

PLANNING COMMITTEE

10th October 2018

Planning Application 18/00823/FUL

Raise garage roof to provide new first floor studio / workshop with 2no Velux roof lights to the front elevation.

52 Rockford Close, Oakenshaw South, Redditch, Worcestershire, B98 7SZ.

**Applicant: Mr Bob Bradbury
Ward: Headless Cross And Oakenshaw Ward**

(see additional papers for site plan)

The author of this report is Tara Ussher, Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3220 Email: tara.Ussher@Bromsgroveandredditch.gov.uk for more information.

Members will be aware that this application was considered at Planning Committee on 12th September 2018. The application was deferred to allow Members to visit the site. The site visit took place on Tuesday 2nd October 2018.

Site Description

The application relates to a detached property situated at the southern end of a cul-de-sac. Level changes are a feature of the cul-de-sac meaning that the garage associated with the dwelling at number 52 is some 2m below the level of the dwelling. Opposite the application site, the dwellings are also built at a lower level.

To the rear, level changes are also experienced meaning the garden of the application site is made up of many different levels and slopes and neighbouring dwellings such as number 50, sit below the application site.

Proposal Description

Planning permission is sought to raise the eaves and roof of the existing garage by 1.8m to provide a new first floor studio/workshop. In addition it is proposed to install two roof lights into the front elevation of the resultant building. The overall height of the garage will increase from 3.8m to 5.6m. The proposed alterations would use matching materials to that of the main dwelling.

Operations to facilitate access to the first floor area are also proposed. This includes extending an area of patio/gravel to a level commensurate with an existing area of garden across an existing void and creating a store area below. This new level will enable access to the workshop/store and an associated privacy screen will be installed adjacent to the new doorway. A new retaining wall to the front elevation will be provided along with low level fencing.

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Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

NPPF National Planning Policy Framework (2018)

SPG Encouraging Good Design

Relevant Planning History

1991/440/FUL Move Existing Fence

08.11.1991

Consultations

Arboricultural Officer

On the western side of the proposed development, in the boundary with the neighbouring property, stands a small Oak. While there is an area TPO covering the potential development, specifically Borough of Redditch TPO No.23 1985, I believe this tree to be too young to of been included in this order. The tree has been subject to substantial crown reduction in the past and has led to a small and compact crown that currently stands just above the apex of the existing roof line.

I hold no objections to this proposed application, in relation to any tree related issues.

Public Consultation Response

Two letters were received objecting to the application for the following summarised reasons:

- The new raised level is very high in relation to our property
- Anyone standing on the new level will be able to look into our garden
- Anyone standing on the new level will be looking into three of the bedrooms
- The new screening will be insufficient to protect our privacy and it is very close to our boundary and very high
- The proposed extension will totally block the sunlight into our living rooms
- The proposed extension will be overbearing to our outlook
- The proposed extension includes various aspects which substantially detract from our privacy in both our garden and into our bedrooms & living rooms.
- A slatted screen does not provide adequate or permanent protection to our privacy

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- We lose outlook & light; we gain an overbearing building which is very close to our boundary and very close to our living rooms
- The extension would have an overbearing effect on our property
- An overshadowing effect would occur with blocking out the light
- Insufficient description of the development, accuracy of the plan and lack of measurements. (Your Officers are content that the plans are acceptable in this respect)
- An email was received prior to the previous Committee meeting relating to dimensions listed in the Officers Report. This report now contains the correct measurements.

Assessment of Proposal

The application site is situated within a residential area of Redditch where there is a general presumption in favour of domestic extensions, subject to satisfying the relevant policies of the development plan.

Street Scene

The proposal is to raise the roof of the existing garage and to create a usable space at first floor which will be used as a workshop/studio in conjunction with the main dwelling. As a result of this additional height the development will be more visible in Rockford Close. However as a result of its siting the structure will not be prominent in the street scene and noting its set back position and the arrangement of dwellings on varying levels in the immediate vicinity, this additional height is not considered to be harmful in the context of visual amenity. The development is considered to accord therefore will Policy 40 of the BoRLP No4.

Amenity

It is noted that level changes across the cul-de-sac are significant and that this is of relevance in the assessment of amenity impacts arising from the development. In particular, the rear gardens of No's. 50 and 49 are set on a level below that of No. 52 and the existing garage can be seen from these rear gardens. Objections have been received from these occupiers which are summarised above, the main points of concern were impact on privacy, overlooking and overshadowing to the property.

Number 49 is sited to the north of the application site. It is not proposed to add rear facing windows to the garage so overlooking from the new workshop/studio will not arise. The increase in the height and bulk of the structure will occur obliquely when seen from the rear elevation of number 49 and approximately 7m away from the corner of the dwelling closest to the development. In this context and whilst noting the presence of intervening vegetation, this proximity is not considered to be harmful to amenity through overbearing or overshadowing effects.

Number 50 sits directly behind the application site. The garden serving that dwelling is approximately 8m in length and slopes upwards towards the application site with the garage structure being approximately 11m away from the dwelling. An intervening fence structure is sited between the site and number 50 and it is noted that there are a number

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of trees on the boundary that partly screen the garage during the summer months. The objector states, as a way of illustrating the levels difference, that the foundations for the garage are approaching 2m above the dwelling at number 50.

The objector refers to the loss of view which Members will be aware is not a material issue. The orientation of number 50 is that its rear elevation looks due east and as a result, there may be some loss of direct light early in the morning. However noting the impact other dwellings and existing tree cover currently has on light received, this is not considered to be of such a level as to represent harm. With respect to overbearing effects the affected rooms are described as being a lounge and bedrooms. Whilst it is noted that the degree of sky view or view of woodland in the distance may be reduced as a result of the scheme, considering the separation distances involved this is not considered to be harmful to amenity in the context of being overbearing.

With respect to privacy issues, it is noted that the garden area of number 52 is elevated and that views out of the site in the direction of number 50 already exist and that the elevated walkway will be at a slightly raised level in relation to the existing garden. However your Officers consider that the use of the walkway area will be transient and used only when accessing the studio area. Furthermore a privacy screen 2.6m in height is proposed immediately adjacent to the doorway which will obscure the doorway and associated access to it, from views from the west. The specification and installation of this screen is important in protecting amenity and thus is subject to a condition. The presence of this feature ensures amenity on the lower land is protected from overlooking.

The addition of the rooflights to the front elevation does not raise concerns with respect to amenity due to the 25 m separation distance between the front of the garage and number 53 Rockford Close opposite.

The objector also refers to noise arising from the development. The use would remain as incidental in relation to the main dwellinghouse and would not constitute a material change of use. Any investigation into noise arising from the use would be controlled through the normal route of environmental health legislation.

The objector also refers to an appeal decision at number 19 Rockford Cloe which is considered to have similarities with the application submission. That scheme related to two storey extension virtually on the boundary and on elevated land resulting in an overbearing impact for the neighbour. That decision, all be it from 1989, is noted. The relevance for the current scheme lies in the assessment of amenity on a sloping site. This matter has been discussed above and given the relative height of the resultant building and the separation distance from the objector, in the instance of this application it has been concluded that this arrangement is acceptable.

Your officers have carefully considered the objections raised by neighbouring properties as summarised and have concluded that the amenities enjoyed by occupiers of nearby properties, subject to conditions, would not be prejudiced by granting consent.

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The extensions proposed are considered on balance to be in accordance with the Council's SPG Encouraging Good Design and are in compliance with Policies 39 and 40 of the Borough of Redditch Local Plan No. 4.

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.

RECOMMENDATION:

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

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.

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

Drawing No. P-01 – Existing & Proposed Plans & Elevations
Materials in accordance with question 11 of the application form

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

- 3) Prior to its first installation, details of the form, colour and finish of the slatted privacy screen shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and installed in its entirety before the workshop/studio is first brought into use.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual and residential amenities of the area

Informatives

- 1) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure)

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(England) Order 2015 to work with applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

o submitted a scheme that raised no material planning issues and required no further negotiation or amendment

The proposal therefore delivers a policy compliant sustainable form of development.

Procedural matters

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