



Planning Committee

Abbey Ward

6th October 2009

**2009/157/FUL ERECTION OF FRONT PORCH
56 HITHER GREEN LANE, REDDITCH
APPLICANT: MR N JINKS
EXPIRY DATE: 29TH SEPTEMBER 2009**

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail: steve.edden@redditchbc.gov.uk) for more information.

Site Description

(See additional papers for Site Plan)

The application site which lies within the urban area of Redditch is located at Hither Green Lane, which is situated in the Abbey Park area of Redditch.

The area is predominantly residential and is characterised by modern two storey detached houses and a limited number of bungalows. The site is of an irregular shape and its curtilage includes a front car parking area and an enclosed rear garden.

To the north of the site lies a golf course. To the east, the site backs onto detached residential two storey properties from which it is separated by a 2m fence and a mature hedgerow, which is approximately 3m high. To the west of the site lie detached two storey dwellings.

Proposal Description

This is a full application for the erection of a front 'corner' flat roofed porch, measuring 2.2m by 2.4m, with a maximum height of 2.5m.

Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following website:

www.redditchbc.gov.uk

Borough of Redditch Local Plan No.3

B(BE).13 Qualities of good design

B(BE).14 Alterations and extensions to buildings

Supplementary Planning Guidance (SPG) Encouraging Good Design

Relevant Site Planning History

2007/472	Detached garage	Approved	14/01/2008
2008/132	Replacement of bungalow with house	Refused	17/07/2008
2008/275	Replacement of bungalow with a dormer bungalow	Approved	05/11/2008
2009/002	Variation of elevations approved under application 2008/275	Approved	04/03/2009

Public Consultation Responses

Responses in favour

None received.

Responses against

5 letters received in objection to the proposals. Comments summarised as follows:-

- Applicant has 'mised' the Planning Committee - further extensions to the property now represent an over-development of the site.
- Outlook for nearby residents will be affected.
- Development proposed would be overbearing and would reduce neighbours' privacy.
- A detached 'shed' structure at the property increases density at the site.
- Conservatory is too high, and too close to nearby properties.
- Concerns that property may be used as a business in the future and not as a family dwelling house.

The last three points are not relevant material considerations in this case.

Background

The current application was originally registered with the following description: Erection of front porch, lean-to extension to side and conservatory to rear. Until a dwelling is occupied, all three of the above extensions require planning permission. However, on occupation of a dwelling house, that property then benefits from 'Permitted Development Rights' (unless these have been removed) under the Town and Country Planning (General Permitted Development) Order 1995 (as amended 1st October 2008). Since the property is now occupied, due to the size and positioning of the proposed 'lean-to' extension and the conservatory, your Officers can confirm to Members that these two elements are indeed

permitted under the above order, and can be erected at any time without requiring planning permission. The porch only requires planning permission due to the fact that the ground floor area of the porch would measure 5.28m² in area (2.2 x 2.4m). Under the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the maximum 'permitted' ground floor area is 3m². The application therefore needs to be determined on this basis, with only the porch for consideration.

Assessment of Proposal

The key issues for consideration in this case are the impact of the proposed porch on both the character and appearance of the dwelling and on neighbouring residential amenities.

Impact on the character and appearance of the dwelling

The porch proposal is considered to be acceptable and would not have a detrimental impact on the character and appearance of the dwelling with regards to Policy B(BE).13 Qualities of Good Design, and Policy B(BE).14 Alterations and extensions to buildings.

The proposal would respect fully the locality, having regard to the general layout, garden size and footprint in the vicinity of the surrounding area, as well as in scale, style and appearance.

Impact on neighbouring residential amenities

The proposal is considered to be satisfactory and would not have any additional impact on neighbouring residential amenities due to its location, size and distance from neighbouring properties.

Other issues

Whilst the plans submitted, showing the lean-to extension and conservatory to the rear now indicate that these elements would be 'permitted' development, the Planning Enforcement Officer will continue to monitor development at the site to ensure that the works are carried out in accordance with the submitted plans.

The detached shed structure referred to in the representations received is similarly considered to represent 'permitted development' under the Town and Country Planning (General Permitted Development) Order. Further to a number of visits to the site, your Officers are satisfied that the property is being occupied as a dwelling house, and that no material change of use to a business or any other use requiring planning permission, has taken place, but the Council's Planning Enforcement Officer will continue to monitor operations at the site as appropriate.

Conclusion

It is considered that the porch proposal is fully compliant with the relevant planning policies and guidance and would be unlikely to cause any detrimental impacts to the character and appearance of the dwelling nor to the amenities of surrounding residents and as such the proposal is considered to be acceptable.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions as summarised below:

1. Development to commence within 3 years.
2. Materials to match existing.
3. Development to be carried out in accordance with plans submitted with application.

Informative

1. The rear conservatory and lean-to extension linking the existing house to the double garage, originally forming part of this planning application and as shown on plans submitted with the application, constitute 'Permitted Development' under the terms of the Town and Country Planning (General Permitted Development) Order 1995, as amended 1st October 2008 and therefore do not require planning permission.