

PLANNING APPLICATION NUMBER:P06/0238

Type of approval sought	Full Planning Permission
Ward	Brierley Hill
Applicant	Mr G P O'rford
Location:	31, WILLIAM STREET, BRIERLEY HILL, DY5 3XH
Proposal	SINGLE STOREY SIDE EXTENSION TO CREATE KITCHEN & WC. TWO STOREY DETACHED EXTENSION TO CREATE GARAGE WITH GYMNASIUM OVER.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. 31 William Street is cream painted semi detached property which lies within a residential area but in a unique tandem, back land position accessed between Nos. 29 and 33 William Street.
2. William Street, which is aligned approximately north to south, is a traditional street of older properties on narrow plots that sit at the back edge of the footpath and largely benefit from long rear gardens of some 45m.
3. The exception is the curtilage of No. 31 that sits to the rear of Nos. 27, 29 and 33 and occupies some 26m of this depth.
4. In addition to the dwelling, which sits close to the westernmost boundary beyond which there is a railway line, there is an old two storey workshop building that extends the full length of the site's southern boundary to the side of the dwelling.
5. The back wall of this building forms the northern boundary to the rearmost part of the garden attached to 25 William Street. This building, which has a ridge height of 6m, is

of red brick and slate roof construction and has a main span of some 4.7m which is extended by a lean-to addition on the eastern end to some 6.3m.

6. This building also extends with additions up to the western boundary some 2.8m from the main house wall.

PROPOSAL

7. The application proposes the demolition of the old workshop building and its replacement with two separate buildings.
8. At the eastern boundary it is proposed to reinstate a two storey building of 6.5m height with the roof ridge running north/south. The span is show to match that of the workshop and lean-to, namely, 6.3m. The gable width of the building is to be some 5.1m with the building providing a double garage with gymnasium above.
9. The second building is a small side extension of some 6.m x 4.8m that is set towards the rear of the property's side gable and extending to the western boundary with the railway line. This is to provide a kitchen and ground floor toilet.

HISTORY

10. Planning history.

APPLICATION No.	PROPOSAL	DECISION	DATE
93/51771	Change of Use from Class B1 Light Industrial to Class 2 general Industrial Workshop	Withdrawn	25 th May 1994

PUBLIC CONSULTATION

11. Neighbour notification letters were sent out and one letter of representation has been received.

12. 25 William Street.

Total objection to the redevelopment on the grounds that: -

1. Decrease in security of property the present building provides.
2. Removal of the protected micro climate by removing the protection from north winds that the building provides.
3. Reducing the aesthetic value of the garden.
4. Removal of privacy.
5. This garden area is like another 'outside' room and the above will affect their quality of life.

They purchased this property 26 years ago because of the garden, privacy and security afforded by the workshop building.

They keep a valuable collection of Koi Carp in this area and dust from the building works could have an adverse affect on them and possibly result in killing them. It is felt that the present building could be adapted to accommodate their needs.

OTHER CONSULTATION

13. None required.

RELEVANT PLANNING POLICY

14. Policy DD4 – Development in Residential Areas.
15. PGN12 – The 45 Degree Code.
16. PGN17 – House Extension Design Code.

ASSESSMENT

17. Policy DD4 states, inter alia, that residential extensions and alterations will be allowed where there would be no adverse effect upon the character of the area or upon residential amenity.
18. Planning Guidance Note No. 12 sets a 45 degree Code aimed at guiding the design of extensions in order to ensure that they do not seriously affect a neighbour's outlook, daylight or privacy.
19. Planning Guidance Note No.17 states that the Council seeks to ensure that house extensions and alterations relate to the character of the original in terms of scale, materials and design details.
20. The proposed development will result in a significant reduction in building on the site and by replacing industrial workshops with residential use will result in a positive enhancement of the residential environment.
21. The replacement garage block if constructed in similar materials to the workshop, namely red brick with slate roof, will echo the character of the neighbouring residential property in this part of William Street.
22. The kitchen extension, being small and in a secluded position and shown to relate to the external appearance of the main dwelling, will not have an adverse impact upon the character of the area and cannot be considered to give rise to residential amenity issues.
23. The objection from No. 25 William Street is based largely on the wish to prevent demolition of the present building. There are, however, no grounds upon which the demolition of the old workshop could be resisted and the development does not give rise to issues which would normally expect to feature as valid planning land use objections, namely, increased overlooking, overshadowing or intrusive appearance.

24. Some degree of status quo will be reinstated with the new garage and extensions.
25. The implications for security are not considered to be of such weight to amount to a material reason to object to the development particularly, as already stated, the building could be demolished without consent.
26. Details of the boundary treatment can, however, be dealt with by Condition to ensure a satisfactory visual appearance.
27. Insofar as the risk of damage to the neighbour's property during demolition and building work is concerned that falls as a civil matter between the parties.
28. The new garage building, whilst taking a different orientation to the existing building, will not, it is considered, have any appreciably greater impact upon the properties to the east, namely, 27 and 29 William Street. The building will be set off the boundary to allow for guttering and the eaves will be at 4.8m by comparison with the present gable wall height of 6m.
29. It is considered that the proposal raises no conflicts with Planning Guidance Note No.17.
30. There are no issues with the 45 Degree Code.

CONCLUSION

31. Having regard to the above assessment the proposed development will result in an improvement in the residential environment and as such is considered to meet the objectives of Policy DD4 and the design Guidance and permission is recommended.

RECOMMENDATION

32. It is recommended that permission be granted subject to the following.

33. Reason for Approval

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

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. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the local planning authority.
3. Full details of the boundary treatments (walling or fencing) along the east and south boundaries shall be submitted to and be approved by the Local Planning Authority before work commences. All such boundary treatments shall be completed in accordance with the approved details before use of the development is commenced.
4. For the avoidance of doubt, this Permission relates to drawing Nos. 141/150106 and 142/150106, and shall be implemented in strict accordance with these plans unless otherwise agreed in writing with the Local Planning Authority.