

PLANNING APPLICATION NUMBER:P10/1708

Type of approval sought	Full Planning Permission
Ward	COSELEY EAST
Applicant	Mr Steven Hamilton
Location:	46, AVENUE ROAD, COSELEY, WEST MIDLANDS, WV14 9DJ
Proposal	INSTALLATION OF ROOFLIGHTS TO FRONT AND REAR ELEVATION (RETROSPECTIVE) RESUBMISSION OF REFUSED APPLICATION P10/1361
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site lies on the northern side of Avenue Road which is occupied by a mixture of property types of differing types, scales and periods following a consistent building line. The site is set within a predominantly residential area and is occupied by a two storey detached property, No. 46 Avenue Road. No. 46 Avenue Road has been recently modernised and converted into two, one bedroom flats.
2. The application site is denoted as an 'L' shape and within the curtilage of the site and to the rear of No. 46 Avenue Road is located a two-storey brick 19th Century Coach House which has benefited from a modern replacement pitched slate roof over and is currently undergoing refurbishment works to bring it back into use through conversion to a detached two bedroom dwelling, granted under planning reference P07/1074.
3. Historically, Ordnance Survey records show that the Coach House was already in existence at the time of compilation of the first edition Ordnance Survey Map of 1882-1887. This Ordnance Survey clearly indicates that the Coach House is ancillary to the large building in front of it, which appears to be a mid Victorian dwelling, which is still extant today although it does not fall within the curtilage of the

application site. The Coach House is accessed between the flanks of No's. 46 and 48 Avenue Road via a single lane gated track.

PROPOSAL

4. The application seeks retrospective planning permission for the installation of two roof lights within the eastern roof plane of the pitched roof of the Coach House. The roof lights measure 0.75 metre in width by 0.85 metre in height. The application also proposes a further two roof lights within the western roof plane of the pitched roof of the Coach House as well as internal alterations to the first floor in order to provide a study.

5. The application has been submitted following an enforcement complaint, as a result of which it was discovered that the Coach House was not being converted in accordance with the approved plans and was therefore in breach of planning permission P07/1074. All works ceased with immediate effect.

HISTORY

6. Application Site

APPLICATION No.	PROPOSAL	DECISION	DATE
P03/0191	Full planning permission for the erection of a detached dwelling with alterations to existing access to the highway	Approved with conditions	20 March 2003
P04/0879	Full planning permission for the extension and alterations to No. 46 Avenue Road and coach house to create three flats	Withdrawn	28 October 2004
P05/0003	Full planning permission for the extension and alterations to No. 46 Avenue Road to create two, one bedroom flats	Approved with conditions	25 February 2005
P07/1074	Full planning permission for the conversion of the coach house to create a detached dwelling	Approved with conditions	22 February 2008
P10/1361	Full planning permission for the installation of roof lights to front roof plane and retrospective planning permission for the installation of roof lights to the rear roof plane	Refused	23 November 2010

7. Planning application P07/1074 for the conversion of the Coach House to a dwelling was granted as the retention of the historical building was welcomed, particularly as the house that it served is still in existence and therefore it was considered the proposal would provide an appropriate and sympathetic use. Whilst it was acknowledged that the conversion of the Coach House would result in a form of tandem development, adequate amenity space and off street parking was achieved without compromising surrounding residential amenity levels; however, general permitted development rights were removed in order to protect both the historical integrity of the building and the surrounding residential amenity levels.

8. Planning application P10/1361 for the installation of roof lights to front roof plane and retrospective planning permission for the installation of roof lights to the rear roof plane was refused as the provision of the roof lights to the first floor living accommodation of The Coach House would have resulted in overlooking of the rear neighbouring properties private rear amenity areas which would have had an adverse impact on their privacy.

PUBLIC CONSULTATION

9. The application was advertised by way of neighbour notification letters being sent to the occupiers of six properties within close proximity to the site. The final period for written representations expired on 25 January 2011.
10. In response to the consultation exercise, correspondence has been received from local residents in the form of two written objections. The main areas of concern are;
- that the Coach House is situated approximately 1.5 metres from the rear kitchen door of No. 44 and 45 Avenue Road, the properties which the Coach House formerly served;
 - the Coach House forms part of the rear boundary of No. 44 and 45 Avenue Road;
 - overlooking from the Coach House into the surrounding private rear amenity areas of the surrounding properties given its orientation;
 - the Sky lights would be visible from the landing window at the rear of Nos. 44 and 45 Avenue Road;
 - the use of the Coach House as an independent dwelling;
 - the internal arrangement of the building being altered from that approved for the use of the Coach House as an independent dwelling;
 - drainage impacting upon surrounding properties; and
 - potential noise disturbance as a result of the use of the Coach House as a dwelling unit.

OTHER CONSULTATION

11. None required.

RELEVANT PLANNING POLICY

12. Unitary Development Plan

DD4 Development in Residential Areas

HE1 Local Character and Distinctiveness

13. Supplementary Planning Guidance

No. 12 The 45 Degree Code

No. 17 House Extension Design Guide

ASSESSMENT

14. Key Issues
 - Impact upon the character of the area
 - Impact upon residential amenity

Impact upon the character of the area

15. Policy DD4 (Development in Residential Areas) of the adopted Dudley Unitary Development Plan (2005) applies in the consideration of development proposals within residential areas. Policy DD4 seeks to ensure that development would not adversely affect the character of the area or residential amenity. Policy DD4 also states that the scale, nature and intensity of the proposed development should be in keeping with the character of the area.
16. Planning Guidance Note No. 17 (House Extension Design Guide) provides further advice in relation to house extensions. This guidance restates the principal policies affecting this application in the adopted Dudley Unitary Development Plan and in particular Policy DD4. Planning Guidance Note No. 17 states that development

should be of a high standard of design and layout which is compatible with the character of the surrounding area and that development should not harm the occupiers of adjacent properties through daylight, outlook and privacy. The latter guidance is reiterated by Planning Guidance Note No. 12 (The 45 Degree Code).

17. The Coach House is positioned to the rear of the properties fronting Avenue Road and would therefore not be visible from the street scene or wider public domain. The roof lights are considered to be a relatively minor alteration to the Coach House as approved under application P07/1074, in that they do not alter the footprint or structural appearance of the building and would not appear out of character upon the host building given the modern pitched roof erected over the structure and in which they would sit. No other external alterations to the Coach House as approved under planning reference P07/1074 would occur as a result of the introduction of the roof lights and amendments to the internal layout. In this regard there would be no adverse effect on the street scene or character of the wider area and the proposal therefore complies with Policy DD4 and HE1 (Local Character and Distinctiveness) of the adopted Dudley Unitary Development Plan and Planning Guidance Note No. 17.

Impact upon residential amenity

18. In relation to the impact of the installation of the roof lights on the residential amenity of the occupiers of neighbouring properties fronting Avenue Road, the roof lights would be visible from these properties but would not face them directly given the Coach House's relationship and orientation to these properties. Furthermore, the roof light serving the study within the rear roof plane adjacent to the private rear amenity space serving Nos. 44 and 45 Avenue Road would be set further back within the roof plane, approximately 1.1 metres from the eaves, to ensure that internally, the roof light would be positioned a minimum of 2.2 metres above the internal floor level to ensure that any internal vantage point onto adjacent neighbouring private amenity areas to the rear would be negated. The other roof light within the rear roof plain would be serve a bathroom and would be obscurely glazed to ensure no overlooking would occur. It is also considered that any light

emitted from the roof lights at night time would have no detrimental impact on the occupiers of those properties and that there would be no other negative implications in terms of overlooking or loss of privacy as a result of the roof light installations.

19. The addition of the study and internal revisions to the first floor would not alter the existing window fenestration within the elevations, as approved under planning application reference P07/1074 and as per the original design of the Coach House. Therefore, the circular windows within the Coach House frontage would remain unaltered and would form the only windows within the elevational treatment of the Coach House. The proposal would therefore not prejudice existing amenity levels of the adjacent surrounding residential properties comparable to the approved scheme under planning reference P07/1074 and it is therefore considered that there would be no demonstrable harm to neighbouring properties in terms of loss of light, outlook or privacy as a result of the proposal. The proposal therefore complies with DD4 of the adopted Dudley Unitary Development Plan and Planning Guidance Note No. 12 and 17.

CONCLUSION

20. The proposed development would relate satisfactorily to the Coach House and is unlikely to cause harm to either visual or residential amenity. There would be no demonstrable harm to neighbouring properties and there would be no adverse effect on the street scene or the character of the area. The proposal is therefore considered compliant with policy and the associated guidance.

RECOMMENDATION

21. It is recommended that the application be **approved subject to conditions**.

Reason for approval

The proposed development would relate satisfactorily to the Coach House and is unlikely to cause harm to either visual or residential amenity. There would be no

demonstrable harm to neighbouring properties and there would be no adverse effect on the street scene or the character of the area. The proposal is therefore considered compliant with policy and the associated guidance.

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

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 application report.

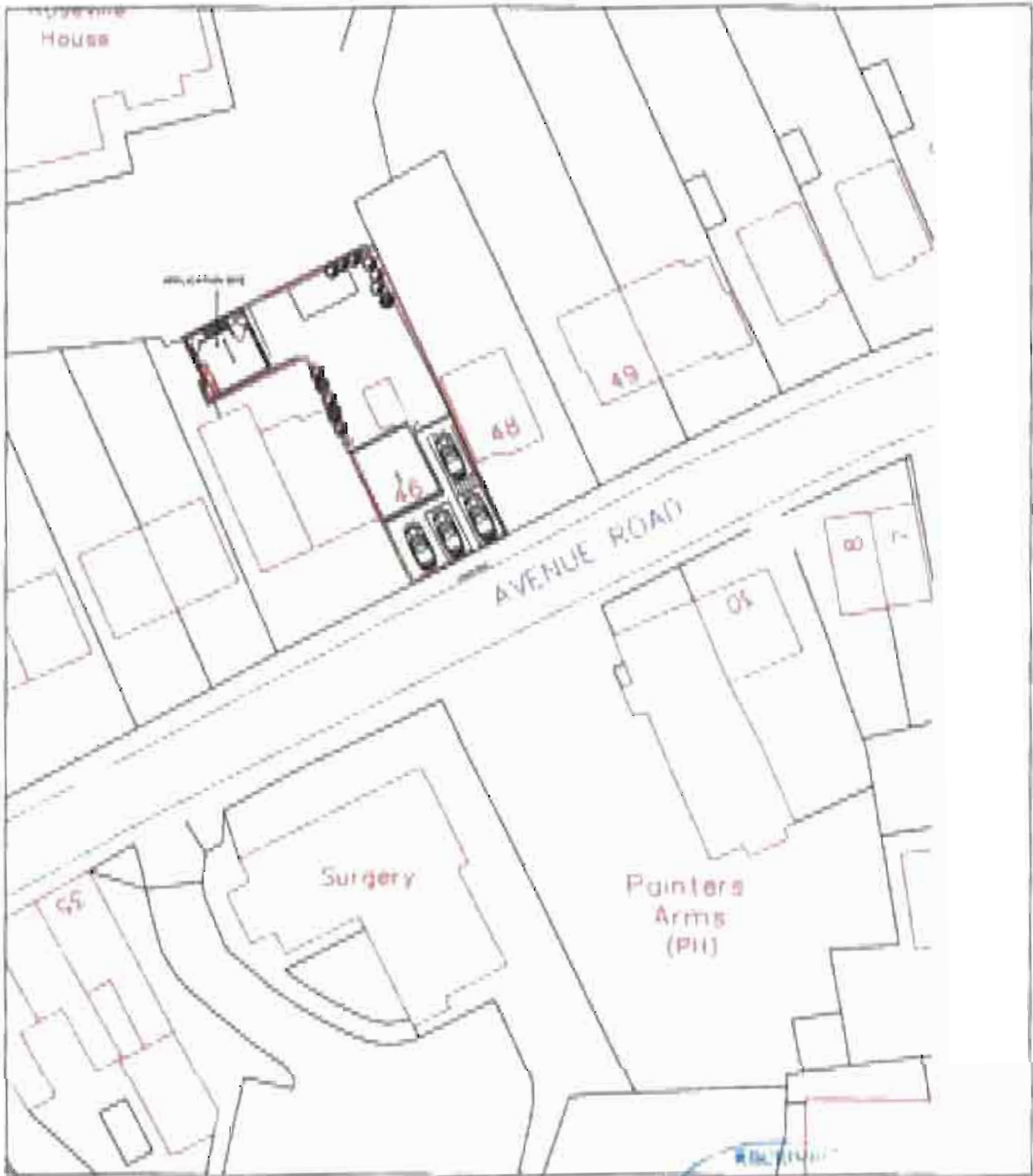
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The 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.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: '1437/P1, Revision A' dated 25 August 2010, 'Location Plan' and 'Site Plan'.

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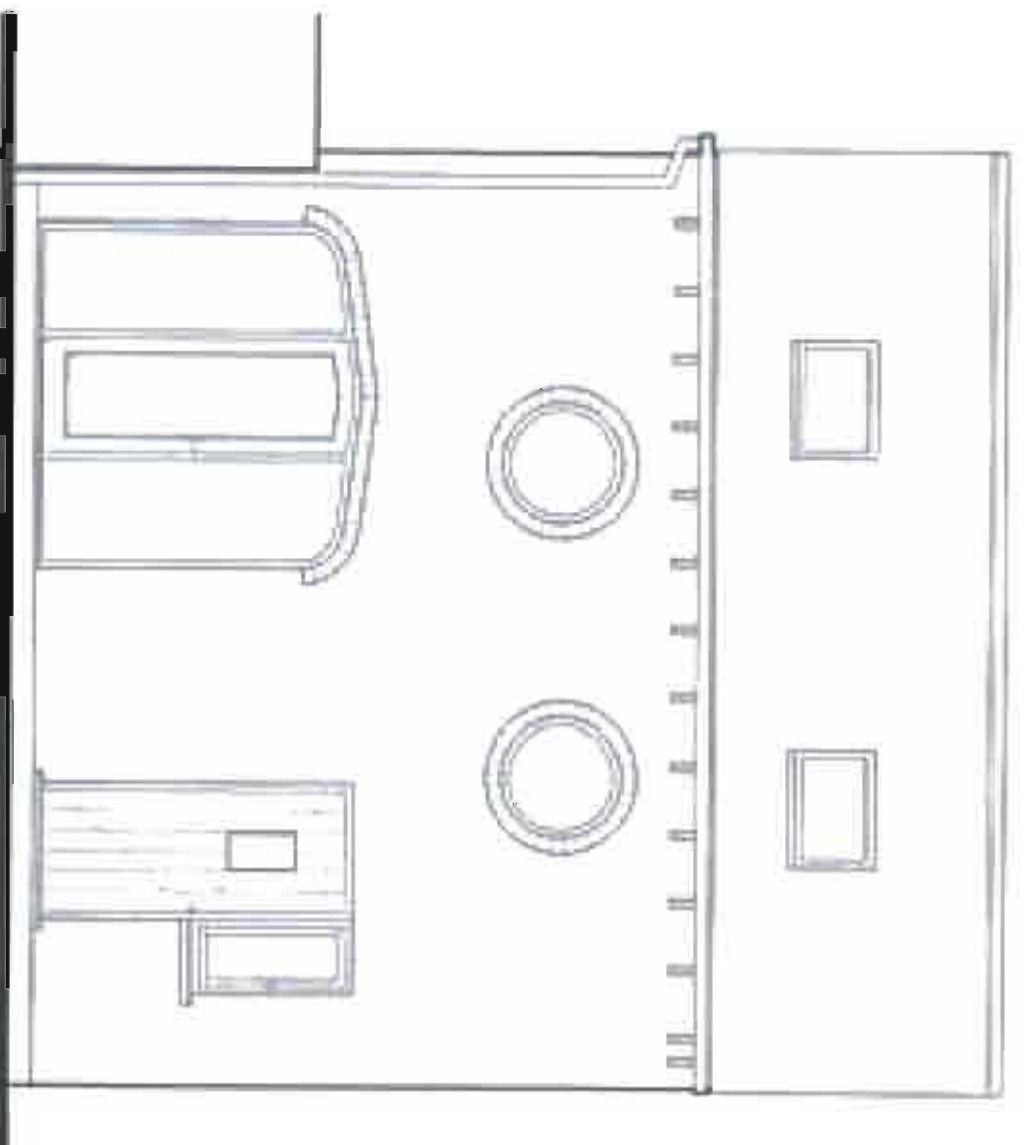


LOCATION PLAN
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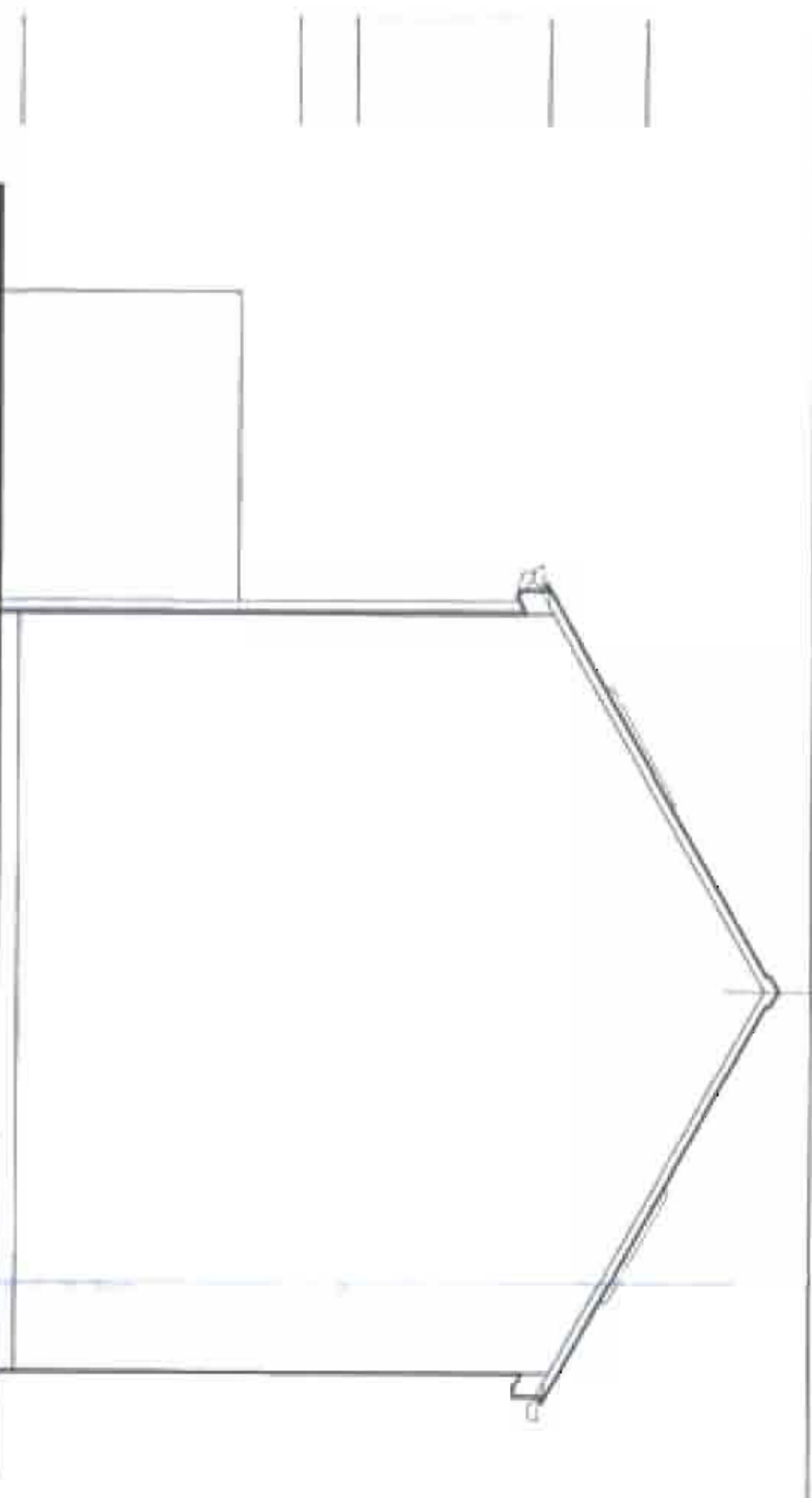


SITE PLAN
SCALE 1:500

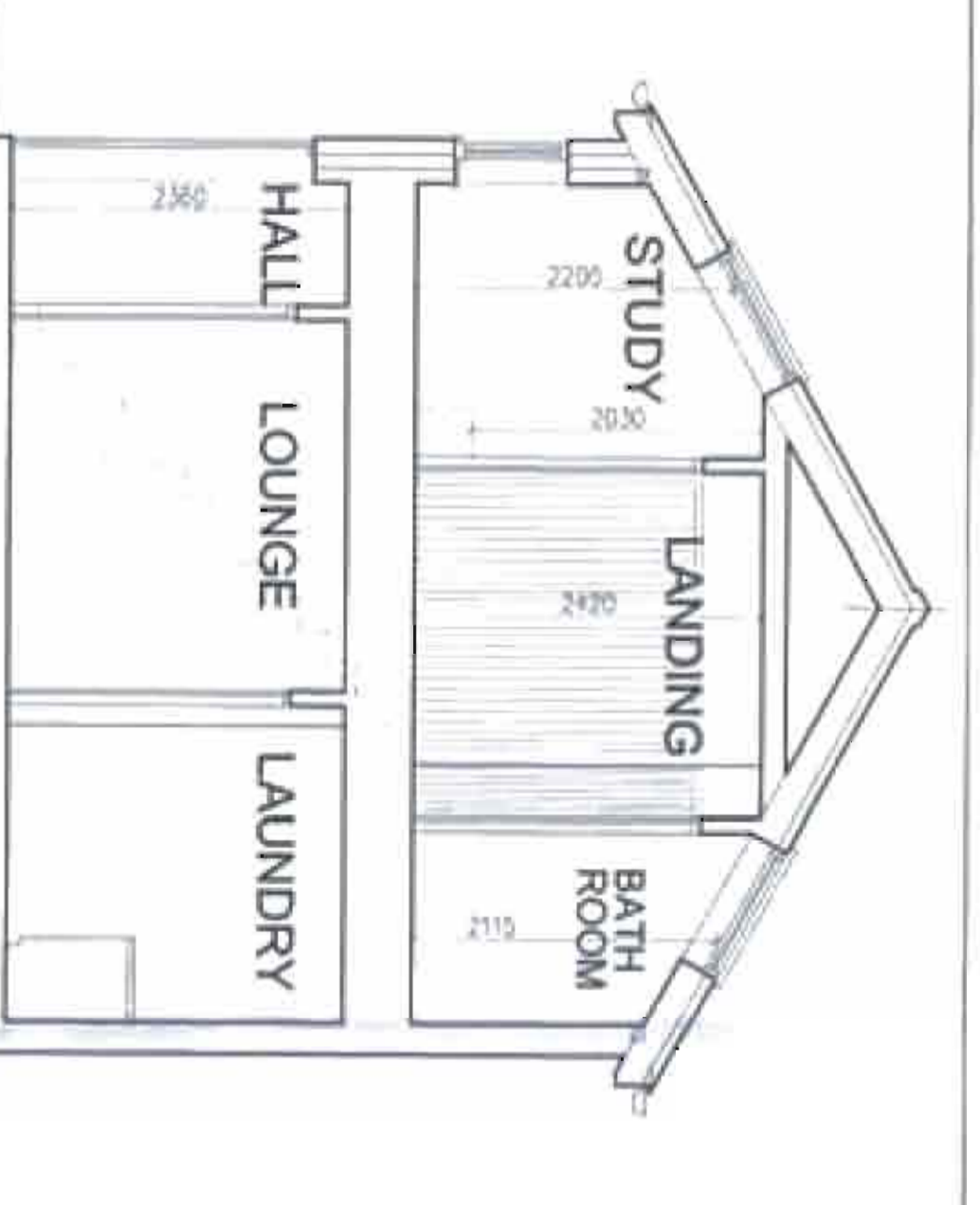
Plans (A1) - P1/1708



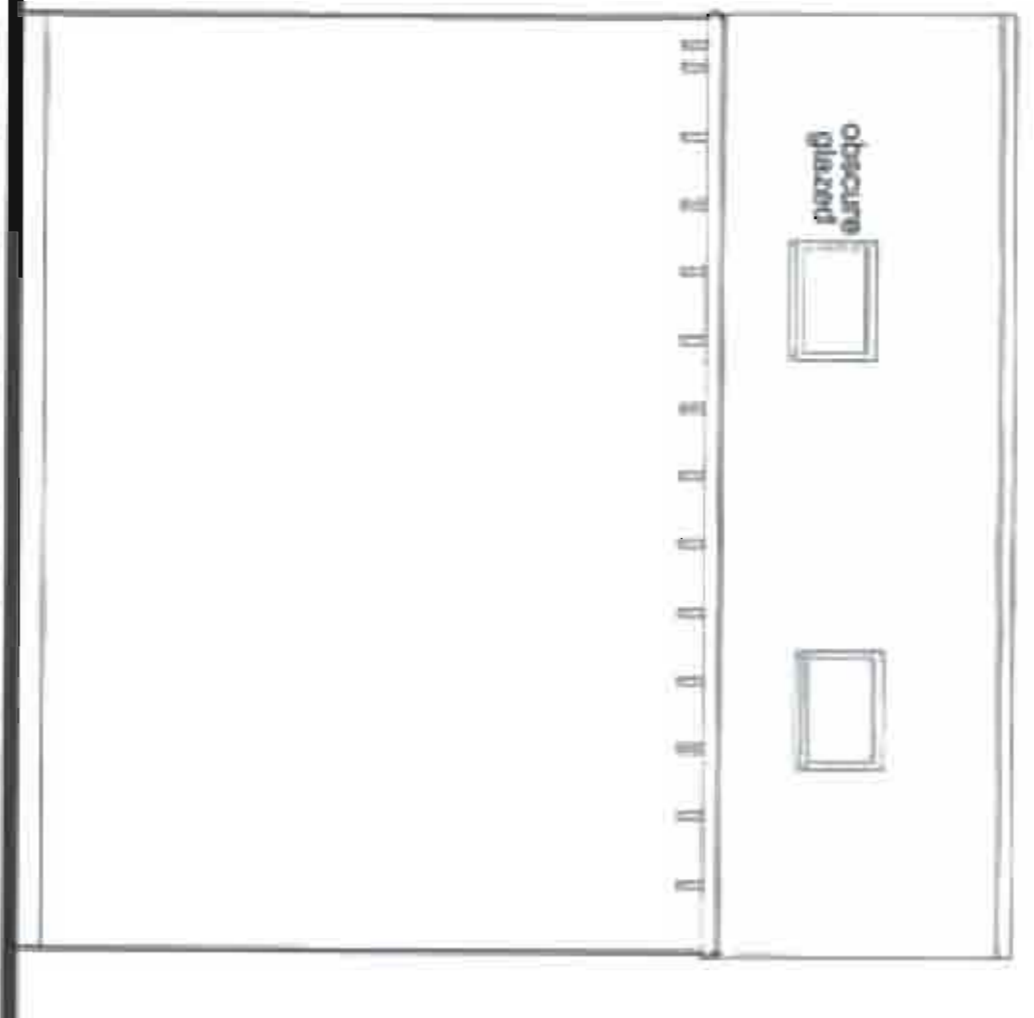
FRONT ELEVATION



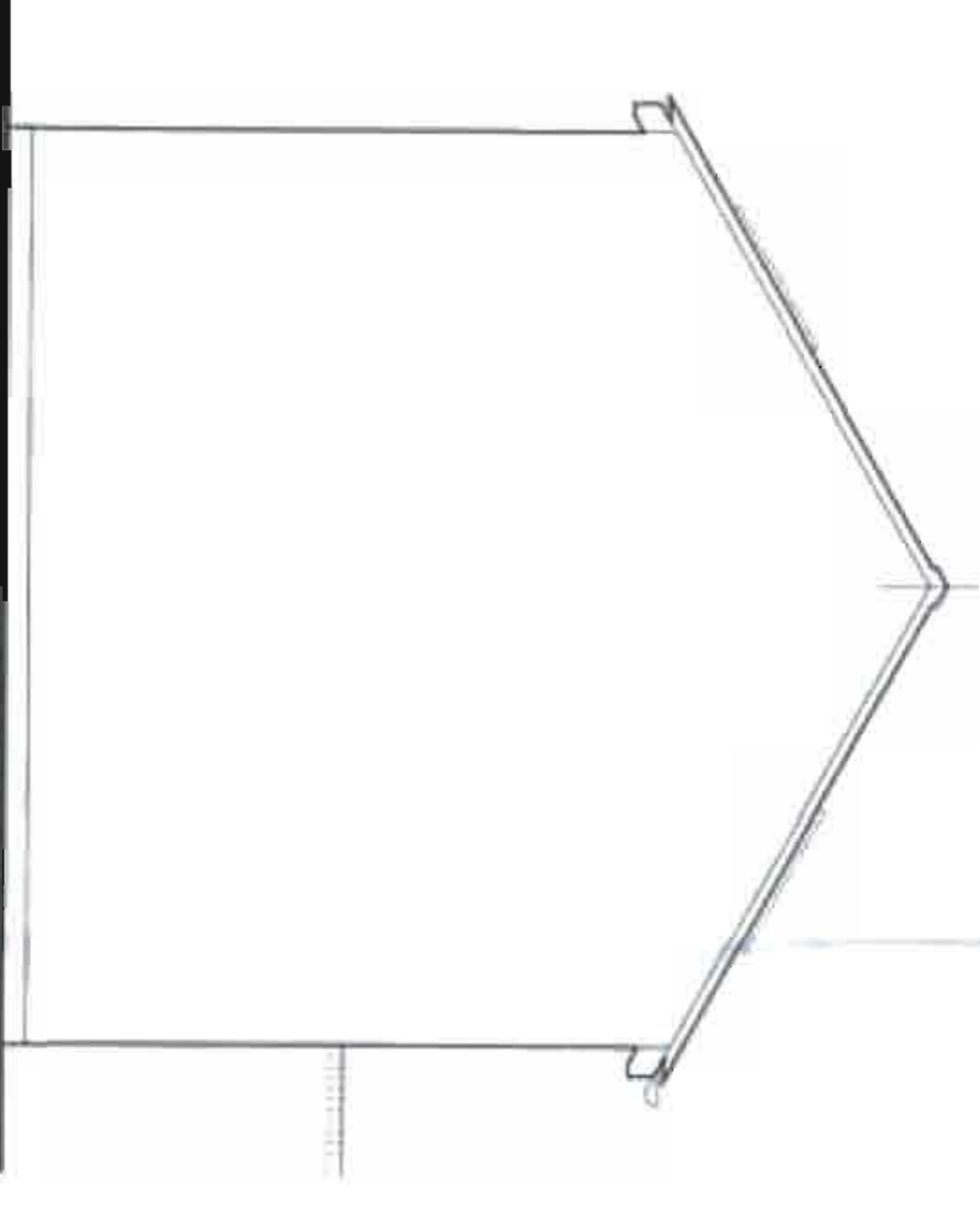
SIDE ELEVATION



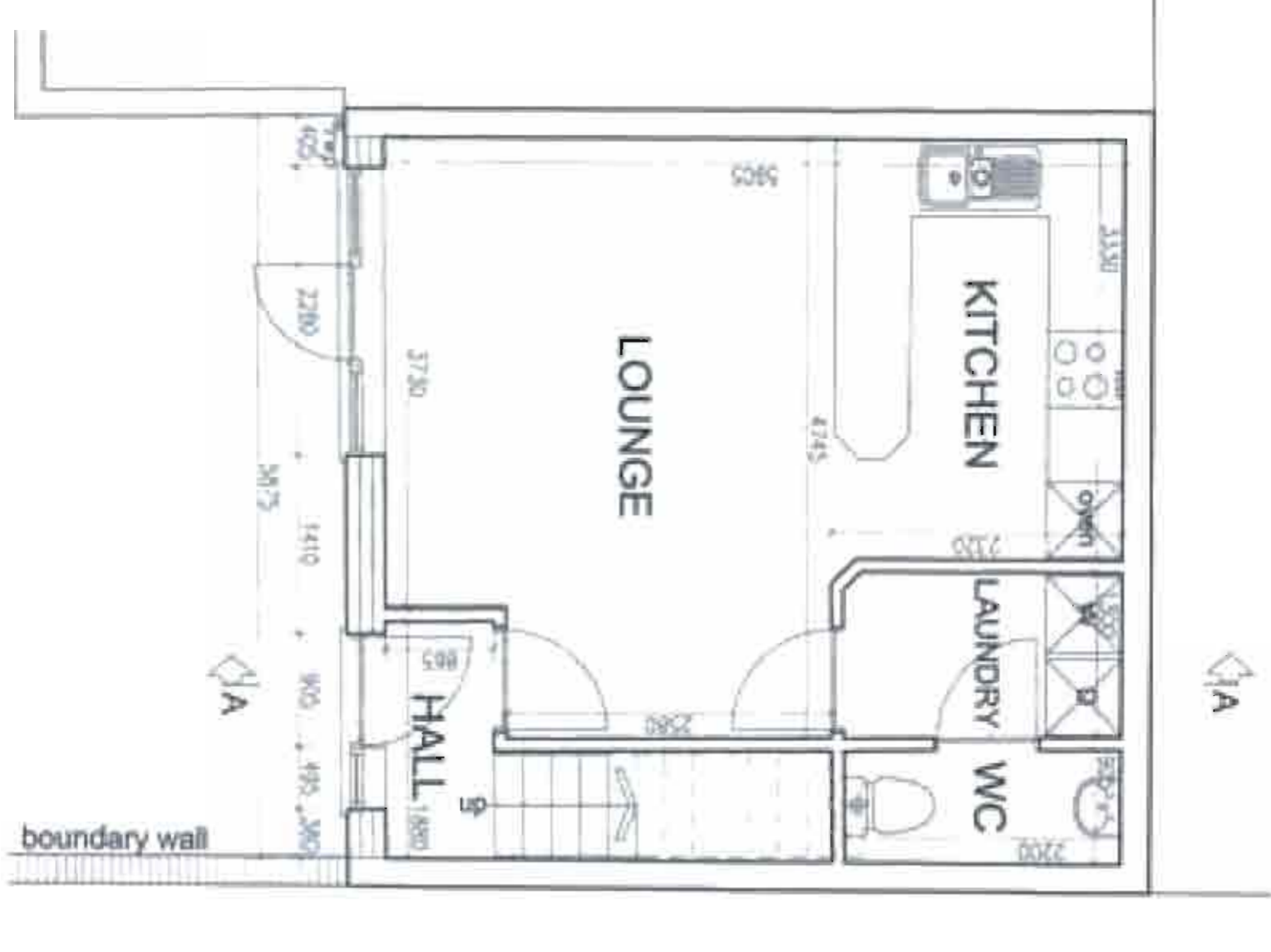
SECTION AA



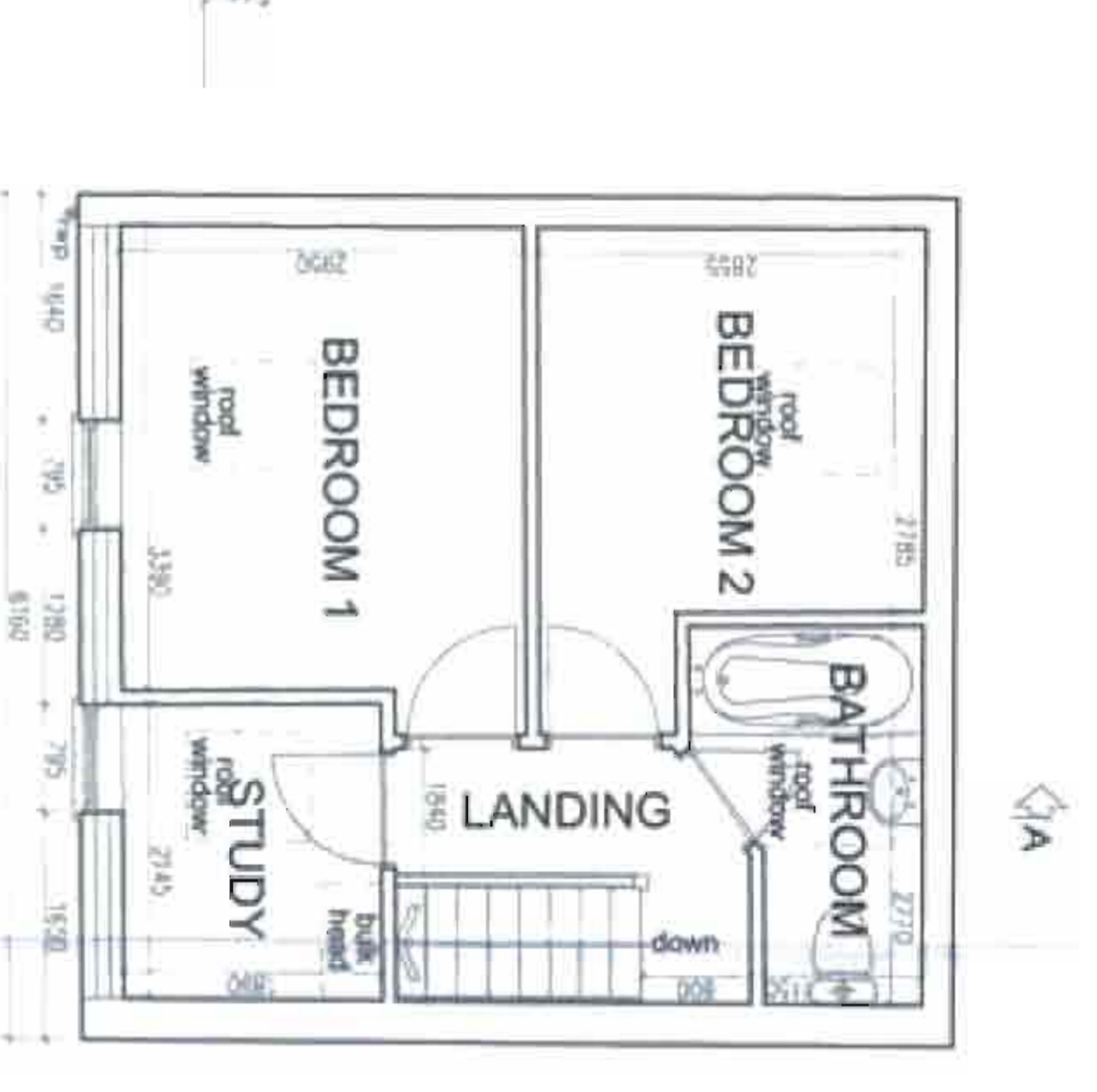
REAR ELEVATION



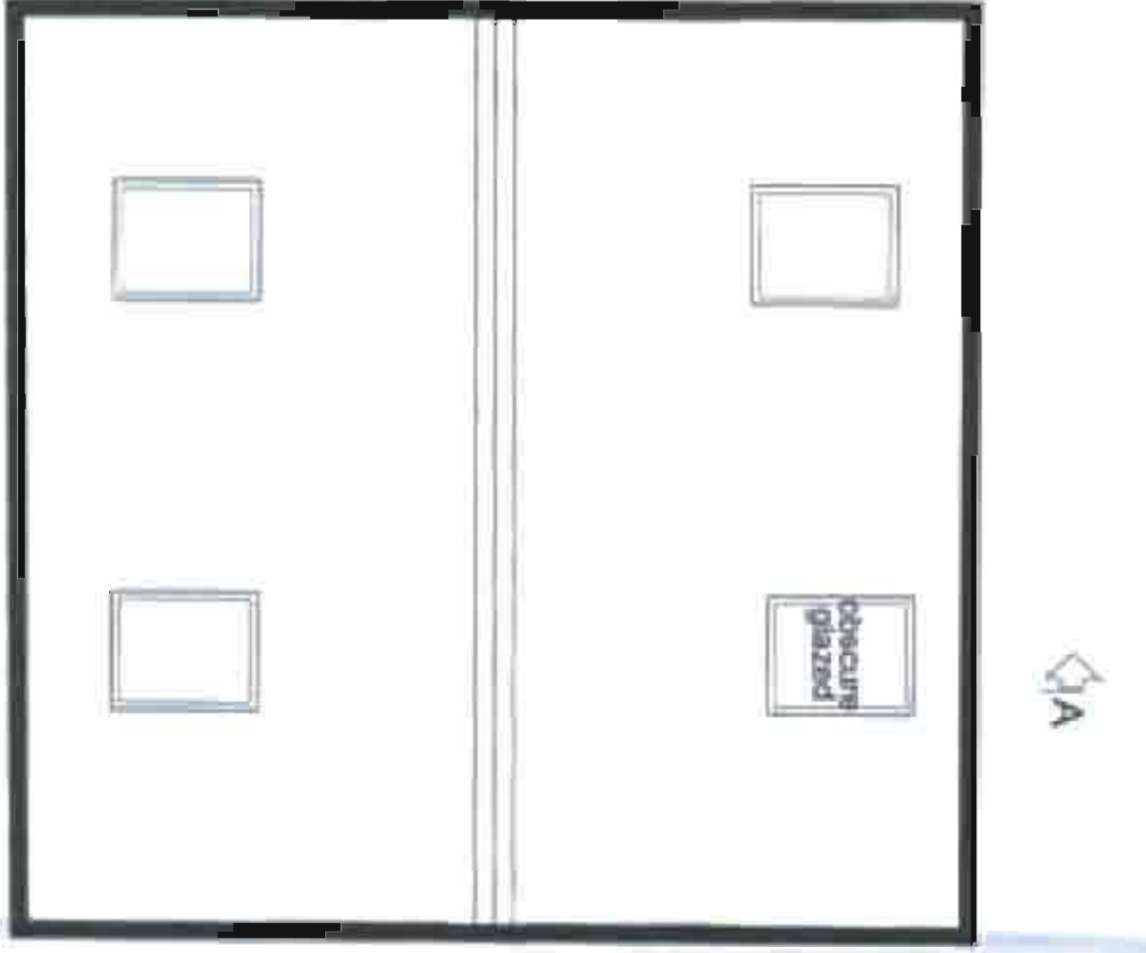
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



ROOF PLAN

15 DEC 2010

THIS DRAWING HAS BEEN PREPARED FOR PLANNING PURPOSES ONLY

SEVEN DESIGN BUILD
 PROPOSED CONVERSION
 COACH HOUSE REAR OF
 40 AVENUE ROAD
 COSELEY WV14 8QJ

MRS & MRS S. HWALE TON



NO.	DATE	DESCRIPTION
1	15 DEC 2010	ISSUED FOR PLANNING
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1437/P1