

PLANNING COMMITTEE

7 JUNE 2022

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION



Application Number: 0175/2022
Development: Erection of a first storey side and single storey rear extension
Location: 23 Beyer Close, Glascote, Tamworth, B77 2DP

1. Introduction

- 1.1.1. The site is a semi-detached two storey dwelling on Beyer Close in Glascote. The site is adjacent to similarly styled dwellings. There is a slight increase along Beyer Close where number 23 is higher by a small amount compared to 21 Beyer Close.
- 1.1.2. It is proposed to erect a first storey side and a single storey rear extension. The rear extension would measure 5.3m deep and 6.4m wide, the full width of the rear of the dwelling. It would have a flat roof with a centrally located lantern light. The side extension would measure 2.7m wide and of the depth of the existing dwelling. The side extension would have a dual pitched roof orientied perpendicular to the existing roof. The first floor side extension would consist of an en-suite and main bathroom and a third bedroom. At ground floor the extension will provide space for a kitchen diner. It is also proposed to convert the garage to a hall toilet and utility. The dwelling is orientated such that the garden is south facing.
- 1.1.3. The application was called to committee by Cllr Peale on the grounds that the application does not have the necessary information and that the topography of the street raises additional issues in relation to amenity.

2. Policies

- 2.1 National Planning Policy Framework (NPPF)
National Design Guide
Planning Policy Guidance (PPG)

Adopted Tamworth Local Plan 2006-2031

SS1 The Spatial Strategy for Tamworth
SS2 Presumption in Favour of Sustainable Development
EN5 Design of New Development
SU2 Delivering Sustainable Transport
Appendix C Car Parking Standards
Tamworth Borough Council Design Supplementary Planning Document

3. Relevant Site History

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3. Consultation Responses

- 3.1 None received at the time of writing this report

4. Additional Representations

- 4.1 As part of the consultation process adjacent residents were notified and a press notice and site notices were erected. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at www.tamworth.gov.uk.

One neighbour objected (received 22/04/2022) – this was for a lack of information on drawings, how the proposal would be over-bearing, create a loss of light, drainage issues, the difference in levels and how the application as built could preclude neighbour from having extension.

5. Equality and Human Rights Implications

- 5.1 Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercised of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.
- 5.2 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

6. Planning Considerations

- 6.1 The key issues to be considered at this stage are

- **Character and Appearance**

Policy EN5 Design of New Development states that developments should be of a scale, layout form and massing which conserves or enhances the setting of development and utilize materials and overall detailed design which conserves or enhances the context of the development. Proposals should respect and where appropriate reflect existing local architectural and historic characteristics but without ruling out innovative or contemporary design which is still sympathetic to the valued characteristics of an area.

The plans as originally submitted included a set back of 300mm with no discernible set down. Amended plans were submitted for this scheme showing a set down and set back in order that the proposed extension would look subordinate to the host dwelling. Following the receipt of these amended plans it was considered that the design of the scheme was acceptable and would not cause any terracing effect within the street scene.

The proposal will not have a significant impact on the character and appearance of this locality for the following reasons;

1. Its scale, design and materials are sympathetic to the existing building
2. It relates well to its surroundings
3. Its siting would not significantly impact on the streetscene

Furthermore in accordance with the Tamworth Borough Councils Design Supplementary Planning Document. The proposal is considered to comply with section 4 (Development Guidance) in particular paragraphs 4.16 to 4.20 front extensions and 4.21 to 4.25 rear extensions. The extension is set down and back from the existing elevations, albeit not quite the full 1m that the SPD recommends. The width of the side extension is marginally greater than 50% of that of the original building however this is not considered to be a significant issue. Furthermore the rear extension meets the light angle guidance using the 45 degree test. This application is therefore compliant with Policy EN5 in relation to character and appearance.

- **Amenity of neighbouring properties**

Policy EN5 Design of New Development states that developments will be expected to minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Such impacts may include loss of light, privacy or security or unacceptable noise, pollution, flooding or sense of enclosure.

The first floor extension along the side of the dwelling would be similar in line to the closest neighbour at number 21. Number 21 does not have any principal room windows in the side elevation and therefore any extension would not pose a significant overbearing impact. Bathroom windows are not principle windows and therefore not afforded the same protection than if this were a bedroom or living area.

There is unlikely to be a significant impact on the reasonable amenities of any of the adjacent residents through overshadowing, overbearing or loss of privacy, due to the gardens facing south and

the first floor being on the side of the dwelling in line with the neighbouring property. This application is therefore compliant with Policy EN5 in relation to the amenity of neighbouring properties.

- **Highway Safety**

Policies SU2 and EN5 require development proposals to have particular regard to highway safety, service requirements and the capacity of the local road network and the adopted parking standards set out in Appendix C of the Local Plan.

It is proposed to change what was a two bedroom dwelling to a three bedroom dwelling. The requirements with regards to parking within Appendix C are the same for a two bedroom as they are for a three bedroom dwelling. The proposal involves the conversion of the existing garage, however, two off street parking spaces can be accommodated to the front of the dwelling which means the highway policy requirements are met. This application is therefore compliant with Policies SU2 and EN5 in relation to highway safety and specifically parking standards.

The proposal will not have a significant impact on highway safety for following reasons;

- a. The property benefits from existing sufficient parking
- b. The proposal provides acceptable access/parking arrangements

- **Call-in Reasons**

The application has been called in for two reasons; 1) access to information and 2) topography. With regards the first point no lesser information has been made available for this application than is made available for most simple householder applications, albeit the drawings for this proposal are hand drawn whereas most submissions are computer drawn. Amended plans were submitted which are annotated with the measurements for the extension in an attempt to provide more information as it is accepted that even the best plans are difficult to measure on the website. In addition drainage details were included on the amended plans. Regardless, lack of access to information is not a material planning reasons to refuse an application.

With regards to the levels, there is a levels difference between the application site and ground floor level for the neighbour which will potentially worsen the sense of overbearing from the proposed extension however the difference in levels is small. The two storey side extension is orientated such that it is in line with the main part of the neighbouring property and, with the set down, would not be significantly greater in height than ridge height on the neighbouring property. A proportion of the single storey rear extension would be viewable above the fence from the neighbouring rear garden and as stated before the difference in levels would mean that a greater amount of that extension would be viewable than would otherwise have been the case if the levels were the same. However, even considering this, the impact on the neighbour in terms of a sense of overbearing would not be significant enough to refuse the planning application.

It is worthy of note that the neighbour has had a single storey rear extension themselves and therefore loss of light to rear habitable windows is not a consideration in line with the Design SPD paragraph 4.39 which states that only original principle rear windows to habitable rooms are to be protected. Nevertheless there is a garage width of space between the proposed rear extension and the rear extension on the neighbouring property and therefore there is unlikely to be any issues with loss of light.

7 **Conclusion**

The proposed development of side and rear extensions is considered to be of an acceptable design which would not have a significant adverse impact upon the character and appearance, neighbouring amenity or highway safety. Therefore, it is compliant with the relevant Local Plan policies and the Design SPD. Consequently, the application is recommended for approval.

8 **Recommendation**

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| 1. Approval with conditions |
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Conditions

1. The development shall be started within three years from the date of this decision.
Reason: In compliance with Section 91 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 permitted shall be strictly carried out in accordance with the application form and drawings: Proposed side and rear extensions' Rev B dated 21/05/2022 and the location plan with unique plan reference b36c/uk/772683/1045134 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To define the permission.