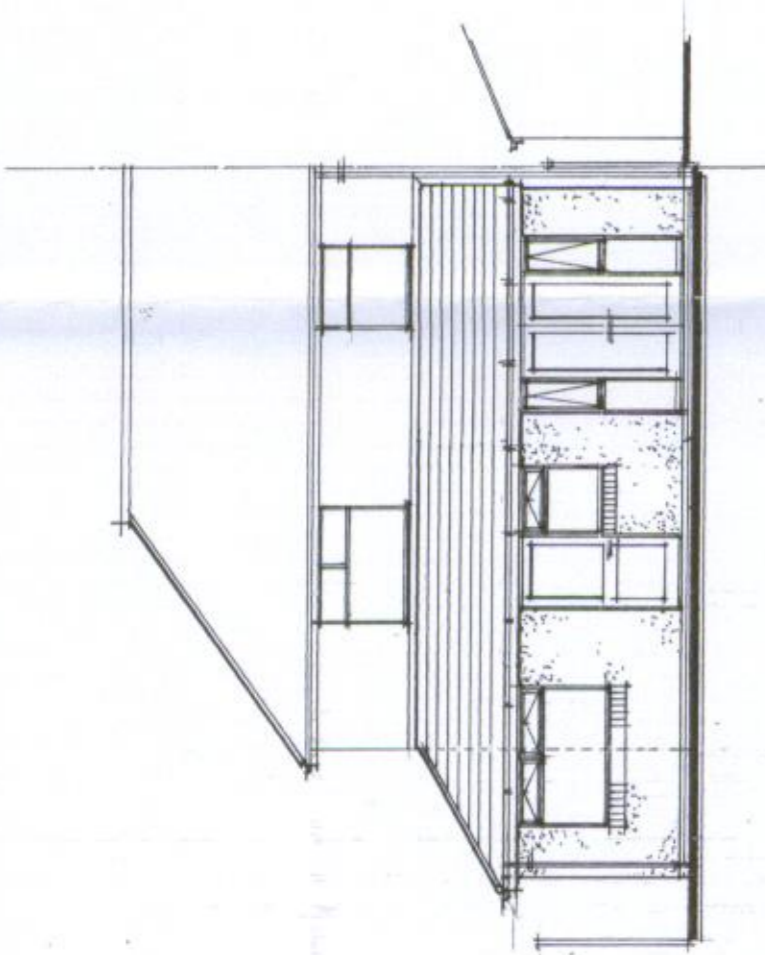
This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.

This drawing may not show final design details of materials, finishes, ground conditions or ground contaminants. Each area of ground (including any ground contaminants depicted (including drainage)) must be investigated by the Contractor. The Contractor must provide a written report provided allowing for remediation of foundation should be suspect or fluid ground, contaminants on or within the ground, and/or be further investigated by a suitable expert for guidance only and should be further investigated by a suitable expert.

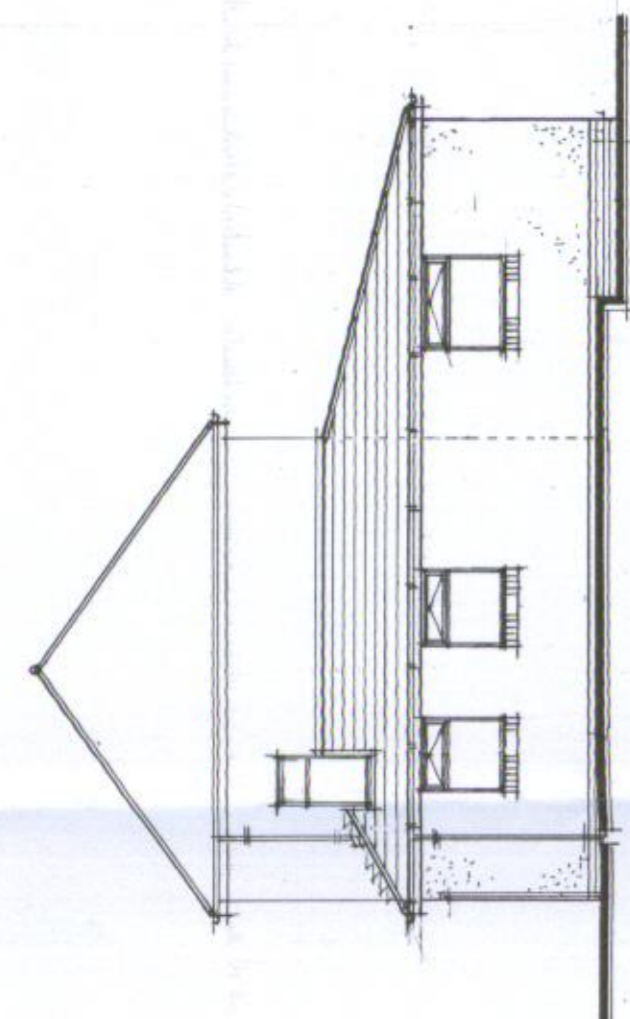
Where existing trees are shown to be retained they should be subjected to a full Arboricultural Inspection for safety.

All trees are to be planted so as to ensure they are a minimum of 2m from buildings and 3 metres from boundaries and to be provided to accommodate the proposed tree planting.

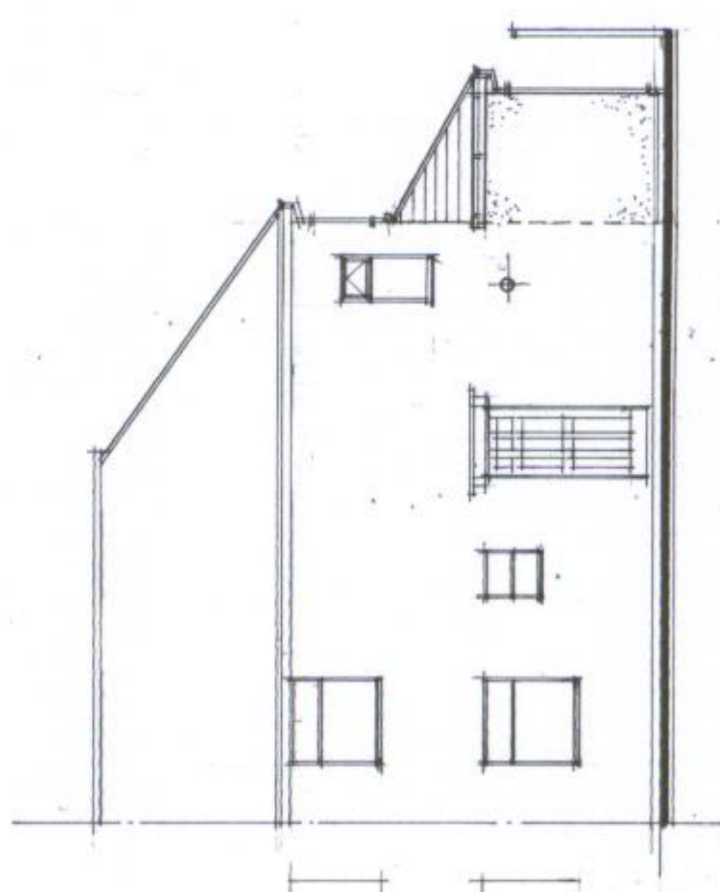
The drawings and the building works depicted are Copyright and may not be reproduced or amended except by written permission.



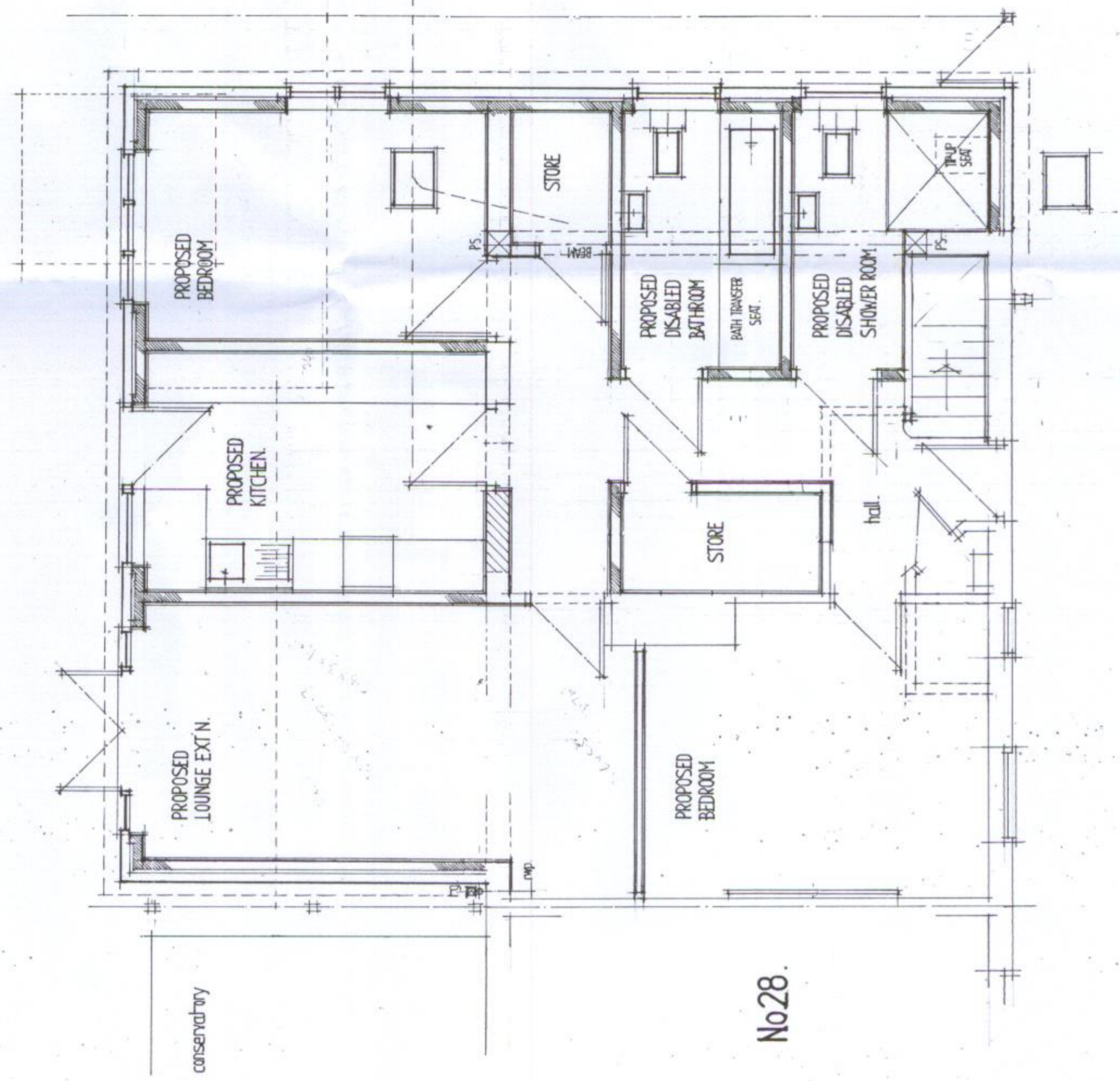
rear elevation.



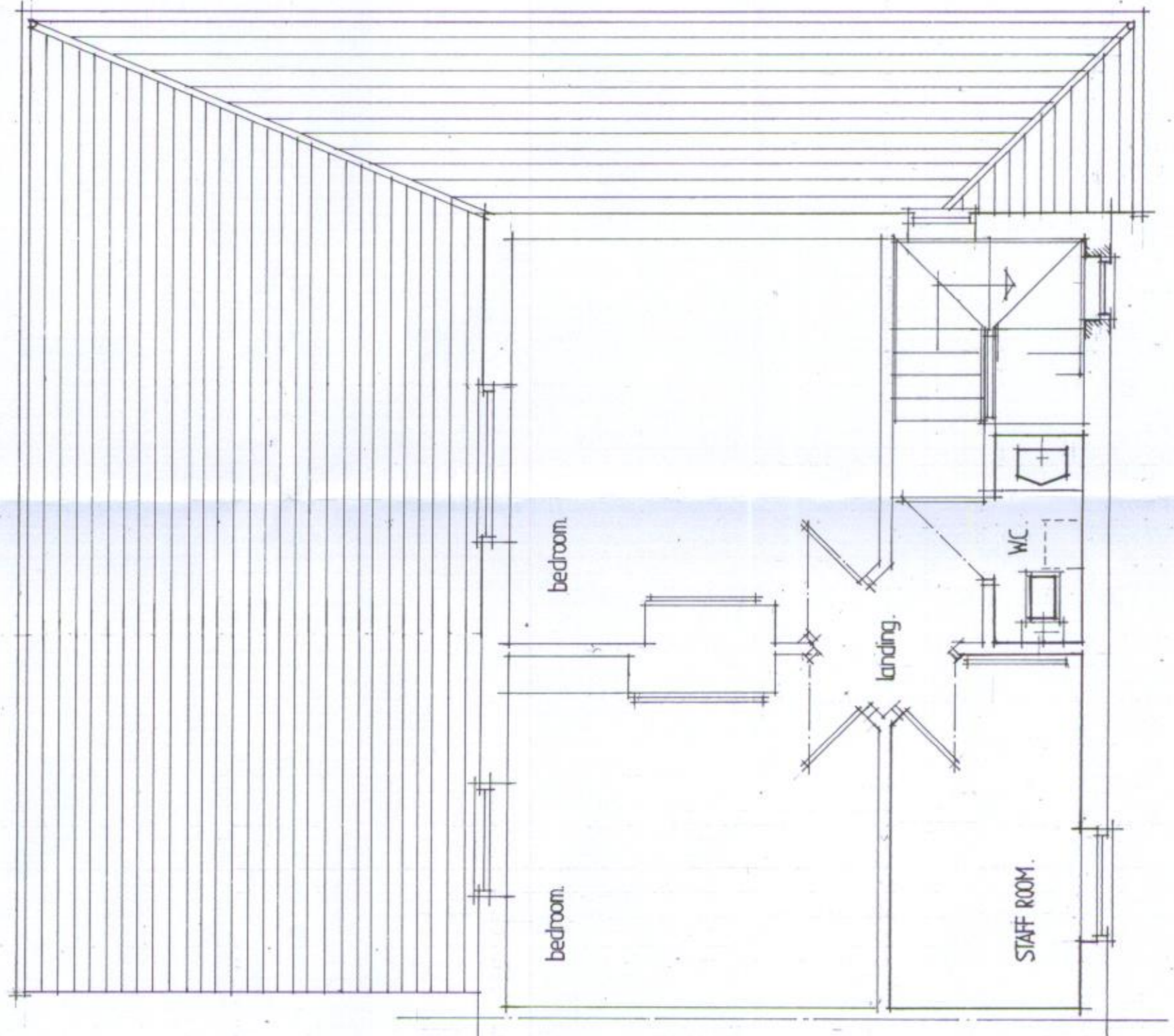
side elevation.



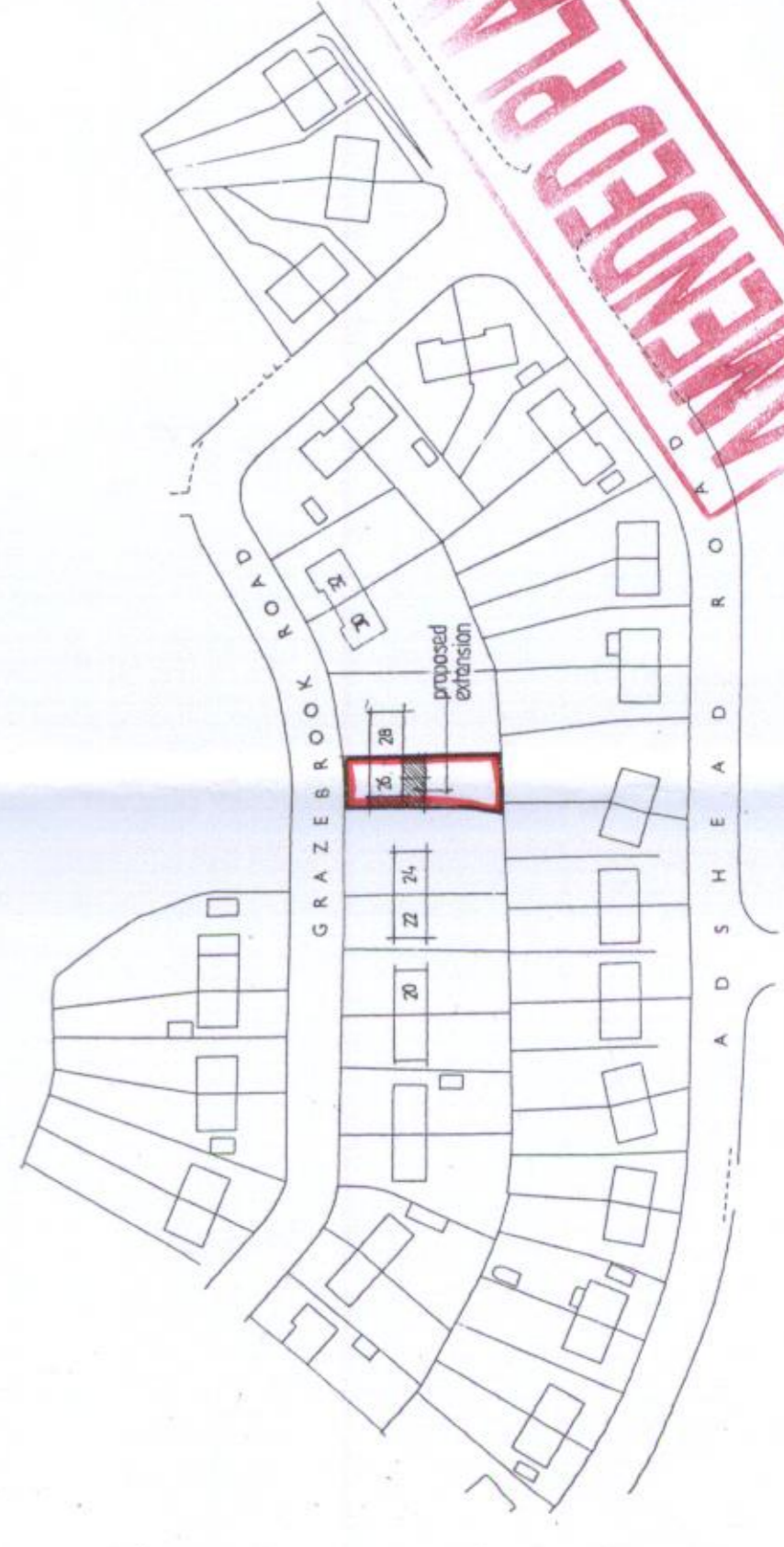
front elevation.



proposed ground floor plan.



proposed first floor plan.



block plan. scale: 1:1250

NOTES:
All dimensions must be checked on site and not scaled from this drawing.

© Copyright

Date

Revisions

Planning & Design Services

251 THE BROADWAY, DUDLEY,
WEST MIDLANDS DY1 1DP

Architectural Design, Planning & Services

Tel & Fax: 01384-257184

Member of: British Institute of Architectural Technicians,
Architects and Interiors Institute, Faculty of Building.

Client: ZAFF IQRAH IGBAL

Job Title: 26 GRAZEBROOK ROAD
DUDLEY
WEST MIDLANDS
DY2 8 SX

Drawing Title: CC P07/1905

PROPOSED KITCHEN, BEDROOM,
BATHROOM AND SHOWER ROOM,
SIDE AND REAR EXTENSION WITH
INTERNAL ALTERATIONS.

Scale: 1:100 1:50

Date: JULY 2007 Drawn by

Doc. No. ZII.2843/07 Rev. A

