

# PLANNING APPLICATION NUMBER:P13/0173

Type of approval sought	Full Planning Permission
Ward	Hayley Green and Cradley South
Applicant	Mr Lee Adams
Location:	<b>15, BRIERY ROAD, HALESOWEN, WEST MIDLANDS, B63 1AT</b>
Proposal	<b>ERECTION OF FIRST FLOOR EXTENSION</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

1. The application site is a semi-detached 'mucklow' type dwelling occupying a plot of 397m<sup>2</sup> and set within a residential area. A ground-floor extension, approved in January of this year, is currently under construction at the rear of the property.
2. The application site is bound on both sides by residential dwellings, No.13 Briery Road to the north, the adjoining semi-detached pair and to the south No.17 Briery Road a further semi-detached property.

## PROPOSAL

3. This application seeks approval for a first floor rear extension above the single storey rear extension currently under construction. The proposed first floor rear element would not cover the same footprint as the ground floor, it would be 3m in projection from the original rear elevation (the ground floor extends 4m) and it would be set in from the common boundary with No.13 Briery Road by 1.2m. The proposed extension would be finished with a pitched roof that would hip away from the common boundary with No.13 Briery Road and would utilise the design on the 'cat slide' roof ensuring it would not be visible from the street scene.

## HISTORY

4.

<b>APPLICATION</b>	<b>PROPOSAL</b>	<b>DECISION</b>	<b>DATE</b>
P12/1463	Single storey front extension to garage and new front porch with pitched roof above. Single storey rear extension.	Approved with Conditions	09/01/2013

5. The above planning application was amended during the application process to remove a proposed first floor side extension. The agent and applicant were advised that this would not be supported by the Local Planning Authority due to the loss of the characteristic 'cat slide' roof. As a result of this advice that element of the proposal was removed from the proposed scheme.

## PUBLIC CONSULTATION

6. Notification letters were sent to the occupiers of 6 neighbouring properties. As a result a total of 1 letters of objection have been received from Ward Councillor. The comments outlined relate to:

- Projection beyond the existing rear building line setting a precedent.
- Breach of the 45 degree code
- Loss of light
- Overshadowing
- Loss of view

7. The ward Councillor has requested that the application be heard at Development Control Committee if officers are mindful to approve.

## OTHER CONSULTATION

8. None required

## RELEVANT PLANNING POLICY

### Saved Unitary Development Plan Policies (2005)

9. DD4 – Development in Residential Areas

### Supplementary Planning Guidance

10. Planning Guidance Note (PGN) 12 – The 45 Degree Code

11. Planning Guidance Note (PGN) 17– House Extension Design Guide

12. Parking Standards and Travel Plans Supplementary Planning Document (SPD)

## ASSESSMENT

13. The main issues are

- Design
- Neighbour Amenity
- Access and Parking
- Other issues

### Design

14. The proposed development at the rear would not be visible within the street scene. The proposed extension would be of a design that is sympathetic to the host property with the use of appropriate materials and roof design. It is therefore considered that in this regard the proposal would comply with saved Policy DD4 – Development in Residential Areas of the UDP and PGN - 17 House Extension Design

### Neighbour Amenity

15. With regards to No.13 Briery Close this neighbouring property has an existing single storey extension at the rear of the property along the boundary with No.15. That extension would ensure that there would not be a breach of the Council's 45 degree code when measured from the ground floor rear facing windows.
16. At first floor level the proposed extension would be visible from the rear facing bedroom window at No.13. However, as the proposed extension would be set off the common boundary by 1.2 metres there would be no breach of the 45 degree code.
17. With regards to No.17 Briery Road the space between the proposed development and the rear elevation of this neighbouring property would be sufficient to ensure that there would be no loss of outlook, daylight or privacy.
18. The proposed development is, on balance, considered to be acceptable in terms of any impact on the amenities of the occupiers of neighbouring properties. It is therefore considered that in this regard the proposed development would comply with the requirements of saved Policy DD4 – Development in Residential Areas of the UDP and PGN - 17 House Extension Design Guide and PGN 12 - The 45 Degree Code.

#### Access and parking

19. The proposed development would result in a dwelling with 4 bedrooms and the parking requirement for such a property would be 3 off-road spaces. The application site has enough space to accommodate in excess of three cars and in this regard the proposed development would conform with the requirements of Parking Standards - Supplementary Planning Document – Adopted March 2007 and PGN 17 – House extension design guide.

#### Other Issues

20. The loss of views outlined within the letter of objection is not a material planning consideration and as such cannot be afforded any weight when considering the merits of the application.

21. The reference to precedent has been given limited weight as it is essential for each planning application to be considered on its own individual merits.

## CONCLUSION

22. This proposal would be acceptable in both size and design. It would remain in keeping with the original building and the street scene. It is considered that on balance that there would be no loss of amenity to the area or to the neighbours of the application site caused by the proposed development.

## RECOMMENDATION

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

### Reason for Approval

The proposed development is acceptable in terms of scale and design, having no detrimental impact on the visual amenity and character either of the host property or the surrounding area. The proposal would also cause no harm to the residential amenity of the occupiers of the neighbouring properties. The proposal also raises no substantial concerns in relation to parking and highway safety. The proposed development is therefore considered to be acceptable, in accordance with saved Policy DD4 (Development in Residential Areas) of the adopted Dudley Unitary Development Plan (2005), and also Planning Guidance Notes 12 (The 45 Degree Code) and 17 (House Extension Design Guide).

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan set out below and to all relevant material considerations including supplementary planning guidance:

Unitary Development Plan (2005)

Saved Policy DD4 (Development in Residential Areas)

Supplementary Planning Guidance Notes

Planning Guidance Note 12 - The 45 Degree Code

Planning Guidance Note 17 - House Extension Design Guide

Parking Standards and Travel Plans Supplementary Planning Document

The above is intended as a summary of the reasons for the grant of planning permission.

For further detail on the decision please see the Case Officer's report.

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

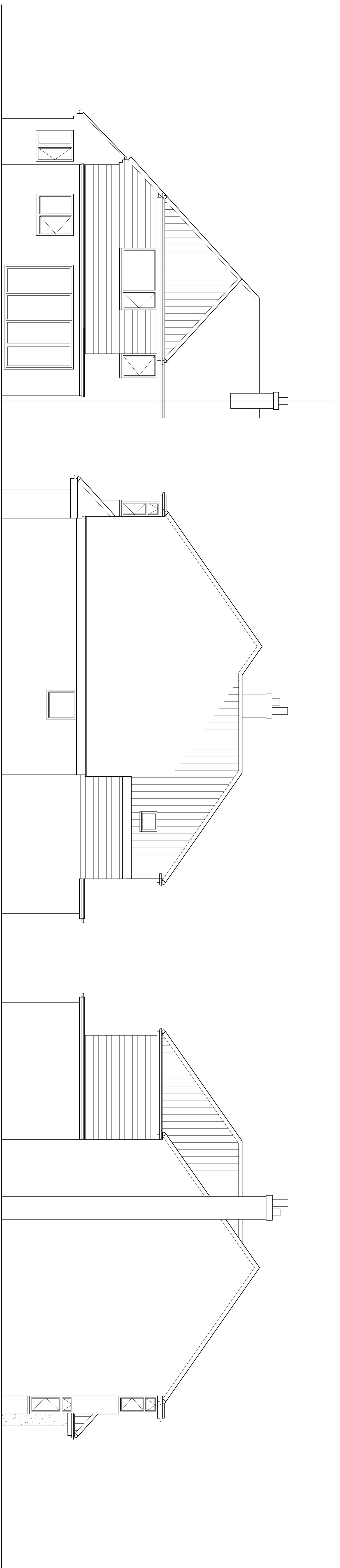
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plan: PP02A
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.



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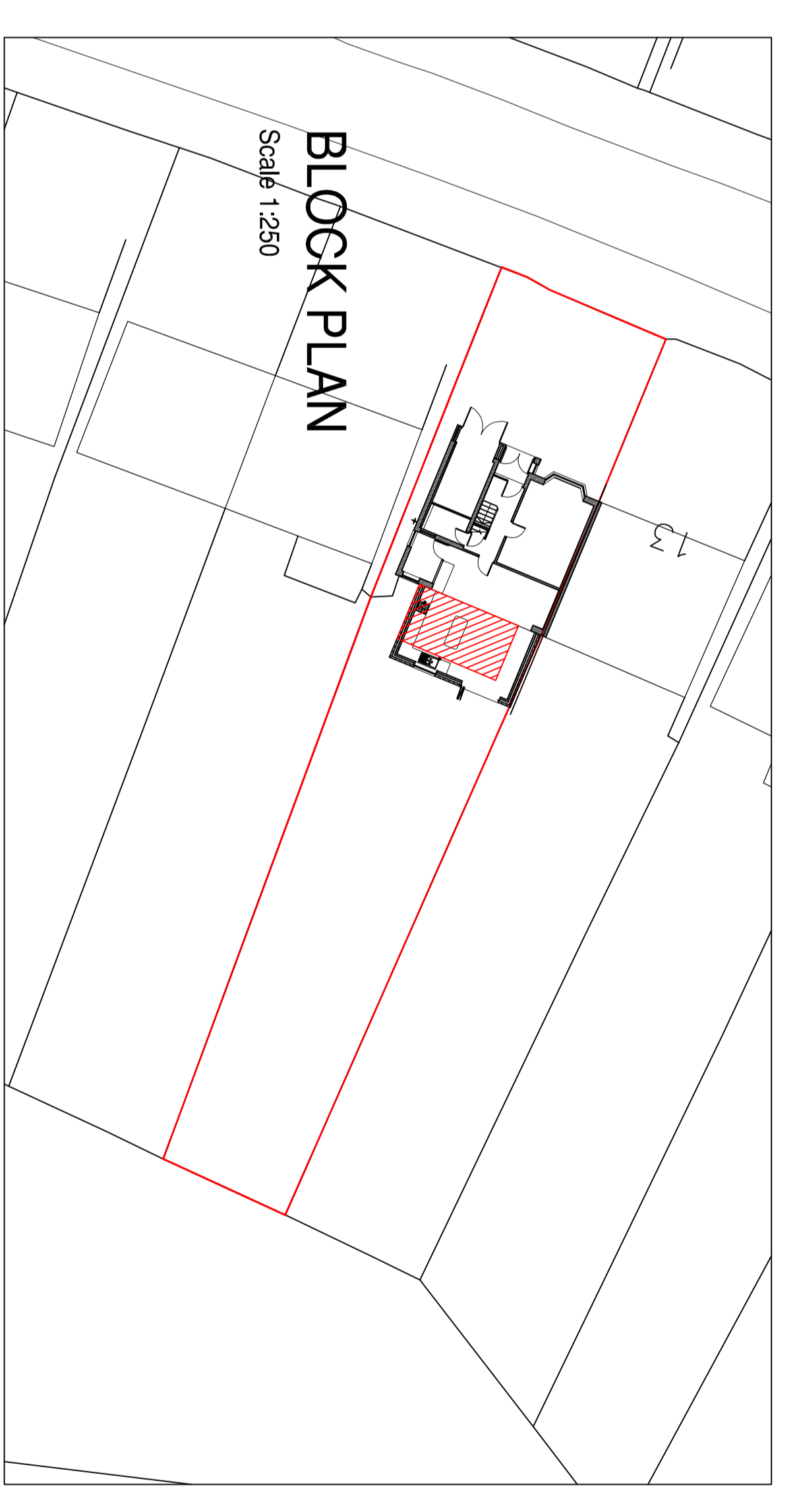
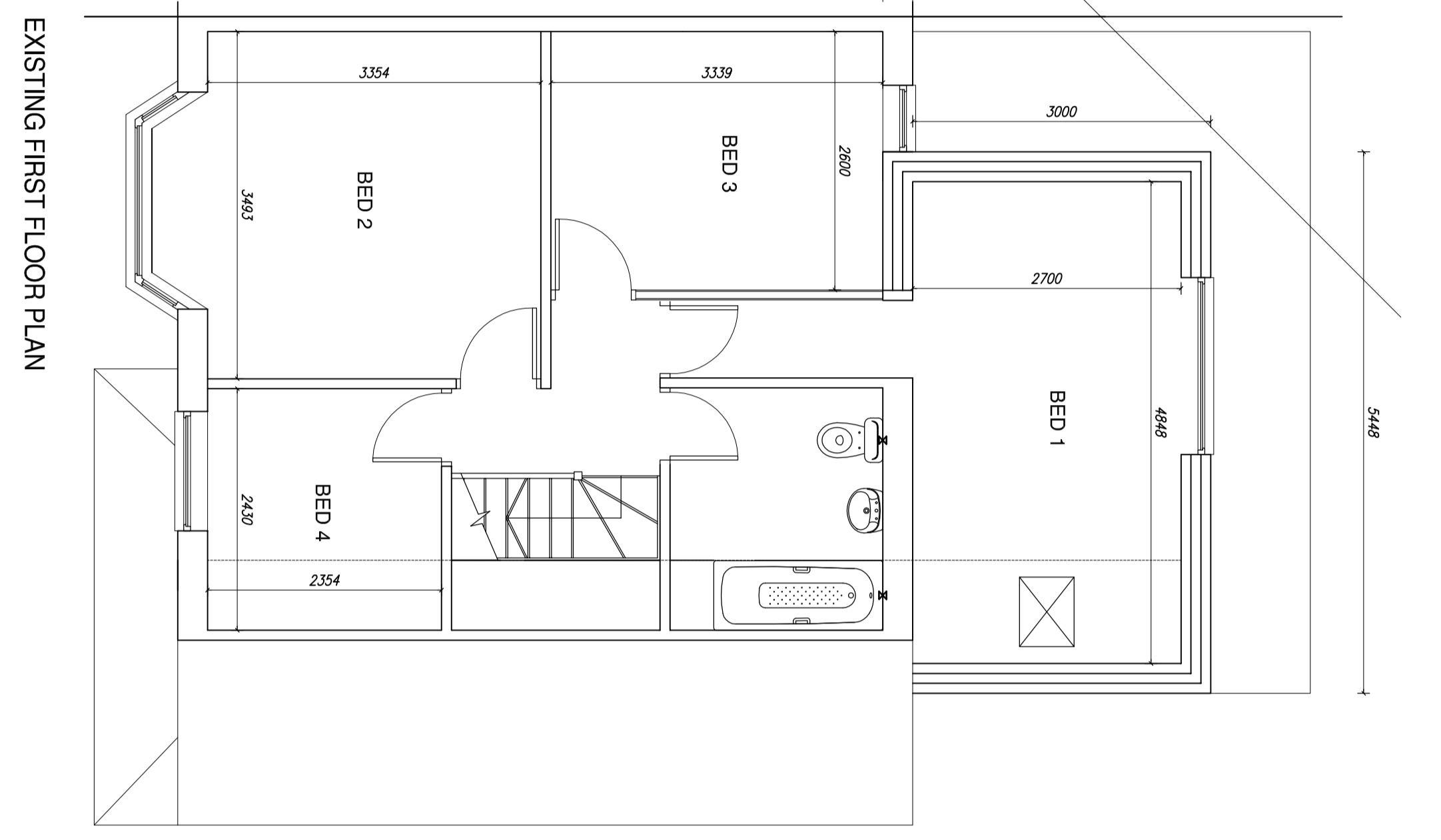
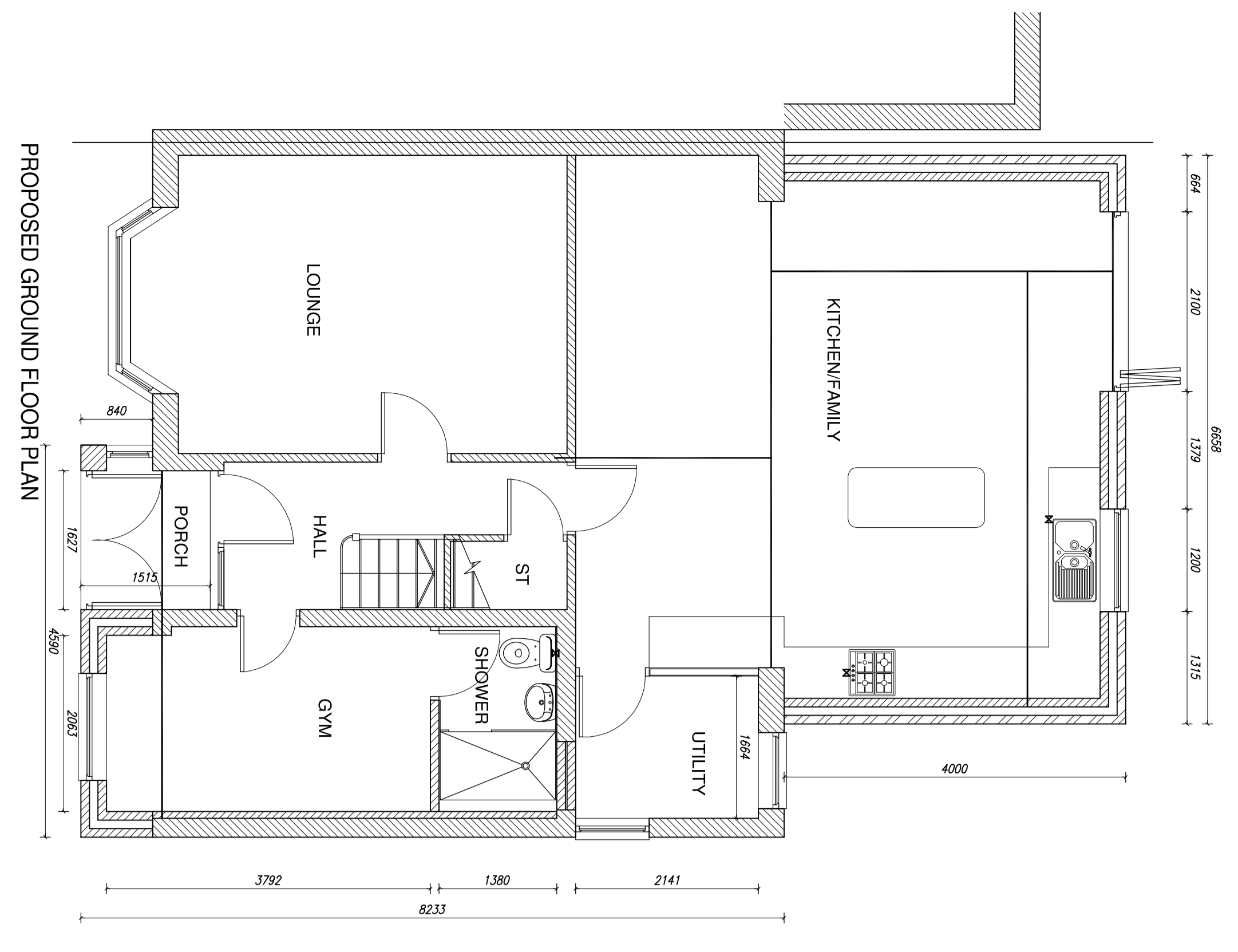
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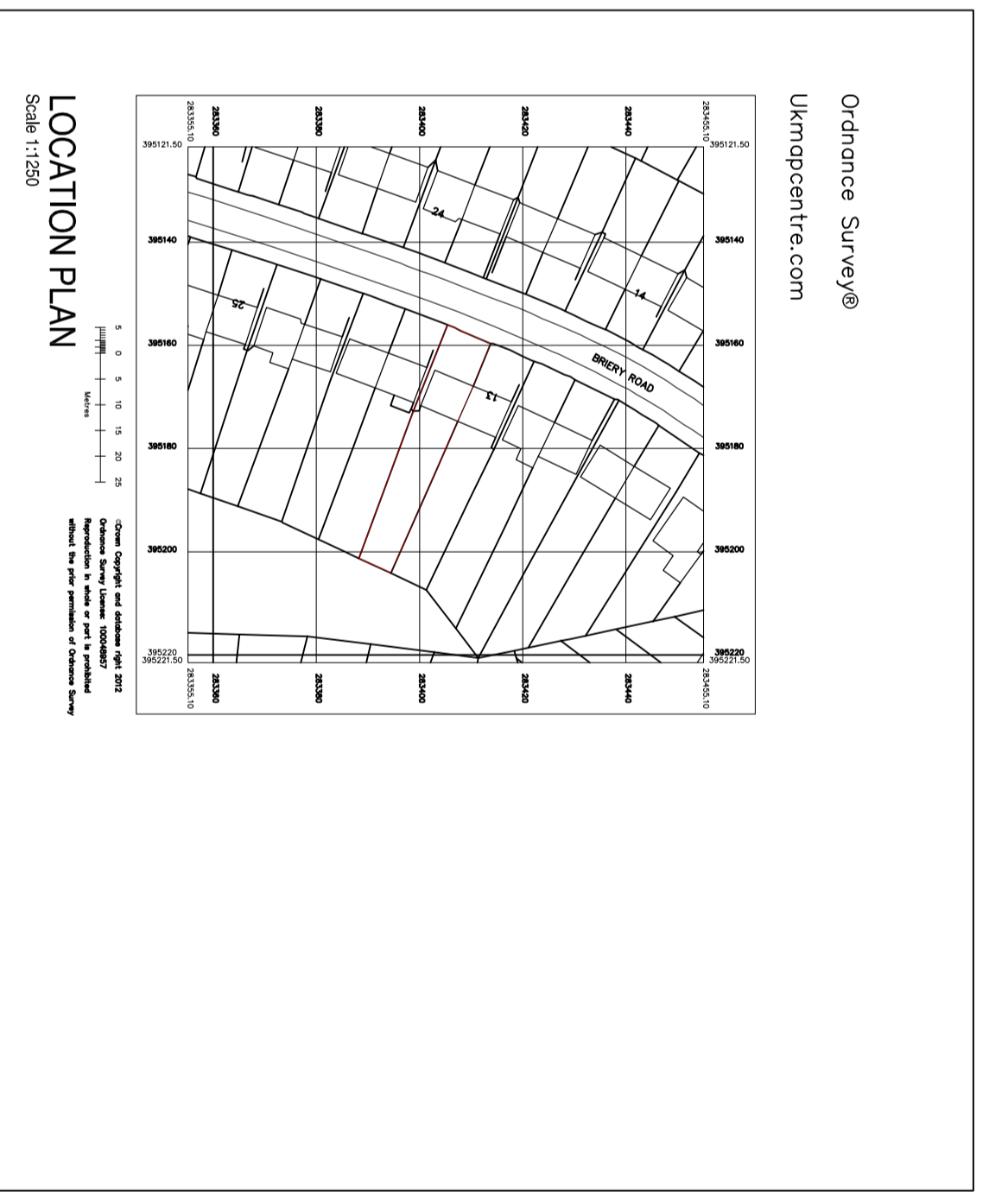
PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION

PROPOSED SIDE ELEVATION (PARTY WALL)



Denotes area of ground floor proposals



Project	MR & MRS ADAMS		
Project	15 BRIERY RD HALESOWEN B63 1AT		
Title	PROPOSED PLANS & ELEVATIONS LOCATION AND SITE PLANS		
Rev	Description	Date	By
A	PROPOSED PARTY WALL SIDE ELEVATION ADDED	18.02.13	LW
Client	MR & MRS ADAMS		
Scale	1:50 @ A0	Drawn	LW
Date	FEB '13	Checked	
File	Drawing PP02A		

