

**PLANNING  
COMMITTEE**

20<sup>th</sup> June 2024

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**Planning Application 23/00701/HHPRIO**

**6m deep single storey rear extension. Existing outbuildings demolished prior to construction.**

**6 Moors Lane, Feckenham, Worcestershire, B96 6JH.**

**Applicant: Ms A Johnson**  
**Ward: Astwood Bank and Feckenham Ward**

**(see additional papers for site plan)**

The case officer of this application is Gail Aucott, Planning Officer (DM), who can be contacted on Tel: 01527 548253 Ext 3178 Email: gail.aucott@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The application site is a dwelling within a row of terraced cottages. The site is located south of Alcester Road, Feckenham.

**Proposal Description**

The proposal is to extend the property to the rear by adding a single storey extension utilising the property's Permitted Development Rights. The maximum depth will be 6 metres and the maximum height will be 3 metres. The eaves height will be 3 metres. The extension is proposed in matching materials.

**Relevant Policies :**

Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**Relevant Planning History**

23/01237/CPE	Lawful development application for the residential curtilage as outlined on the accompanying drawings for residential use, C3 - dwelling houses.	Granted	01.05.2024
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## **Consultations**

### **Feckenham Parish Council**

Feckenham Parish Council have raised objection to this application on the following grounds;

- Garden land not in applicants ownership
- Existing outbuilding onsite
- Over development of plot
- Detrimental to the setting of the open countryside
- Not in keeping with the distinctive nature of the host property

## **Public Consultation Response**

Three adjoining properties were consulted. A total of 13 representations have been received. Of these 13 representations, 9 are in support or offer no objection and include the following comments:

- Similar extension has been built at No.4 Moors Lane without the need for prior approval and has not caused a negative impact.
- Development at No.6 Moors Lane is in keeping with the distinctive nature of the host dwelling and has no detriment to the setting of the open countryside.
- The proposed extension would not be visible from the Lane.
- It would not affect neighbouring properties and is in line with neighbouring developments.
- The application will improve the property and therefore the Lane.

A summary from the 4 comments offering objections are:

- Existing outbuilding, fencing and wall has been constructed without planning permission.
- Plans not showing the outbuilding under construction (a plan has since been submitted showing the outbuilding).

## **Procedural Matters**

Members should note that this application is not a planning application, it is an application for Prior Approval.

In 2015 Central Government introduced a range of permitted development rights to allow larger extensions to residential dwellings. These types of proposals are, however, subject to a 'lighter touch' prior approval process. In this case, the proposal has been submitted as a Prior Approval application under Schedule 2, Part 1, Class A of The Town and

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Country Planning (General Permitted Development) (England) Order 2015 (as amended). A copy of the relevant part of the Order has been attached as an appendix to this report.

Class A.1(g) allows for a terraced dwelling to extend beyond the rear wall of the original dwellinghouse by up to 6 metres and up to 4 metres in height. To establish whether the development can be considered under this process an application must be considered against the fixed criteria as outlined in detail within your officer's report.

Where development can be considered under Class A.1(g) before beginning the development, the developer must provide the following information to the local planning authority.

- A written description of the proposed development including
  - How far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
  - The maximum height of the enlarged part of the dwellinghouse;
  - The height of the eaves of the enlarged part of the dwellinghouse;
- A plan indicating the site and showing the proposed development
- The addresses of any adjoining premises
- The developer's contact address
- The developers email address

The Local Planning Authority (LPA) may only refuse an application where, in the opinion of the authority

- The proposed development does not comply with, or
- The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, the limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraphs A.1 (f) but is allowed by paragraph A.1 (g).

The LPA must notify each adjoining owner or occupier about the proposed development by serving on them a notice which:

- Describes the development;
- Provides the address of the development;
- Specifies the date the LPA received the information and the date of expiry;
- Specifies the date by which representations are to be received.

Where the owner or occupier of any adjoining premises objects, the LPA is required to assess the impact of the proposed development on the amenity of any adjoining premises. Should no comments be received from the adjoining occupiers, subject to compliance with the size parameters, the Council can issue a decision confirming prior approval is not required.

The LPA may require further information to be submitted by the developer as is reasonable to determine the application.

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## **Assessment of Proposal**

The information submitted has been assessed against Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it meets all criteria, notably:

- Buildings do not cover more than 50% of the residential curtilage;
- The proposed extension is not in excess of dimensions permitted;
- The extension will not extend beyond a wall which forms the principal elevation;
- The addition does not exceed a single storey;
- The eaves do not exceed 3 metres where they are within 2 metres of boundary;
- Exterior materials will match the existing materials of the dwelling.

Objections were received from adjoining neighbours; one to the side (No. 4 Moors Lane) and one to the rear (Priory Barn). Given an objection has been received, an assessment is required on the amenity impact of the proposed extension. A site visit was made in order to consider the impact of the proposed extension on the amenity of adjoining properties.

The proposed single-storey rear extension at 6 Moors Lane will match the depth of the previously approved extension at No. 4 Moors Lane, maintaining a consistent rear boundary. The demolition of a small outbuilding currently occupying the extension's footprint at No. 6, minimizes disruption to the relationship with neighbouring properties. The extension's proximity to the boundary with No. 8 Moors Lane will not negatively affect their outlook or spaciousness due to No. 8's southerly orientation and lack of existing southern structures. Similarly, the significant distance between the extension and Priory Barn ensures its amenities are not adversely impacted. Overall, the design of the extension considers the surrounding context and minimizes potential impact on neighbouring properties.

The application has received additional comments from Feckenham Parish Council and neighbouring properties regarding a separate development on the site, specifically the construction of an outbuilding, wall, and fencing. The Parish Council also requested that the outbuilding be included in the drawings to assess compliance with the 50% building coverage criterion within the property's curtilage.

It is important to clarify that, as outlined in this report, this application solely considers the proposed rear extension's compliance with permitted development rights and its impact on neighbouring amenities. The existing development, including the outbuilding, wall, and fencing, is not part of this application and is being addressed separately. The applicant has submitted an amended plan demonstrating that the existing outbuilding, along with the proposed extension, does not exceed the 50% building coverage threshold for the property's curtilage.

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To conclude, the application meets all requirements within The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the proposed extension would not cause any adverse neighbour amenity issues.

## **RECOMMENDATION:**

**That having regard to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and to all other material considerations, Prior Approval is required and GRANTED subject to the following conditions:**

### **Conditions:**

1. The materials used in any external work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

### **Procedural matters**

This application is being reported to the Planning Committee because an objection has been received from Feckenham Parish Council.