

REDDITCH BOROUGH COUNCIL

**PLANNING
COMMITTEE**

20th November 2013

Planning Application 2013/233/EXT

Extension of time application - Proposed single and two storey extensions and alterations approved under application No. 2010/132/FUL

25 Milton Close, Redditch, Worcestershire, B97 5BQ

**Applicant: Mr Naheem Khan
Expiry Date: 23rd September 2013
Ward: HEADLESS CROSS AND OAKENSHAW**

(see additional papers for Site Plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 64252 EXT 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The property is a three bedroomed detached dwelling and is located within Milton Close, a residential area. The majority of properties in Milton Close are detached and were built around the 1950's period.

Proposal Description

This extension of time application relates to application reference 2010/132/FUL. Permission was granted for single and two storey extensions, under officer delegated powers without reference to the Planning Committee on 30th July 2010.

The description of the proposed development at that time was as follows:

A proposed first floor side extension over an existing flat roofed garage; single storey extensions to the rear together with a two storey extension to the rear of the property.

The extensions would form two new bedrooms and an ensuite bathroom at first floor, together with a kitchen and dining room extension with new utility room at ground floor.

Materials to be used for walls (brickwork) and roof (tiles) would match those used in the construction of the original dwelling.

Relevant Policies :

Borough of Redditch Local Plan No.3:

BBE13 Qualities of Good Design
BBE14 Alterations and Extensions

Others:

NPPF National Planning Policy Framework

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SPG Encouraging Good Design

Relevant Planning History

2010/132/FUL	Proposed single and two storey extensions and alterations	Approved	30.07.2010
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Public Consultation Responses

2 letters have been received raising objections to the application. Comments are summarised as follows:

- o Proposal would be out of scale having regards to size and design of existing dwelling
- o Noise and general disturbance caused by the works will adversely impact upon nearby neighbours
- o On street car parking would increase leading to highway safety issues
- o The extensions would result in a loss of light to nearby properties thereby harming residential amenity

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

Background

Due to the general economic slowdown, the previous Government enacted legislation to allow an applicant (via a formal application) to be able to extend the length of time before the commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. In this case, the 'original' consent expired on 30th July 2013. However, the courts have recognised that the local planning authority retain jurisdiction to determine an application under the extension of time procedures if the original permission has expired after the application was made but before determination. In this case, the application was lodged with the Council on 29th July 2013, prior to the expiry date of 30th July 2013 and therefore it is appropriate to consider the proposal as an extension of time application.

Subject to no material changes to the planning policy framework in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable.

Assessment of Proposal

In considering such applications, it is only relevant to consider what has changed since the previous approval, both in terms of the planning policy framework under which the decision should be made, and also, any significant physical changes to the site and/or its surroundings that might result in different impacts from the proposed development.

In terms of policies, The National Planning Policy Framework, which was enacted on 27th March 2012, replaces the former National Guidance set out within Planning Policy

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Statements (PPS's) which were taken into consideration in the determination of the earlier application. PPS and PPG guidance is no longer relevant under the new policy framework.

Policies within the Borough of Redditch Local Plan No.3 which were considered under the earlier application are still relevant and are used here since these are considered to be in conformity with the NPPF. No material changes to the planning policy framework are considered to have occurred since the 2010 approval which would affect the impact of this extension of time proposal. No material physical changes to the sites surroundings have occurred since the granting of consent in July 2010 and as such, in this respect there are not considered to be any additional resulting material impacts from the proposed development.

The plans which have been submitted under this application are identical to those plans approved under the 2010 application. The issues which were considered to be relevant under application 2010/132/FUL are as follows:

The two storey side extensions proposed under this application are considered to be of a width which would ensure that the scale and massing of the original dwelling would dominate the scale and massing of the proposed extensions, therefore complying with policy. The two storey extension to the rear proposes a hipped roof arrangement, and is set-in from the gable end of the property lessening its impact upon nearby neighbours. The proposed development would comply with the Councils SPG on Encouraging Good Design and would not be particularly prominent from Milton Close therefore having a limited impact upon the established street-scene. Officers are satisfied that there would be no loss of amenity to the nearest property affected by the proposal, on grounds of loss of light that would reach the property due to the orientation of the objecting property relative to that of number 25 Milton Close. The development as proposed would be considered to comply with Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3 which relate to good design and extensions and alterations to existing buildings.

Two parking spaces exist to the frontage of the property in addition to the existing garage. In addition, on street parking is available within Milton Close. Officers are satisfied that the proposals would not prejudice highway safety.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions.

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

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Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) The development hereby approved shall be implemented in accordance with the following plans:

proposed extensions and elevations plan 10/132

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received.