

## Report for Information

### Appeal made against the refusal of planning permission

<b>Appeal reference</b>	APP/P1805/D/12/2174571
<b>Planning application</b>	12/0026
<b>Proposal</b>	Refelt and strengthen flat roof, wooden decking and glass panels
<b>Location</b>	38 Highfield Road, Bromsgrove, B61 7BD
<b>Ward</b>	Whitford Ward
<b>Decision</b>	Dismissed 27 July 2012

The author of this report is Hazel Bailey who can be contacted on extension 1326 (e-mail: h.bailey@bromsgrove.gov.uk) for more information.

#### The Proposal

The proposal is to refelt and strengthen the existing flat roof, and add wooden decking and glass panels (retrospective application)

#### Discussion

The application was determined under delegated powers and refused due to the following reason as detailed below;

1. The proposed balcony construction at first floor level, by virtue of its location in relation to the two adjoining properties, would lead to excessive overlooking and loss of privacy to those properties. This is contrary to policy SD.2 of the Worcestershire County Structure Plan, policies DS13 and S10 of the Bromsgrove District Local Plan 2004 and the guidance contained in SPG1, the Council's Residential Design Guidance.

The Inspector found the main issue to be the effect of the decking, handrail and glass panels on the privacy of occupiers of Nos 36 and 40 Highfield Road.

#### Main Issues

The Inspector notes the characteristics of the existing terraced properties. The surrounding area is predominantly residential and the surrounding properties are generally 2 storey terraced dwellings. He further noted that the design of this form of terraced development does not provide the highest standards of privacy with the narrow plot widths enabling views over several rear gardens from rear facing first floor windows. However, he stated that it does not follow that further loss of privacy is acceptable. Rather, these factors reinforce the value of maintaining a level of privacy that would meet the reasonable expectations of occupiers in these circumstances.

#### In conclusion

By facilitating the use of the flat roof as a sitting out area the development has an unacceptably adverse effect on the privacy of occupiers of Nos 36 and 40 Highfield Road.

Thereby, it conflicts with saved Policies DS13 and S10 of the *Bromsgrove District Local Plan*, adopted in 2004, which respectively seek at least to safeguard quality of life and ensure that extensions do not harm adjoining occupiers' amenities. Further, it fails to observe advice in the Council's adopted *Residential Design Guide* about the need to respect privacy and the harm that some balconies can cause in that regard.

The Inspector dismissed the appeal

### **Costs application**

No application for costs was made.

### **Appeal outcome**

1. The appeal was **DISMISSED**