

# Report to Planning Committee

**4 September 2024**

<b>Application reference</b>	DC/24/69368
<b>Application address</b>	255 Bristnall Hall Road Oldbury B68 9NF
<b>Application description</b>	Proposed two and single storey rear extension.
<b>Application received</b>	9 May 2024
<b>Ward</b>	Bristnall
<b>Contact officer</b>	Mr Andrew Dean <a href="mailto:andrew_dean@sandwell.gov.uk">andrew_dean@sandwell.gov.uk</a>

## 1 Recommendations

That planning permission is granted subject to the following conditions: -

- i) External materials; and
- ii) Glazing to be inserted into the south facing side elevation of the single and two storey rear extension shall be obscurely glazed and non-opening up to a height of 1.7m above the internal finished floor level and retained as such. No additional glazing shall be inserted into this elevation.

## 2 Reasons for Recommendations

- 2.1 The proposed development would be of satisfactory design and appearance and would not significantly impact the amenity of neighbouring properties.

## 3 How does this deliver objectives of the Council Plan?

Living in Sandwell	Increasing opportunities and options for residents.
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## 4 Context

- 4.1 The application is being reported to Planning Committee because the agent is an employee of Sandwell Council.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[255 Bristnall Hall Road](#)

## 5 Key Considerations

- 5.1 The site is not allocated in the development plan.
- 5.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.
- 5.3 The material planning considerations which are relevant to this application are:
- Amenity concerns – overlooking/loss of privacy, loss of light and/or outlook and overshadowing;

- Design concerns - appearance and materials, layout and density of building, wider visual amenity and overdevelopment.

## **6. The Application Site**

6.1 The application site is situated on the eastern side of Bristnall Hall Road, Smethwick. The character of the surrounding area is residential.

## **7. Planning History**

7.1 None relevant.

## **8. Application Details**

8.1 The applicant proposes to erect a single and two storey rear extension. The ground floor would measure 6 metres (L) by 8.2 metres (W) with an overall height of 2.84 metres. The first floor would measure 4.7 metres (L) by 4.9 metres (W) with an overall height of 6.8 metres (4.9 metres to the eaves). The proposal would create a lounge, utility room and shower room on the ground floor and one bedroom on the first floor.

8.2 Amended plans have been received to remove a bedroom from the first-floor rear extension and a side facing window which was omitted in error from the proposed side elevation plan but was shown on the proposed first floor plan.

## **9. Publicity**

9.1 The application has been publicised by four neighbour notification letters. One objection has been received.

9.2 The objector has been re-consulted on the amendments received. Any further correspondence received shall be reported verbally at the committee meeting.

9.3 Objections have been received on the following grounds:

- i) The proposal would cause a loss of light to the rear garden area.
- ii) The proposal would cause a loss of privacy.
- iii) The proposal is out of character with the surrounding area.

These objections will be addressed in under paragraph 13 (Material considerations).

## **10. Consultee responses**

Non relevant.

## **11. National Planning Policy Framework (NPPF)**

11.1 The NPPF sets out government's planning policies for England and how these are expected to be applied.

11.2 The framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts.

## **12. Development Plan Policy**

12.1 The following polices of the council's development plan are relevant:

### **Black Country Core Strategy (BCCS)**

ENV3 – Design Quality

### **Site Allocations and Delivery Development Plan Document – (SADD)**

SAD EOS 9 - Urban Design Principles

12.2 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed layout and design is considered to be acceptable.

### **13. Material Considerations**

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

#### **13.2 Amenity concerns – overlooking/loss of privacy, loss of light and/or outlook and overshadowing.**

Regarding the attached dwelling to the north, taking into consideration the orientation and sun path, the proposal would have no impact on direct sunlight to this property or its garden area. To reduce impact, the extension has been designed to include a 1.2 metre set back from the boundary line with this property. Furthermore, the agent has demonstrated on plan the proposal at both ground and first floor level would not breach the 45-degree code to the habitable room windows of the attached dwelling or the adjacent dwelling to the south. To protect privacy, a first-floor side facing bedroom window has been removed from the proposal. I am therefore satisfied the proposal would not significantly impact the amenity of neighbouring properties.

#### **13.3 Design concerns - appearance and materials, layout and density of building, wider visual amenity and overdevelopment.**

The proposed extension would be located entirely at the rear of the property and would not be clearly visible from the public highway. I am therefore satisfied no significant harm to the visual amenity of the surrounding area would be caused as a result of this proposal. I do not consider the proposal to be overdevelopment of the site and sufficient private amenity space to the rear would remain.

## 14. Conclusion and planning balance

14.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the “planning balance”. It is established by law that planning applications should be refused if they conflict with the development plan unless material considerations indicate otherwise. This essentially means that the positive impacts of a development should be balanced against its negative impacts.

14.2 On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

## 15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policies and there are no material considerations that would justify refusal.

## 16 Implications

<b>Resources:</b>	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None.
<b>Social Value</b>	None.
<b>Climate Change</b>	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the

	need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.
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## **17. Appendices**

### **17.1 Plans for consideration**

Context plan

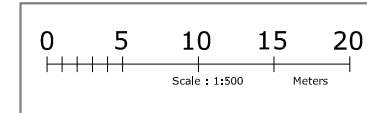
2024-01 REV 01- LOCATION PLAN

2024-02/ REV 01 - PROPOSED SITE PLAN

2024-03/ REV 02 – AMENDED EXISTING/PROPOSED

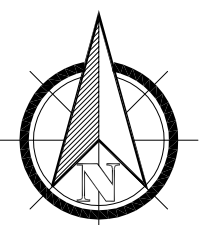
GROUND/FIRST FLOOR, ROOF AND ELEVATIONS PLAN

**Site Plan - Proposed**  
 Scale 1:500



**NOTES:**  
 Do not scale from this drawing.  
 All contractors must visit the site and be responsible for taking and checking dimensions  
 Any discrepancy between drawings, specifications and site conditions must be brought to the attention of the architect.  
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**REVISIONS**



**CLIENT:**

Mr Mohammed Nahim

**JOB:**

255 Bristnall Hall Road, Oldbury, B68 9NF

**DRG TITLE:**

Site Plan - Proposed

DRG NO.	REV.	Paper
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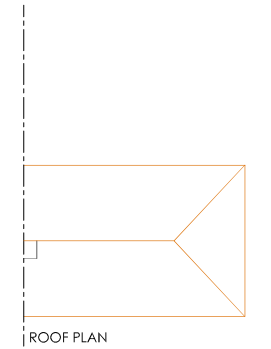
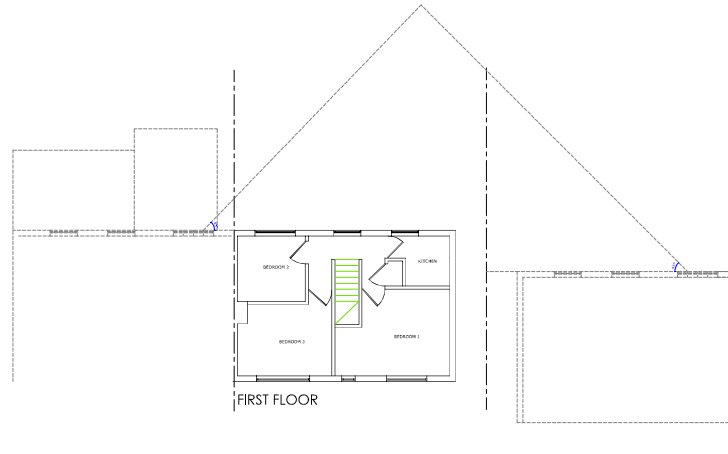
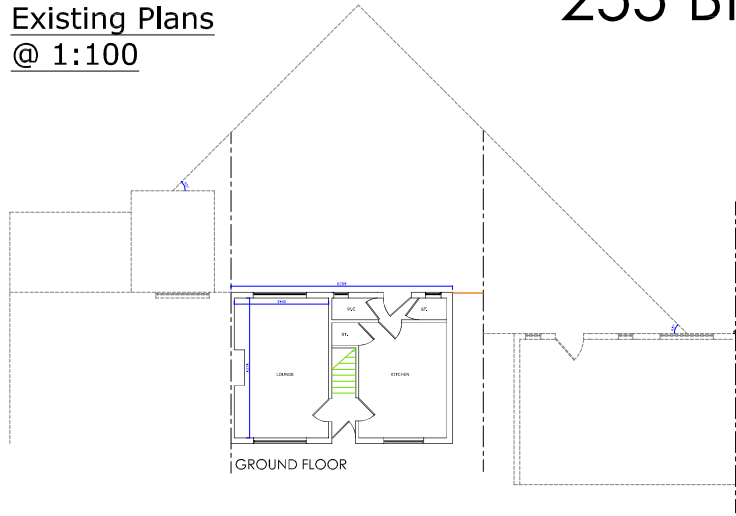
2024-02/	01	A3
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DATE: Apr' 2024	SCALE: 1:500
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# 255 BRISTNALL HALL ROAD

## Existing Plans @ 1:100

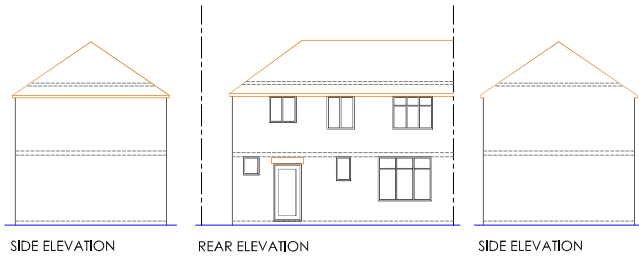


**NOTES:**  
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 If in doubt, use dimensions on drawing.  
 Any discrepancy between drawings, specifications and site conditions must be brought to the attention of the architect.  
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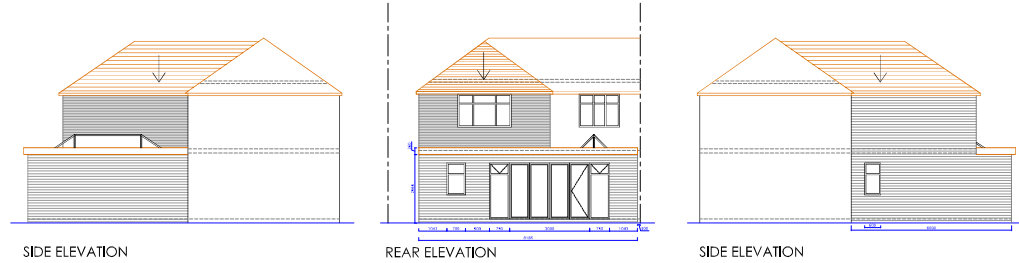
### REVISIONS

09.08.24 -  
 Removed extra  
 bedroom on  
 proposed FF

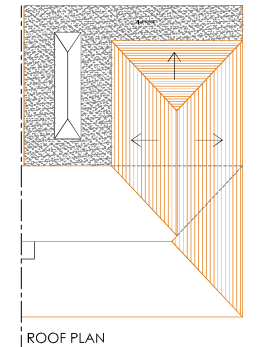
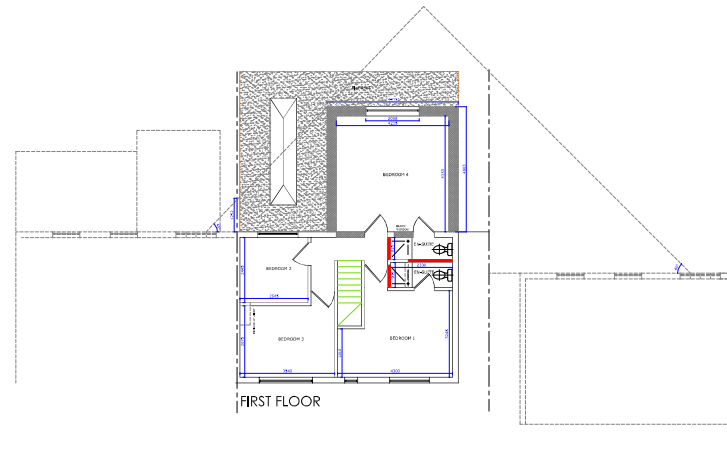
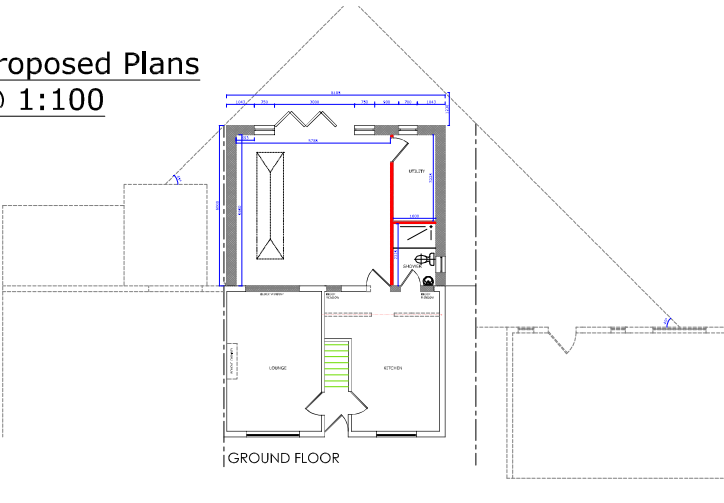
## Existing Elevations @ 1:100



## Proposed Elevations @ 1:100



## Proposed Plans @ 1:100



**CLIENT:**  
 Mr Mohammed Naim  
**JOB:**  
 255 Bristnall Hall Road, Otbury,  
 668 9HF

**DRG TITLE:**  
 Existing and Proposed  
 Plans and Elevations

DRG NO.	REV.	Paper
2024-03/	02	A1
DATE: Aug 2024 SCALE: 1:100		

## **DC/24/69368**

### List of conditions

- i) The development must conform with the terms of and the plans accompanying the application for permission and must remain in conformity with such terms and plans, save as may be otherwise required by (any of) the following condition(s), or approved amendment(s).
- ii) The development must be begun not later than the expiration of 3 years from the date of this permission.
- iii) The external materials used in the development hereby permitted shall match in colour, form and texture those of the existing building unless otherwise agreed in writing by the local planning authority.
- iv) Glazing to be inserted into the south facing side elevation of the single and two storey rear extension shall be half be obscurely glazed and non-opening up to a height of 1.7m above the internal finished floor level and retained as such. No additional glazing shall be inserted into this elevation.