

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Mark Footes	Conservatory on the rear elevation (part retrospective).  22 Dellow Grove, Alvechurch, Worcestershire, B48 7NR,	02.06.2021	21/00561/FUL

**Councillor English has requested that this application is considered by Planning Committee rather than determined under delegated powers due to insufficient garden area.**

**RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following:
  - (a) The expiry of the consultation period on the 8<sup>th</sup> August 2021 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chair of Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.
- (3) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of conditions as set out in the report

**Consultations**

**Alvechurch Parish Council**

Objection. Over development of site.

**WRS - Contaminated Land**

Due to the proximity of the site to two historic landfill sites, WRS recommend an informative to consider the incorporation of gas protection measures to match those of the main dwelling.

**Publicity**

Six neighbour letters were sent 05.05.2021 (expired 29.05.2021)

One letter of objection was received from a third party raising the following concerns:

- The proposal does not meet the 21 metre separation distance in the SPD
- Impact to light
- Impact to privacy

**CIlr English** Consulted 05.05.2021

Objection and request to call the application into planning committee.  
Reason: Insufficient garden area as per the standards in Section 4 of the SPD.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP19 High Quality Design

#### **Others**

NPPF National Planning Policy Framework (2021)  
NPPG National Planning Practice Guidance  
Bromsgrove High Quality Design SPD  
ALVNP Alvechurch Neighbourhood Plan

### **Relevant Planning History**

20/01041/FUL	Development of 1 dwelling house (part-retrospective) resubmission of 19/01002/FUL	Granted	23.12.2020
19/01002/FUL	Proposed detached dwelling to replace redundant workshop.	Granted	04.11.2019

### **Assessment of Proposal**

This planning application relates to a single storey rear extension to a recently constructed four bedroom detached dwelling, which was granted planning permission on the 23rd December 2020 following consideration at planning committee.

At the time of receipt of the current planning application, the new dwelling had been substantially completed on site and internally had all the facilities required for day to day living and to function as a dwellinghouse. Having regard to this, a householder planning application is considered to be the correct application type to pursue. Since receiving the application it has come to the attention of the Local Planning Authority that works relating to the rear extension have progressed on site, prior to receiving the grant of planning permission. In view of this the proposal is considered to be part-retrospective, however the merits of the proposal will still need to be considered in accordance with the relevant local and national planning policies, in the same way that a proposal is considered prior to commencement.

It should be noted that the size and positioning of the proposed extension would usually comprise permitted development and would therefore not require the benefit of planning permission. However, as a planning condition to restrict permitted development rights was placed on the permission for the new dwelling, the proposed development requires planning permission.

Given that the application site lies within a residential area, as defined on the proposals map and identified within policy BDP2 of the Bromsgrove District Plan (BDP), the

principle of development is considered acceptable subject to other considerations. The main planning considerations that need to be considered with this planning application are design and appearance, impact to residential amenity and technical matters.

### **Design and Appearance**

Dellow Grove consists of two storey brick build properties, which are generally uniform in their size, design and appearance. The host dwelling has been designed to integrate with this existing character and therefore sits comfortably within views of the street scene.

Policy BDP 19 of the BDP seeks high quality design which would enhance the character of the local area. Further to this, the Council's High Quality Design SPD provides guidance in relation to achieving good design, stating that development should complement the original property (paragraph 3.1.5) and should remain subordinate in size (paragraph 3.1.6). In view of this, whilst the extension would be substantial in width, the depth of the extension would measure 3.1 metres and the maximum height of the extension would measure 3.5 metres. Overall, the proportions of the proposed extension would clearly be subordinate relative to the size of the host dwelling. Furthermore, the predominantly glazed finish of the extension would result in a less dominant structure which would be complementary to the main dwelling. Given the location of the development it would not be apparent from views of the street scene and would therefore not disrupt its uniform character.

The proposal therefore raises no concerns in terms of design and appearance and meets the requirements of BDP19 of the BDP and the Council's design SPD.

### **Residential Amenity**

Policy BDP1(e) of the District Plan states that regard should be had to residential amenity. In addition to this, the Council's Design SPD provides suitable standards to ensure that satisfactory amenity levels are maintained. Whilst the SPD advises that a separation distance of 21 metres is required between the opposing faces of two storey dwellings, a suitable separation distance between a single storey extension to an opposing dwelling is not provided. However in terms of the extension subject to this application it would be set away from all neighbouring boundaries and its rear elevation would be positioned 19 metres from the opposing neighbour, number 19 Dellow Grove to the north. The side elevation of the extension would also measure 14.8 metres to the properties to the west and over 20 metres to the properties to the east on Latimer Road. Given these separation distances, the single storey nature of the development and as there would be an intervening boundary feature to the surrounding neighbours there would not be any detrimental loss of privacy to the neighbouring occupiers of these dwellings. Furthermore, as the extension would only measure 3.5 metres at its highest point and would be set in from all garden boundaries, which themselves would measure nearly 2 metres in height, the scale and positioning of the proposed extension would not cause any adverse loss of light or result in an overbearing impact.

The proposed extension would reduce the size of the garden area of the host dwelling, which was originally provided to meet the required minimum garden standards found in the Council's SPD. Whilst the garden size standard found in the SPD is relevant for the creation of new dwellings, it would not normally be applied to existing dwellings when considering extensions. It would not be expected for a property to continue to provide this garden size in perpetuity. Notwithstanding this, during the course of the application the

applicants have confirmed that they have purchased additional land to the rear of their garden, formerly belonging to the garden of 11 Latimer Road. Taking this land into account, the garden of 22 Dellow Grove would have a maximum depth of 19.5 metres and a useable area of 173 square metres, which would greatly exceed the minimum garden size standard found in the SPD.

Based on the above, the proposal raises no concerns with residential amenity.

### **Technical Matters**

No objections have been raised to this application on technical grounds. Worcestershire Regulatory Services (WRS) have reviewed available records in respect of potential contaminated land issues and due to the proximity of the site to two historic landfills, have advised that the applicant should consider incorporating landfill gas protection measures within the foundations of the proposed extension to match the existing building. It has since been confirmed that suitable measures are already in place within the base of the part-retrospective conservatory.

### **Other Matters**

Alvechurch Parish Council have objected to the proposal stating that the development would result in over development of the site. The parish council have not given further details with regards to the harm that would arise from the perceived over development of the site, however the proposal has been considered above in terms of its scale and siting and its impact to surrounding neighbouring properties, and no harm has been identified.

Consideration has also been given to the Alvechurch Parish Neighbourhood Plan (APNP). In view of the scale, siting and design of the extension, the proposal would not disrupt the existing uniformity of the dwellings along Dellow Grove and is therefore considered to be in accordance with policy HDNE2 of the APNP, which requires development to be in keeping with the local surroundings.

The local ward member has raised objections to the application, initially raising concerns with the inadequate garden size of the property. As discussed above, as further land has been purchased to the rear of the original garden area, following completion of the extension the garden area would still exceed the minimum size standards found within the Council's SPD. Whilst this was brought to the attention of the member, given that the development only requires planning permission due to members previously resolving to remove permitted development rights at planning committee, the ward member considered it was appropriate for planning committee members to decide this current application.

One neighbour objection has also been received from number 19 Dellow Grove to the north of the site. The main concerns of the neighbour are that the extension would not meet the 21 metre minimum separation distance to their property, which is set out in the SPD. As considered above in the residential amenity section of the report, this standard applies to suitable distances between opposing faces of new two storey dwellings rather than single storey extensions. Given the relatively low height of the extension it is not considered that the distance to this neighbour (19 metres) would result in any adverse loss of light or privacy.

## **Conclusion**

Having regard to the scale, siting and design of the part-retrospective single storey rear extension, it is considered that the design, appearance and impact to residential amenity of the proposal is acceptable. Taking into account comments from the parish council, local ward member and neighbouring residents, it is considered that there are no material planning reasons to withhold permission and planning permission should be granted.

## **RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the full planning application following:
  - (a) The expiry of the consultation period on the 8<sup>th</sup> August 2021 and in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure, in consultation with the Chair of Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly.
- (3) That **DELEGATED POWERS** be granted to the Head of Planning, Regeneration and Leisure to agree the final scope and detailed wording and numbering of conditions as set out in the report.

## **Condition:**

- 1) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Site Plan - drawing no. A102b

Plans - drawing no. A101b

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

**Case Officer:** Charlotte Wood Tel: 01527 64252 Ext 3412

Email: Charlotte.Wood@bromsgroveandredditch.gov.uk