

PLANNING APPLICATION NUMBER: P05/2110

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| Type of approval sought | FULL PLANNING PERMISSION |
| Ward | SEDGLEY |
| Applicant | MR M DHALILWAL |
| Location: | 250, NORTHWAY, DUDLEY, DY3 3RL |
| Proposal: | TWO STOREY SIDE AND REAR EXTENSIONS. |
| Recommendation summary: | APPROVE SUBJECT TO CONDITIONS |

SITE AND SURROUNDINGS

1. The application property is a two storey detached dwelling which has a steeply pitched roof over with front and rear facing gables and side facing dormers. The dwelling is south facing and located on a large corner plot to the northeast of the junction between Northway and Rowena Gardens with the side elevation of the dwelling set some 11.5m from the boundary with Northway. The property has a single bay attached garage to the side with a large carport located to the front and side of the attached garage. The property has also been extended to the rear with a single storey kitchen extension.
2. The surrounding area is residential and the street scene is characterised by properties which vary in scale and design. There are a number of properties built to the same design as the application property located in the immediate vicinity of the site, which are interspersed with more traditional two storey detached properties with pitched roofs to create a varied appearance to the street scene. The adjoining properties to the rear of the site, Nos. 2 and 4 Alder Coppice, are two storey detached properties which are larger in scale than that of the application dwelling and the surrounding properties on Northway and Rowena Gardens.
3. The land in the vicinity of the application site rises to the east with the adjoining property to the east No. 1 Rowena Gardens sitting approximately 0.3m higher than the application property, and the building line along Rowena Gardens is staggered with the adjoining dwelling No 1 set approximately 2.5m forward of the application dwelling.

PROPOSAL

4. It is proposed to erect a two storey side extension to provide a new lounge and dining room and an extended kitchen on the ground floor, and two new bedrooms, one of which will contain an en-suite bathroom, on the first floor.
5. The application originally proposed a new garage to the rear of the property with new vehicular access on to Northway. This aspect of the development has been omitted from the plans due to adverse comments received from the Traffic and Road Safety Department of the Council regarding the potential hazard to highway safety which could arise as a result of the new access. The revised plans were received on 28 October 2005.
6. The development would replace the existing garage and carport to the side, and the existing kitchen extension to the rear by extending the two storey aspect of the dwelling 6m to the side and 2.6m to the rear. In addition to this, the existing west facing side elevation of the dwelling, which is currently single storey in height due to the design of the original roof, would be extended to two stories replacing the existing east facing dormer. The extension would change the overall style of the property by combining original architectural details of the property with more traditional architectural details which feature in the street scene in the immediate vicinity of the site. The existing front facing gable would be retained with the steeply pitched sides, however, the roof over the new additions would be a more traditional pitched roof with side facing gables and a shallow pitch of approximately 27.5 degrees. The ridge of the new roof would be set 0.5m higher than the ridge over the existing roof. The front elevation of the extension would contain a ground floor bay window and the side elevation of the extension would feature an external chimney flue which would measure some 8.6m in height.
7. The proposal has been developed over approximately 4 months of pre-application consultation with Planning Officers at Dudley MBC in order to finalise a scheme which would be acceptable from a planning perspective.

HISTORY

8.

| APPLICATION No. | PROPOSAL | DECISION | DATE |
|------------------------|---------------------------------|--------------------------|-------------|
| 80/51739 | EXTENSION TO CARPORT. | Refused | 28/07/80 |
| 81/50029 | ERECTION OF CAR PORT EXTENSION. | Approved with Conditions | 02/02/81 |

PUBLIC CONSULTATION

9. Nine letters of notification were issued and six written responses have been received.

10. Letter received from No. 1 Rowena Gardens who object to the development on the following grounds:

- “Taking a two storey extension out another 2.5m would almost totally block out any sun light on our kitchen and small rear garden. The total aspect of our rear garden would be almost non existent.”
- “The side elevation facing our house, with the roof going higher than the existing roof line, would also seem very imposing and in close proximity our bathroom and dormer landing window, leaving them also overshadowed.”

11. Two letters of objection have been received from Nos. 2 and 7 Rowena Gardens. The occupants of these properties have enclosed with the letters particulars of the restrictive covenants within the deeds of the application property, and the conditions attached to the original planning permission (Application No. 6987) for the property. The covenants restrict the erection of any fence division wall or hedge along the boundary dividing the dwelling house from the adjoining property on either side, or along the boundary which fronts the highway, to ensure the open aspect to the front of the property is maintained.

Condition 5 attached to the original planning permission for the residential development states that “The open plan arrangement shown for the frontages of the dwelling houses shall be kept free permanently of any type of wall, fence or other structures, other than necessary retaining walls.” The grounds of objection are summarised as follows:

- The covenants built within the deeds of this property have not been adhered to as the plans show a proposed garage extending over the building line encroaching on the permanent open aspect.
- The new garage and driveway would be detrimental to highway safety as cars standing on the driveway to this garage will obscure an already limited view exiting Rowena Gardens.
- The proposed alterations are not in keeping with the surrounding properties.
- The residents on the Northway who would face the side of this property, which will incorporate a garage, parking area, and many windows, would suffer a detrimental impact to the reasonably private outlook currently enjoyed.
- No. 248 Northway, which is a similar property to the application property, was previously refused planning permission to extend into the permanent open aspect as the covenants are in place permanently.

12. A letter of objection has been received from No. 5 Rowena Gardens who objects to the proposed development on the following grounds:

- If the applicant’s driveway is used to accommodate the development there would be an increase in the danger exiting Rowena Gardens on to Northway which is a blind spot especially when turning right. There have been problems before with cars parked on the corner of the street.

13. A letter of objection has been received from No. 3 Rowena Gardens who objects to the proposed development on the following grounds:

- The proposed garage to be built on the Northway would create a big problem for all the residents of Rowena Gardens when turning right onto the Northway. If a car was to be parked on the new driveway this would cause serious problems.

14. A letter of objection was received from No. 246 Northway who objects to the proposed development on the following grounds:
- As the present building and landscaping stands there are safety issues for the residents at Nos. 242, 244, 246 and 248 Northway when leaving their driveways due to very poor visibility on that particular bend. There have been several accidents in the past, some of which were fatal.

OTHER CONSULTATION

15. **Traffic and Road Safety**

The Head of Traffic and Road Safety raises no objections.

RELEVANT PLANNING POLICY

16. Policy DD4 – ‘Development in Residential Areas’ Adopted UDP 2005
17. Supplementary Planning Guidance Note 17 ‘House Extension Guide’
18. Supplementary Planning Guidance Note 14 ‘Car Parking Standards’

ASSESSMENT

Design and scale

19. The footprint of the proposed development has been designed not to extend beyond the canopy roof over the existing carport nor forward of the existing front elevation of the dwelling in order to maintain the openness of this prominent corner plot. It is considered that although the scale of the property is somewhat larger than the neighbouring properties on Rowena Gardens and the Northway, there are properties of a similar scale to that of the proposed development which adjoin the site to the north on Alder Coppice, and therefore the scale of the development would not look out of character in this area of the Northway.
20. The design is a blend of the existing architectural features of the property and architectural features of the neighbouring properties surrounding the site. The existing

front facing gable has been maintained as the dominant feature of the front elevation in order to maintain the dominance of the original dwelling when viewed from the public highway. The ridge of the roof over the dwelling would be raised in height by 0.5m, however, it is considered that the elevated position of No. 1 Rowena Gardens, and the steady rise in ground to the east, would minimise the visual impact of this aspect and prevent the height of the application dwelling becoming over dominant in relation to No. 1 and the neighbouring properties along Rowena Gardens. Overall, due to the utilisation of architectural styles which are a common feature in the immediate street scene, and maintaining the dominance of the original dwelling it is considered that the design of the development would not look out of character or appear as an incongruous addition to the existing property.

21. It is proposed that the west facing side elevation of the extension, which would be exposed to the street scene, would contain four ground floor windows, one first floor window and an external chimney flue. It is considered that these features would break up the appearance of this elevation and therefore be visually acceptable as there will not be a large blank elevation visible from the public highway.
22. The restrictive covenants within the deeds of the property relate to erection of boundary treatments. The proposed development does not involve the erection of any additional boundary treatments and therefore this is not a relevant issue in the determination of this planning application. With regard to condition 5 which was attached to the original planning permission for the property (App No. 6987) and states that "The open plan arrangement shown for the frontages of the dwelling houses shall be kept free permanently of any type of wall, fence or other structures, other than necessary retaining walls.", the condition removes the permitted development rights for the owner of the property for the erection of these developments and they should not be carried out without planning permission from the Local Authority. This condition, therefore, does not restrict the right to develop the site if subsequent planning permission is granted to do so.

Impact on Residential Amenity

23. Although the development is a large addition to the property it does comply with the Council's policies regarding impact on the residential amenity of the neighbouring properties. There would be no contravention of the 45 degree code from the quarter

point of the nearest habitable room window at ground floor level or the centre point of the nearest habitable room window at first floor level to the rear of the adjoining property No. 1 Rowena Gardens. Due to the compliance with the Council's 45 degree code it is considered that the outlook from and light to the rear windows of the adjoining property No. 1 would retain an acceptable level.

24. With regard to the concerns received from the occupant of No. 1 Rowena Gardens regarding the loss of light to the rear garden, it is considered that the removal of the existing rear facing gable and the proposed design of the shallow pitch of the roof over the development would enable an acceptable level of sunlight to reach the rear garden of No. 1. This is due to the height of the proposed roof at the rear of the property being approximately 2.5m lower than the height of the existing rear facing gable.
25. The side facing dormer window of No. 1 Rowena Gardens which faces the application site provides light to secondary rooms and therefore the concern regarding loss of light to this dormer cannot be given considerable weight in the determination of this planning application. However, it is considered that the 4m separation which would be retained between the dormer window and the side elevation of the application dwelling, and the forward projection of No. 1 would allow an acceptable level of light to the rooms which the dormer serves.
26. The proposed windows in the side elevation of the extension facing the properties located on the opposite side of Northway would be set at a distance of approximately 30m from the nearest of these windows, and therefore this complies with the Council's guideline for a minimum distance of 22m between facing habitable room windows of neighbouring properties which is set out in Supplementary Planning Guidance Note 17 'House Extension Design Guide'.

Impact on Highway Safety

27. The main concerns of the neighbouring residents who have submitted written objections, and also the comments received from the Traffic and Road Safety Department, related to the proposed garage and new vehicle access to Northway. Due to these concerns this aspect of the development has been omitted from the revised plans which were received on 28 October 2005. These concerns have therefore been addressed.

28. The letter of objection from No. 246 Northway raises concerns regarding the impact the proposed extension would have on the existing highway safety issues along this section of the highway. It is considered that, due to the extension projecting no further towards the public highway than the existing carport, there would be no worsening of the existing situation regarding visibility levels when exiting the properties on the eastern side of Northway to the south of the application site, or from Rowena Gardens. In addition to this, there have been no objections received from Traffic and Road Safety regarding the extension itself.
29. Although the proposed garage has been removed, the property would retain two off street parking spaces which complies with the Council's parking standard of two spaces, set out in Supplementary Planning Guidance Note 14 'Car Parking Standards', for a residential dwelling of this size, and therefore there are no concerns regarding potential hazards of increased on street parking.

CONCLUSION

30. The proposed extension has been designed to incorporate the original steeply pitched gable end feature of the existing property with the more traditional shallow pitched gables which are characteristics of neighbouring properties in the immediate vicinity of the site. The scale of the extension has been developed so as not to extend beyond the existing footprint of the carport to the side of the property in order to maintain the openness of this prominent corner plot. The overall scale of the development, although large, would not be out of context with the surrounding area due to the close proximity of large two storey detached dwellings located to the rear of the site in Alder Coppice. Overall it is considered that the visual appearance of the development is acceptable and would not appear out of character in the street scene.
31. It is considered that the development would not have a detrimental impact on the residential amenity of the neighbouring properties. There would be no contravention of the Council's guidelines which are set out in Supplementary Planning Guidance Note 17 'House Extension Design Guide'. The primary concern is the impact of the development on the light received to the rear garden of the adjoining property No. 1 Rowena Gardens. Although the extension would project further to the rear than the existing property, the removal of the existing rear facing gable would lower the roof

height and therefore it is considered that the garden of this adjoining property would retain an acceptable level of sun light.

32. The omission of the proposed garage and new vehicular access would alleviate the highway safety concerns of the initial proposal, and the off street parking provision which would be retained at the property complies with the Council's car parking standards.
33. The proposal is considered to be compliant with Policy DD4 'Development in Residential Areas' of the Adopted Dudley Unitary Development Plan 2005 and unlikely to cause harm to the amenities of the site and its surroundings.

RECOMMENDATION

34. It is recommended that the application is approved subject to the following conditions

Conditions and/or reasons:

1. A05A Commencement within 3 years - Full
2. The external materials used in the development hereby permitted shall match in colour, form and texture those of the existing building.
3. The development hereby permitted shall be built in accordance with the approved plans 502714F, 502715F and 502716E, unless agreed in writing by the Local Planning Authority.