

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. Jackson 'A'	First floor rear extension – 6 Church Road, Belbroughton, Stourbridge, DY9 9TE	GB CA VENV	11/0122-SC 11.04.2011

RECOMMENDATION: that permission be **REFUSED**.

Consultations

WH Belbroughton Parish Council	Consulted – view received 23.03.2011: No objection. Consulted – view received 08.03.2011: “The Council has no objections provided that there is no adverse impact on neighbouring properties.”
DRNG	Consulted – view received 07/03/2011: No objection.
Publicity	Site notice posted 04/03/11, expires 25/03/11 Press notice published 03/03/11, expires 24/03/11 4 Neighbour notification letters posted 21/02/11 expire 14/13/11

2 representations received:

1 Letter of objection received 11.03.2011 from occupier 8 Church Road
setting out following issues:

- “We have permitted access over Number 6’s property for the maintenance of our property along our rear outside wall, this would be restricted to five and half feet on the existing flat roof.”
- “Looking out of our bedroom window, to the left we have a 45 degree view of the protruding conservatory roof and to our right a 45 degree view of the gable end and rear wall of number 6”
- “The proposed bathroom will be attached to our bedroom wall, the room in which we sleep. Its close proximity, we feel is unacceptable.”
- “The proposed rear wall will only be a brick and half (33cm) from our bedroom window which will leave a gap of five and a half feet between the protruding conservatory roof and the proposed rear wall and gable end. We consider this would be obtrusive. Our line of site would be severely reduced to a corridor of site, within the 45 degree are. It would also be overshadowed and dominated by the intimidating effect of the rear wall and gable end of the proposed extension, degradig our amenity space.”
- “Our bedroom window is the only rear window contained in our property. We would refer you to the planning national policy 45 degree ruling, as we believe that this planning proposal contravenes and would compromise the integrity of the ruling, with an extension that would be in breach of the 45 degree reuling, if planning permission was granted.”

E-mail representation received 28.02.2011 from occupier 7 Queens Hill:
"No objection from us at 7 Queens Hill"

The site and its surroundings

This application relates to a property located on a prominent corner, in a raised location, within the Belbroughton Conservation Area. The front of the application property faces the western side of Church Road, whilst the side elevation of the property is adjacent a small raised green area above the southern side of Queens Hill.

The application property is attached to two further dwellings in a slightly unusual configuration. One of these further dwellings, No. 8 Church Road, is oriented such that it has a first floor rear bedroom window that overlooks an existing single storey rear extension of the application property.

Proposal

The applicant is proposing a first floor extension to extend an existing bedroom by approximately 1.5m and to create a new bathroom. A render finish is proposed and the existing double gable roof structure is to be continued with tiles to match existing.

Relevant Policies

WCSP CTC1, CTC.20, D38, D39
BDLP DS2, S35A, S36, DS2, DS13, S11
Draft CS CP3, CP16
Others SPG1, SPG7, PPS1, PPG2, PPS5

Relevant Planning History

B4386: First floor bedroom extension: Approved 20/03/78 (not implemented)
B5032: Single storey rear extension to dwelling: Approved 16/08/78
B/1993/0572: Extensions: Approved 11/10/93
10/0468: First floor rear extension (as amended by plans received 21/7/10): Refused 02.08.2010

Notes

This application is a revision of an application previously refused 02.08.2010 (ref: 10/0468). The refusal reasons given in relation to the previously proposed first floor rear extension are outlined below:

1. The proposed extension would be detrimental to the character and appearance of the Conservation area in terms of it's additional bulk detracting from the visual and architectural qualities of the existing building which would be

contrary to policies S35A and S36 of the BDLP, policy CTC20 of the WCSP and the general provisions of PPS5.

2. The proposed extension would have a detrimental affect on the visual amenity of the street scene creating an increasingly unattractive elevation and overall appearance of the building in a visually prominent location which would thus be contrary to policy DS13 of the BDLP.
3. The proposed extension would be detrimental to the amenities of the neighbouring property in terms of loss of outlook and privacy which is contrary to policy S11c) of the BDLP.

Assessment

The main issues to take into consideration are whether the proposals would constitute inappropriate development in the Green Belt and if so whether any 'very special circumstances' exist to outweigh the harm caused to the openness / visual amenity of the Green Belt. In addition it will be necessary to establish whether the proposals would preserve and / or enhance the Conservation Area.

It will also be necessary to consider the design of the proposal, its impact on the character of the street scene, its impact on the amenity of the nearby occupiers, technical matters relating to highways and drainage, and the views of third parties. I will deal with each matter under separate headings below.

Green Belt Policy

SPG7 for Extensions to dwelling in the Green Belt states that a maximum extension of 40% of the original dwelling or a maximum total floor space of 140m² (i.e. the original dwelling plus extension) may be regarded as a proportionate addition over and above the size of the original dwelling. This relates to all habitable floor space measured externally. Extensions over this size will normally be regarded as disproportionate additions.

In relation to this matter, I note the calculations of the recent Officer report 10/0468.

What is Original?

The original dwelling has been extensively extended and modified over the years.

	Approximate Floor Space
Original House	70.8m²
Existing Extensions	38.8m ²
Proposed additional floor space	9.75m²
Total Cumulative floor space proposed under permission 11/0122	119.35m ²
Total floor space increase above original	48.55m ²
% increase above original	68.57%

Having regard to SPG7, which states that dwellings within the Green Belt can only be extended by up to 40%, or 140m², for the extension to be considered a proportionate addition, this increase would therefore represent a proportionate addition and an appropriate form of development in the Green Belt.

Conservation Area & Street Scene Issues

Policy CTC.20 of the Worcestershire County Structure Plan (WCSP), policies S35A and S36 of the Bromsgrove District Local Plan (BDLP) and PPS5 highlight that the Council will seek to preserve or enhance the character or appearance of Conservation Areas and will under take measures as appropriate to promote and improve the environmental quality of such areas. New development must be sympathetic to the character of buildings in the detailed treatment of matters of design including the form, scale and materials. The Council will also seek to retain and enhance open spaces, important views, trees or other features of importance to the street scene.

Enhancement as well as protection are the objectives of Conservation Area status. While it may be desirable to see proposals which renovate or redevelop part of a Conservation Area, care must be taken to ensure that development proposals not only meet the standard of nearby quality buildings but also are appropriate to the locality.

Belbroughton village has a well established and attractive Conservation Area containing numerous Listed Buildings. Although this dwelling is not Listed, it is located within a prominent position within the Conservation Area.

Furthermore, I am mindful of the Conservation Officer's comments in relation to the previously refused (10/0468) first floor rear extension.

"The proposed extension would add a first floor to the rear elevation which currently has an older single storey addition and a modern conservatory which is unsightly when viewed from Queens Hill. I am concerned that adding further to the rear of the building will further distort the historic form of the cottage and because of the bulk will detract from the appearance of the building. The accumulative impact of the previous and proposed extensions would undermine the architectural interest of this particular historic building, and the wider Conservation Area as a result.

I would therefore recommend refusal of the application as detrimental to the character and appearance of the Belbroughton Conservation Area."

It is noted that this resubmission has substantially reduced the scale of the proposed extension. This application does not, however, overcome the Conservation Officer's previously stated objection that 'adding further to the rear of the building will further distort the historic form of the cottage'.

It is viewed that the conservation related reasons for refusal of application 10/0468, though lessened by the reduced bulk, remain relevant. This is also true of the impact on the street scene. The building already appears very disjointed when viewed from Queen

Hill and a further addition is viewed that it would further detract from the visual amenity of the street scene.

Residential Amenity Issues

Policy S11c of The BDLP 2004 requires that development represents '**no material harm to the amenity of nearby occupiers**'

The adjoining occupiers at No.8 Queens Hill have objected to the proposal and the key issues raised should be noted in the publicity section above.

The previously submitted application for a rear extension (10/0468) was refused for the following reason:

- The proposed extension would be detrimental to the amenities of the neighbouring property in terms of loss of outlook and privacy which is contrary to policy S11c) of the BDLP.

The resubmitted plans represent a significant improvement, with the proposed extension set back 30cm from the main bedroom window at No.8. No window is proposed for the new bathroom and the noise that may be generated by such a bathroom is not viewed as a sufficient reason for refusal. Additionally, by virtue of the proposed extension, loss of privacy by oblique views from No.8 into the bedroom window of No.6 and vice-versa would be reduced.

It is, however, viewed that the proposed extension would cause a loss of outlook and be overbearing in nature by virtue of its bulk and close proximity to the bedroom window of No.8. It would therefore represent a material harm to the amenity of a nearby occupier and remains contrary to policy S11c of the BDLP.

Conclusion

The current proposal represents a significant improvement on the previously refused plans. However, on balance, the proposals are considered to remain harmful in respect of their detrimental impact on the Conservation Area, the harm to the existing street scene and harm to the amenity of nearby occupiers.

RECOMMENDATION: that permission be **REFUSED**.

1. The proposed extension would be detrimental to the character and appearance of the Conservation area in terms of it's additional bulk detracting from the visual and architectural qualities of the existing building which would be contrary to policies S35A and S36 of the BDLP, policy CTC20 of the WCSP and the general provisions of PPS5.
2. The proposed extension would have a detrimental affect on the visual amenity of the street scene creating an increasingly unattractive elevation and overall appearance

of the building in a visually prominent location which would thus be contrary to policy DS13 of the BDLP.

3. The proposed extension would be detrimental to the amenities of the neighbouring property in terms of loss of outlook which is contrary to policy S11c) of the BDLP and the provisions of the Council's Residential Design Guide SPG1.