

**Name of Applicant**

**Proposal**

**Plan Ref.**

Mr Robert Powell

Two storey rear and side extensions  
26 Tollhouse Road, Bromsgrove, B60 3QL.

16/0790

**Councillor Thompson has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That planning permission be Granted

**Consultations**

**Stoke Parish Council** Consulted 18.08.2016  
No objection.

**Highways Department- Worcestershire County Council** Consulted 18.08.2016  
No objection to amended plan showing parking layout subject to conditions.

**Drainage Engineers Internal Planning Consultation** Consulted 18.08.2016  
No objection and no drainage condition required.

**Publicity**

Two neighbour notification letters sent 18.08.2016 Expired 08.09.2016  
Two letters of objection have been received expressing concerns with regard to:

- Overlooking
- Loss of light
- Loss of privacy

Contravenes guidance within SPG1 Residential Design guidance including:

- Overdevelopment
- Detrimental effect on the street scene
- Breaches 45 degree code
- Creation of large blank walls
- Detrimental effect on amenity
- Windows and doors would not match existing
- Insufficient parking provision

Councillor Thompson-views received 26.08.2016

I think the planning committee should consider this application because of the unusual size of the extension that is proposed. I believe that there will be significant obstruction of

light to the neighbours upstairs window and, particularly, obstruction to light into the window of the kitchen.

Given the above, I think it is prudent that the committee gives it full attention.

### **Relevant Policies**

#### **Bromsgrove District Local Plan 2004 (BDLP):**

DS13 Sustainable Development

S10 Extensions to Dwellings Outside the Green Belt

#### **Others:**

SPG1 Residential Design Guide

NPPF National Planning Policy Framework

### **Relevant Planning History**

NA

### **Assessment of Proposal**

This application relates to a detached property located on the south east side of Tollhouse Road a cul-de-sac forming part of the established residential area of Stoke Heath.

The applicant is proposing sizeable extensions to the property to include a two-storey rear extension and first floor side extension to create a large four bedroom family home. The two-storey rear extension would project 2.9 metres from the existing rear wall of the house and replace an existing conservatory. To the side of this would be a single storey rear extension projecting 4 metres off the existing rear wall of the breakfast area with the first floor extension being constructed directly above the existing side garage and breakfast area with an additional bathroom projecting 2 metres further and partly above the proposed new kitchen extension. The increase in the size of the property from a 3 bedroom to a 4 bedroom house, results in an increase in the number of off-street parking spaces required to 3 which has been shown on the amended plan.

In terms of publicity responses, both neighbours have raised objections which have been summarised earlier in this report. However, I will attempt to justify the recommendation for approval contrary to these objections in turn. The starting point would be to consider what could be constructed under permitted development rights and how this should be given weight when assessing this application. A two-storey rear extension of a projection of 3 metres could be constructed without planning permission (albeit 2 metres from the boundary) or a single storey rear extension of 4 metres projection from either existing rear wall could be constructed which would have the same detrimental effects as the proposed extensions when considering that they would also not breach the 45 degree code at first floor.

A first floor side extension abutting the boundary would be contrary to guidance within SPG1. However, given the fundamental reason for setting first floor extensions away from the side boundary is to prevent a terracing effect and this would not be possible in

this case, I consider that this could be considered acceptable in this case. The pattern of development within the vicinity (being minimal gaps between two-storey flank walls) and the difference in levels lends itself to a first floor extension of this nature being considered acceptable. There would still be a gap maintained between the application property and the two neighbouring properties which would be consistent between other houses within the vicinity.

Due to the orientation of the properties, the potential to cause the most impact on amenity would be to number 24 Tollhouse Road particularly with regard to loss of light. However, the first floor element of the proposal on this side of the property would not breach the 45 degree code and would be set off the boundary. It would therefore be unreasonable to refuse the application on this issue alone although I understand that the neighbours are concerned with the impact on the closest bedroom at first floor to this side of the proposals. This neighbouring property is also set at a higher ground level which would lessen any impact. Whilst I understand that the outlook from the neighbouring property will change, a ground floor extension of 4 metres projection could be constructed under permitted development and the first floor extension would not breach the 45-degree code and therefore I am minded to consider the proposal acceptable in this case. I place little weight on the loss of light to a garden or patio area cannot be considered as a material planning consideration.

With regard to considering a loss of privacy to both neighbours with regard to the installation of a Juliette balcony, the glass screen prevents any opportunity to lean out and look into a neighbouring property and there would be no additional loss of privacy to the gardens than if there were to be a window installed.

Whilst I understand that the proposed extensions are large and would increase the size of the property quite substantially and result in obviously an impact on the neighbouring properties which they do not currently experience, when giving consideration to all aspects above and the size of the plots and pattern of development within the locality, there would be no justifiable reason to warrant refusal in this case.

**RECOMMENDATION:** That planning permission be Granted

**Conditions:**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Drawing Numbers: 379.01 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

4. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

5. A total of 3 car parking spaces shall be provided on site and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

**Case Officer:** Miss Ruth Lambert Tel: 01527 881373  
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