

PLANNING APPLICATION NUMBER:P13/0359

Type of approval sought	Full Planning Permission
Ward	St Thomas's
Applicant	Mrs K. Perveen
Location:	19 DINGLE CLOSE, DUDLEY, DY2 8AG
Proposal	REAR CONSERVATORY (RESUBMISSION OF WITHDRAWN APPLICATION P12/1428)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site comprises an extended inter-war hipped roof semi-detached dwelling. The original dwelling was rendered with a two storey projecting bay to its front elevation with a gablet over. The dwelling was extended in 2005 with the addition of a two storey side/rear and single storey front and rear extensions.
2. The single storey rear extension projects 3.7 metres from the rear of the original elevation and comprises a monopitch roof over. The rear extension measures 2.5 metres to its eaves and 3.8 metres to the ridge of the roof.
3. The attached pair (no. 20) comprises a single storey rear extension. This extension projects 1.9 metres from the rear of the original dwelling and is of a flat roofed construction.
4. The site lies within a predominantly residential area characterised by house types of a similar age, type and style to the application site.

PROPOSAL

5. The proposal seeks the erection of a rear conservatory. The building would extend a maximum of 2.9m from the rear elevation of the existing single storey rear extension. The conservatory would have splayed sides built at a 45 degree angle from the rear wall of the existing extension. The building would be between 8.2 metres and 2.5 metres wide.
6. The conservatory would have a shallow monopitch roof with the eaves measuring 2.5 metres high and the ridge measuring 2.8 metres high. The conservatory would be built using brick plinths with brickwork to match the existing extension with the remainder of the elevation formed by white upvc glazing panels with high level openings. The rear elevation would comprise a set of French doors to provide access into the garden. The roof would be formed using polycarbonate sheeting.
7. This application is reported to the Development Control Committee for determination as the applicant is related to an elected Member of the Council.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
P05/2055	Single storey front and rear and two storey side extension	Approved with Conditions	14/10/2005
P12/1428	Rear conservatory	Withdrawn	18/12/2012

8. This application is a resubmission of a previously withdrawn conservatory (P12/1428). The withdrawn scheme proposed the erection of a rectangular extension that would have extended across the full width of the existing dwelling and that would have projected a further 4 metres from the existing single storey rear

elevation. The conservatory would have had a hipped roof over with a maximum height of 3.8 metres. This application was withdrawn due to concerns that the depth of the extension and its proximity to the side boundaries with the site would have caused unacceptable loss of amenity in terms of immediate outlook and sunlight to habitable rooms to the occupiers of neighbouring properties, in particular no. 20 Dingle Close.

PUBLIC CONSULTATION

9. This application was advertised by way of neighbour notification letters being sent to the occupiers of four properties within close proximity to the site. The latest date for comments was the 24th April 2013. One letter has been received from an immediate neighbour who raises the following material planning considerations:

- Previous applications have caused aesthetic damage to Dingle Close through extending over the front building line and altering the streets character as traditional 1940's semi-detached buildings.
- The proposed development would cause overshadowing to the rear of no. 20 Dingle Close.
- The proposed development will cause overlooking and a loss of privacy to the rear of no. 20 Dingle Close and its garden. Much of the rear garden of the application site would be developed.
- The application site already has a large extension and is overdeveloped in comparison to the rest of the street. To allow the proposal would result in further overdevelopment damaging the character of the local area.
- The design and appearance of the proposed building would be over bearing and too large and not in keeping with the local area.
- If approved, it would increase the density of the buildings to appear more like terrace houses than semi-detached properties further damaging the character of the street and local area.
- The proposals would lead to environmental impacts such as increased surface water run off that could cause localised flooding in times of heavy rainfall overloading drains.

- The extension could result in the loss of local wildlife with extra noise and building works reducing the numbers of birds, insects, hedgehogs and foxes in the area.
- The proposals could lead to changes in the local micro climate such as increased localised heating of the area due to the urban heat island effect (where concrete and other man made surfaces retain heat for longer than natural surfaces) causing damage to local wildlife.

OTHER CONSULTATION

Group Engineer (Development):

10. Not applicable.

RELEVANT PLANNING POLICY

National Planning Guidance

11. The National Planning Policy Framework (NPPF) sets out the Governments 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.
12. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development.

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

Black Country Core Strategy

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

Unitary Development Plan

- DD4 Development in Residential Areas

Supplementary Planning Guidance/Documents

- PGN 17. House extension design guide

ASSESSMENT

13. The main issues are

- Design
- Neighbour Amenity
- Other Issues

Design

14. The rear conservatory would be of a functional design with a brick plinth and glazing panels to form its elevations and a shallow monopitch polycarbonate roof over. The extension would be sited to the rear of the dwelling and would not be visible from the street. The extension would therefore not have a detrimental impact upon the character of the area.

15. The proposed extension has been designed with splayed sides in order to comply with the 45 degree code with respect to habitable room windows associated with neighbouring properties. If the proposed extension was a brick built structure, this would result in a complicated construction and the creation of an awkward and unusable space between the proposed extension and boundary. However, since the proposed extension is a conservatory these issues are lessened due to the modular nature of the building works and limited brick construction required. It would therefore, not be reasonable to recommend the refusal of planning permission on this basis.

16. The letter of objection received raises concerns that the proposed development would change the appearance of the dwelling from a semi-detached to a terrace

property, would result in over development and would be out of keeping with the local area.

17. The application site has been extensively extended in the past but it would be difficult to suggest that given the siting of the conservatory to the rear of the site that it would have an adverse impact on the character of the area, would be out of keeping and would result in the property appearing as a terrace property. Conservatories are typical extensions to be added to the rear of properties and the addition of the conservatory would not alter the visual appearance of the property from the street. The main issue to consider would be whether in view of the existing extensions that have already been added to the property whether the addition of further development would be harmful to residential amenity. This is discussed below.

18. For the above reasons, the proposed development would be in accordance with Policies ENV 2 and ENV 3 of the BCCS, saved Policy DD4 of the Adopted Dudley Unitary Development Plan and PGN17.

Neighbour Amenity

19. The proposed extension complies with the 45 degree code and would be of limited height to both its ridge (2.8m) and eaves (2.5m). There is a 2m high close boarded fence positioned between the application site and the attached pair (no.20). The proposed conservatory would extend at most 0.8m above the existing fence falling to 0.5m to its eaves. Given the limited projection of the proposed conservatory above the existing fence, its compliance with the 45 degree code and given that the side elevations of the conservatory would be splayed and therefore extending away from the side boundary it would be difficult to suggest it would be overbearing and result in the overshadowing of the rear of no. 20 Dingle Close.

20. The proposed conservatory would only have high level openings placed within each side elevation. These windows would be located between 1 and 2.2m from the side boundary with the attached pair. The siting of the windows away from the side boundary and being only high level top opening windows would ensure that on

balance, the proposed development would not result in an unacceptable loss of privacy or overlooking to the occupiers of no. 20 Dingle Close.

21. The extension would be visible above the existing garden fence between the application site and no. 20 Dingle Road when viewed from the rear of the garden but given the limited projection above the fence and in view of the fact that the elevations would fall away from the side boundary means, that it would not be so harmful as to warrant the refusal of planning permission thereby being in accordance with saved Policy DD4 of the Adopted Dudley Unitary Development Plan and PGN17.

Other Issues

22. A number of other issues were raised within the objection letter received in terms of the potential environmental impacts of the proposed conservatory in terms of surface water run off, impacts upon biodiversity and the micro climate. Whilst these are valid planning issues with respect to major development it would be unreasonable to apply these principles with respect to an application seeking approval for a domestic house extension.

CONCLUSION

23. The rear conservatory would be of a functional design, sited to the rear of the dwelling and would not be visible from the street. The extension would therefore not have a detrimental impact upon the character of the area or the street scene. The compliance with the 45 degree code, the limited projection of the proposed extension above the fence and the fact that the extension would be pulled off and away from the side boundaries would ensure that there would be a detrimental impact upon residential amenity to warrant the refusal of planning permission.

RECOMMENDATION

24. It is recommended that the application be APPROVED subject to conditions.

Reason for approval

The rear conservatory would be of a functional design, sited to the rear of the dwelling and would not be visible from the street. The extension would therefore not have a detrimental impact upon the character of the area or the street scene. The compliance with the 45 degree code, the limited projection of the proposed extension above the fence and the fact that the extension would be pulled off and away from the side boundaries would ensure that there would be a detrimental impact upon residential amenity to warrant the refusal of planning permission.

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.

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.

APPROVAL STATEMENT INFORMATIVE

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:

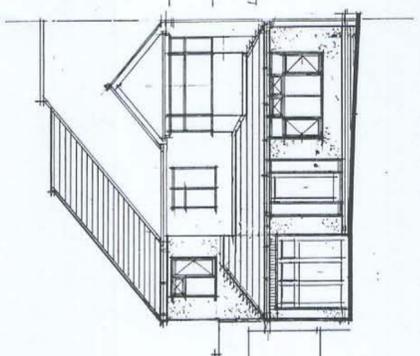
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: KP 3286/12 Rev A
3. No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.

CAI

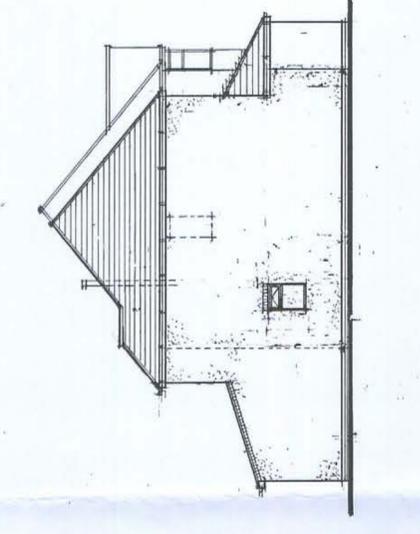
The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

The Contractor is to comply in all respects with current Building Regulations - Part A, Standard Specifications, Part B, Part C, Part D, Part E, Part F, Part G, Part H, Part J, Part K, Part L, Part M, Part N, Part P, Part Q, Part R, Part S, Part T, Part U, Part V, Part W, Part X, Part Y, Part Z, Part AA, Part AB, Part AC, Part AD, Part AE, Part AF, Part AG, Part AH, Part AI, Part AJ, Part AK, Part AL, Part AM, Part AN, Part AO, Part AP, Part AQ, Part AR, Part AS, Part AT, Part AU, Part AV, Part AW, Part AX, Part AY, Part AZ, Part BA, Part BB, Part BC, Part BD, Part BE, Part BF, Part BG, Part BH, Part BI, Part BJ, Part BK, Part BL, Part BM, Part BN, Part BO, Part BP, Part BQ, Part BR, Part BS, Part BT, Part BU, Part BV, Part BW, Part BX, Part BY, Part BZ, Part CA, Part CB, Part CC, Part CD, Part CE, Part CF, Part CG, Part CH, Part CI, Part CJ, Part CK, Part CL, Part CM, Part CN, Part CO, Part CP, Part CQ, Part CR, Part CS, Part CT, Part CU, Part CV, Part CW, Part CX, Part CY, Part CZ, 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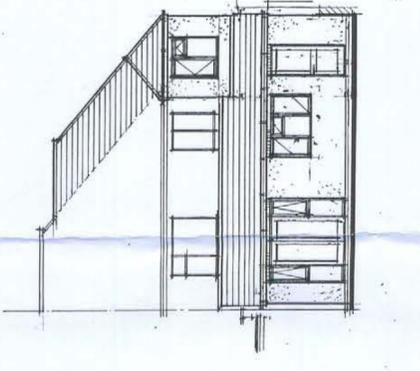
dgno. KP. 2550/05
 Existing floor plans
 and elevations
 P13/0359



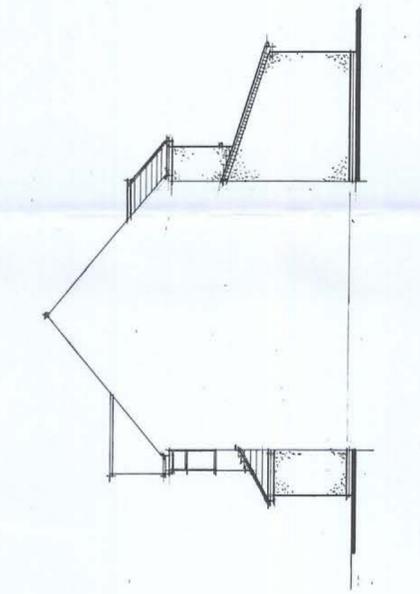
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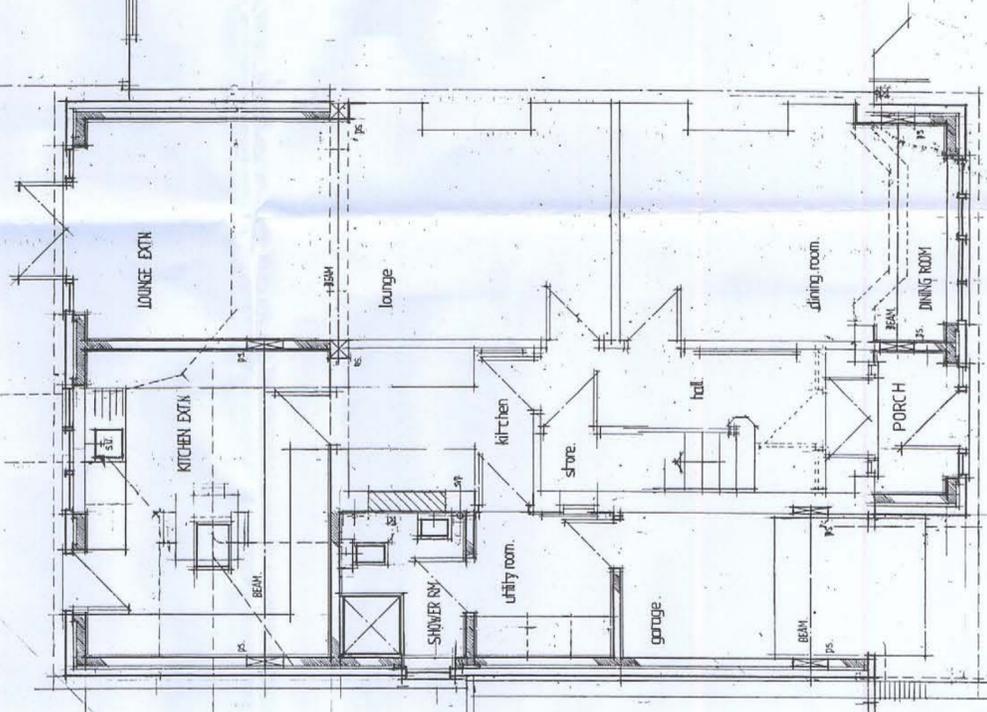
side elevation.
 (facing No.18 Dingle Close)



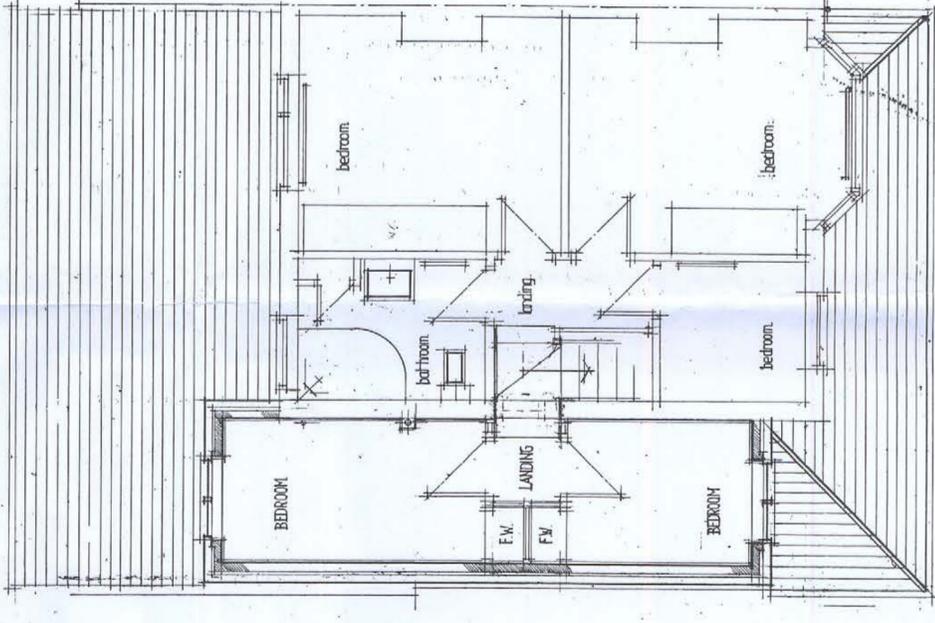
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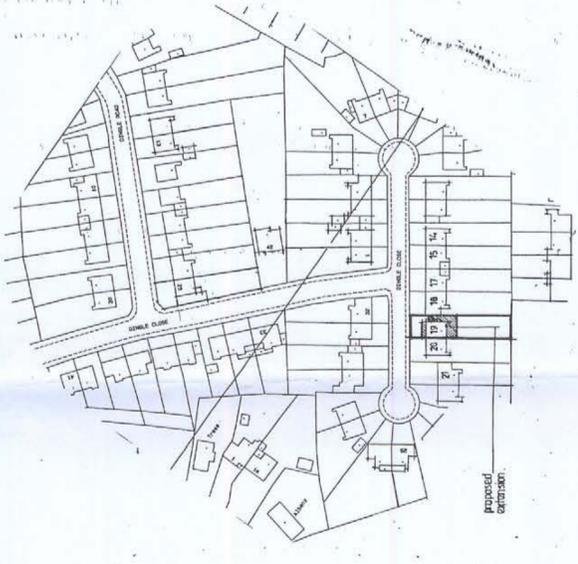
side elevation.
 (facing No.20 Dingle Close)



ground floor plan.



first floor plan.

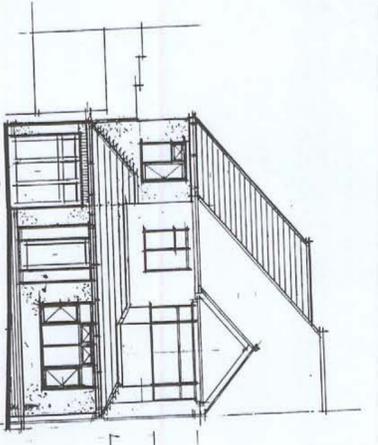


block plan.
 scale: 1:1250

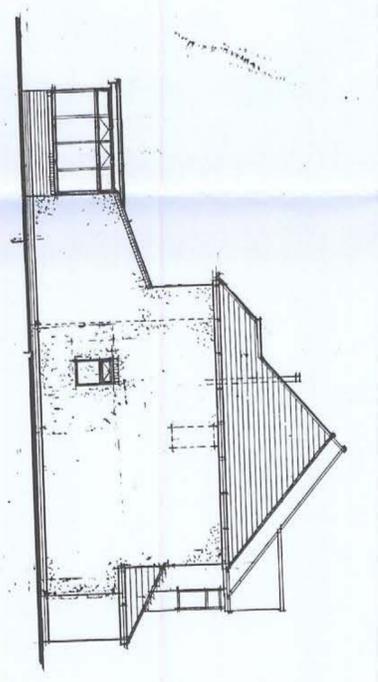
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 18 MAR 2013
 PLANNING DEPARTMENT

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

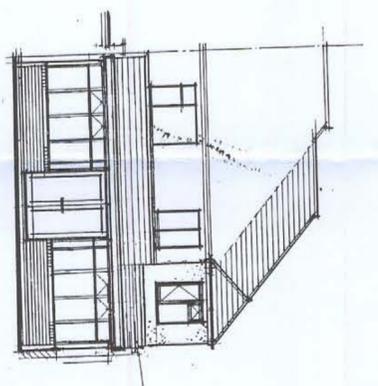
Planning & Design Services 21 THE BRACKENRY, DUBLIN 4 WESTMOUNT DUBLIN 4 Architectural Design, Planning & Surveying Tel & Fax: 01384-257184		Client MRS K. PERVEEN
Job Title 19 DINGLE CLOSE DUBLIN 4 DUDLEY D12 8AG		Drawing Title PROPOSED KITCHEN, LOUNGE AND SHOWER ROOM EXTENSION G.E. WITH BEDROOMS OVER
Scale 1:100 1:50		EXISTING DETAILS
Date AUG. 2005		Drawn by
Dwg. No. KP. 2550/05		Rev. X



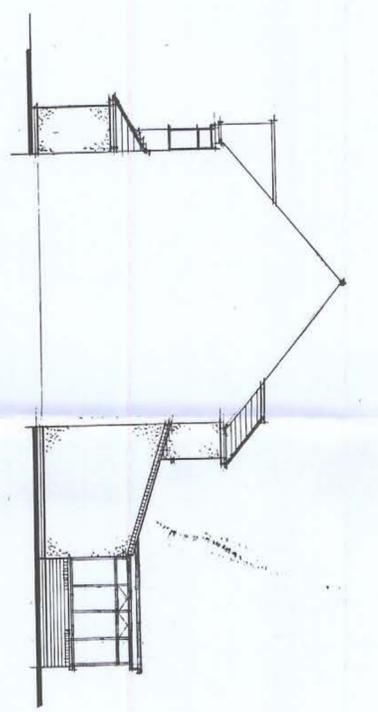
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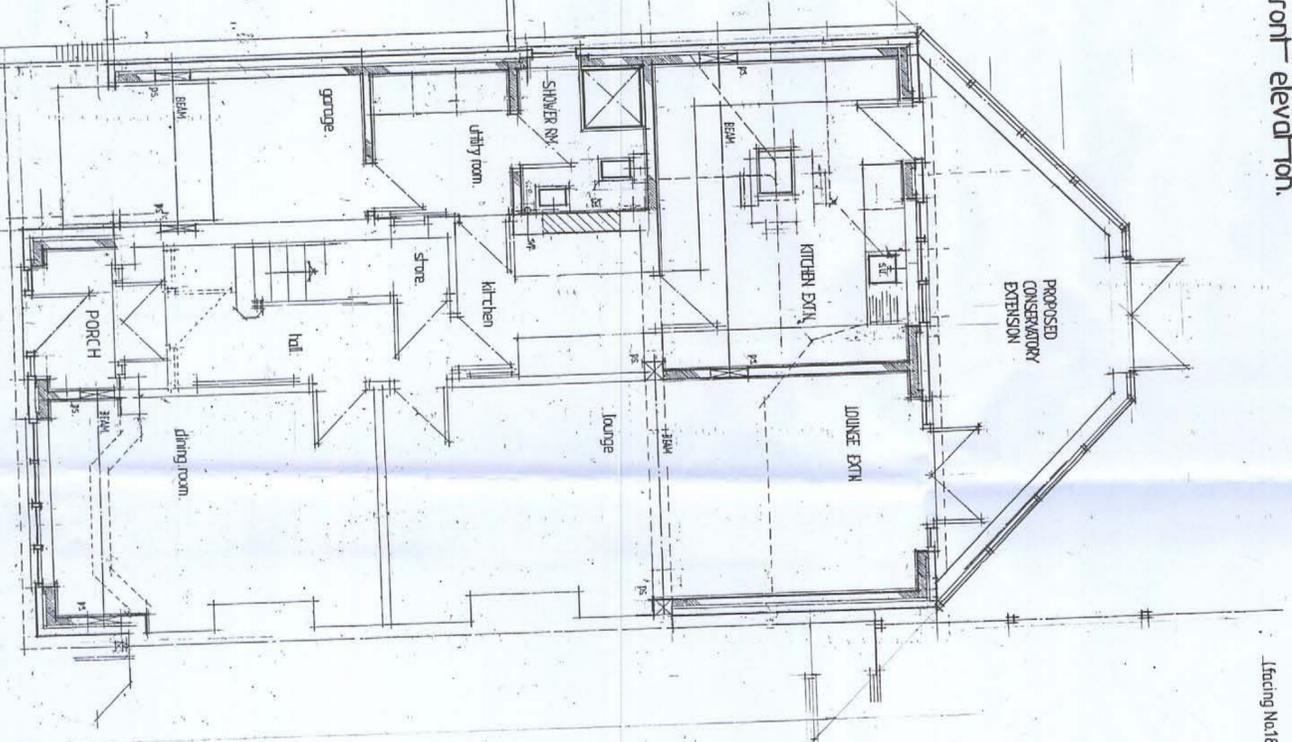
side elevation.
(Facing No.18 Dingle Close)



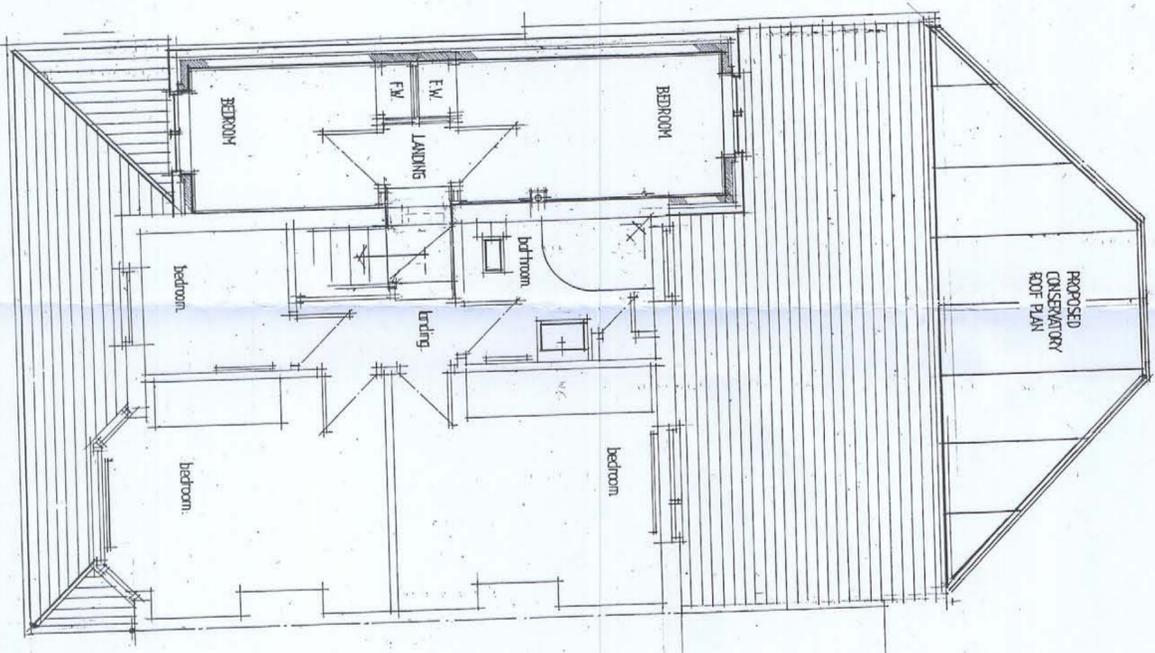
rear elevation.



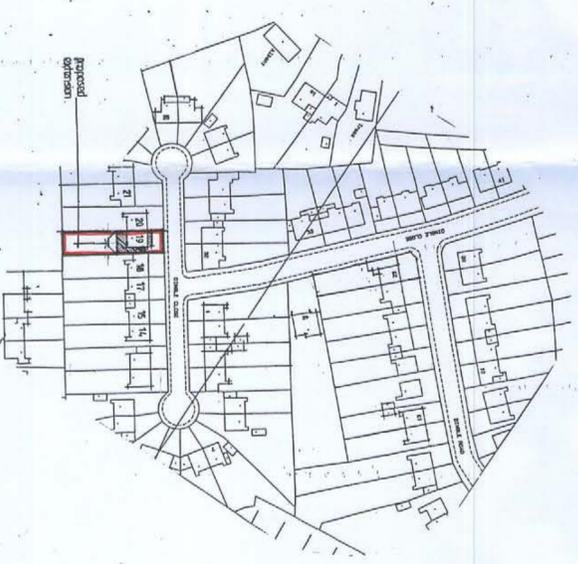
side elevation.
(Facing No.20 Dingle Close)



Proposed Ground Floor Plan for Conservatory



Existing First-Floor Plan.



block plan.

scale: 1:1250

The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at contractor's expense before work starts.
The Contractor is to comply in all respects with current building regulations - British Standard Specifications, National Building Regulations and Approved Documents, and all other applicable laws, codes of practice or other specifications stated on this drawing.
This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.
The drawing may not show final design details of the proposed extension.
Each area of ground related upon to support any structure depicted (including drainage) must be investigated by the contractor and any necessary ground conditions, any support or fluid ground contaminants on or within the site must be investigated and reported to the contractor. Any remedial work should be undertaken by a suitable expert.
Where existing trees are shown to be retained they should be protected in accordance with BS5834:2012.
All trees are to be planted so as to provide shade and drainage and services. A suitable method of foundation is to be provided to accommodate the proposed extension.
The drawings and the building works depicted are copyright and may not be reproduced or amended except by written permission.

dy no. KP3286/12 A
Proposed plan, elevations and elevations.
P3/10/357

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NOTES: 18 MAR 2013
All dimensions must be checked on site and not scaled from this drawing.

Date	Revisions

Planning & Design Services

231 THE BERNARDINI BUILDING
100, SOUTH MAIN STREET, DUBLIN 8
Architectural Design, Planning & Services
Tel & Fax: 01384-257184

Client: MRS. K. PEWEN

Job Title: 19 DINGLE CLOSE
DRAWING: -DUALY
DYZ 846.

Drawing Title: PROPOSED REAR CONSERVATORY EXTENSION

PROPOSED DETAILS

Scale: 1:100 1:50
Date: OCT. 2012
Drawn by:

Dwg No: KP 3286/12.
Rev: A