

<b>Council/Committee:</b>	Planning Committee
<b>Date of Meeting</b>	18 February 2026
<b>Application Reference</b>	DC/25/70818
<b>Application Description</b>	Retention of two and single storey rear extensions.
<b>Application Received</b>	8 July 2025
<b>Application Address</b>	7 Limes Avenue Rowley Regis B65 8AZ
<b>Report Author</b>	Lucinda McKee
<b>Lead Officer</b>	Tammy Stokes
<b>Ward</b>	Blackheath
<b>Appendices (if any)</b>	<ol style="list-style-type: none"> <li>1. ZL-5531/1 Rev A – Location &amp; Block Plan</li> <li>2. ZL-5531/2 - Existing Floor Plan</li> <li>3. ZL-5531/3 - Existing Elevations Plan</li> <li>4. ZL-5531/4 Rev A - As Built Floor Plan</li> <li>5. ZL-5531/5 Rev B - As Built Elevations Plan</li> </ol>

## 1. Application Summary

- 1.1 At the last meeting your committee resolved to defer the application so that members could visit the site.
- 1.2 The application is being reported to Planning Committee because three material planning objections have been received.
- 1.3 To assist members with site context, a link to Google Maps is provided below [7 Limes Avenue, Rowley Regis](#)

## 2. Recommendations

That planning permission is granted subject to the following condition relating to:

- i) External materials; and
- ii) Parking laid out and retained.

### **3. Reasons for the recommendation and conditions**

The proposed development would be acceptable as it accords with design policy, has no significant impact on the amenity of the occupiers of the neighbouring properties and the design and scale are appropriate to the existing property and the surrounding area.

### **4. Key Considerations**

- 4.1 The site is not allocated in the development plan.
- 4.2 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.
- 4.3 The material planning considerations which are relevant to this application are:
  - Government policy (NPPF)
  - Planning history
  - Amenity concerns – loss of light and outlook and overlooking
  - Design concerns – not built in accordance with approved plans/oversized, external materials not matching the existing, loss of garden amenity space and out of character for the surrounding area
  - Usage – potential for use as a House in Multiple Occupation

### **5. The Application Site**

- 5.1 The application property is a mid-terraced dwellinghouse on the south-western side of Limes Avenue, Rowley Regis. The character of the surrounding area is predominantly residential in nature.
- 5.2 **Planning History**

A permitted development application was submitted in 2024 for a single storey rear extension measuring: 6.00m L x 4.00m H (2.70m to eaves). No objections were received so it was determined that prior approval was not required; the effect being that the single storey rear extension was permitted development. Planning permission was granted for a proposed two storey rear extension in January 2025.

5.3 A full list of the planning history is provided below:

Application No:	Description	Decision and date
PD/24/02799	Proposed single storey rear extension measuring: 6.00m L x 4.00m H (2.70m to eaves)	Prior approval not required. 13 November 2024
DC/24/70030	Proposed two storey rear extension.	Granted approval subject to external materials condition. 17 January 2025
ENF/25/12674	Unauthorised works – two and single storey rear extensions, single storey front extension and outbuilding.	Pending consideration
DC/25/70819	Retention of single storey front extension.	Refused permission.  Planning Inspectorate Appeal dismissed – 6 November 2025

## 6. Application Details

6.1 The proposal is for the retention of two and single storey rear extensions which accommodate an enlarged kitchen and dining area at ground floor and increase the number of bedrooms at first floor from three to four with a study room. The extension measures 6 metres in length by 4.7 metres in width by 3.1 metres in height at ground floor; and 3.3 metres in length at the eastern boundary, reducing to 2 metres in length at the western boundary, by 7.5 metres in width and 7.2 metres in height at two storey.

6.2 The applicant had previously obtained planning permission for ground and first floor extensions across two separate applications but proceeded to implement both consents at the same time. The single storey extension of 6 metres in projection was deemed permitted development under PD/24/02799 and was amalgamated with two storey extensions approved under planning application DC/24/70030. This action thereby made both permissions unauthorised. The applicant is now applying to retain the combined extensions.

6.3 As the two separate elements have previously been approved, it falls to assess the cumulative impact of the development as built. The single storey

element would ordinarily be deemed to impact on the amenity of the adjoining properties; however, the initial permitted development application was not objected to at the time and therefore was classed as permitted development.

**Fig 1 – The two and single storey rear extensions as built**



6.4 The applicant has carried out other building works without planning consent; namely, a single storey front extension and an outbuilding. The front extension has been refused by the council and dismissed at appeal by the Planning Inspectorate. These elements do not form part of this application and are subject to ongoing enforcement action.

## **7. Publicity**

The application has been publicised by four neighbour notification letters.

Three objections have been received, and the content can be summarised below:

- i) Loss of light;
- ii) Loss of outlook;
- iii) Overlooking;
- iv) Not built in accordance with approved plans/oversized;
- iv) External materials not matching the existing;
- v) Loss of garden amenity space;
- vi) Out of character for the surrounding area;
- vii) Potential use as a HMO; and
- viii) Drains.

## **8. Consultee Responses**

### **8.1 Highways**

No objection. It is noted that at least two car parking spaces were previously available to the front of the property (Fig 2) and should be made available again following removal of the unauthorised single storey extension. This is considered adequate for a four-bedroom dwelling with reference to design guidance.

**Fig 2 Car parking area to front (Google Street View 2022)**



## **9. Relevant Planning Policy Considerations**

### **9.1 National Planning Policy Framework (NPPF)**

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

#### Design

The framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts. I am of the opinion that the scheme is of a good design and is of an acceptable design in terms of scale and character.

#### Highway safety

The framework promotes sustainable transport options for development proposal and states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is not the case as parking spaces would be available to the front of the property, subject to removal of the unauthorised front extension.

### **9.2 Development Plan Policy**

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

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

ENV3 – Design Quality - refers to well-designed schemes that provide quality living environments. The proposed design is considered to be acceptable as discussed below.

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

SAD EOS 9 - Urban Design Principles – The proposal is appropriate to the location in terms of scale and design.

## **10. Material Considerations**

### **10.1 Planning history**

The planning history is relevant as the ground floor and first floor elements have previously been approved under separate consents. The main harm caused to amenity is by the single storey element which could still be constructed under permitted development.

### **10.2 Amenity concerns**

The single storey element would ordinarily be deemed to impact on the amenity of the adjoining properties by way of a loss of light and outlook. However, the initial permitted development application was not objected to at the time and therefore was classed as permitted development. On the basis that this structure could simply be built under permitted development, I do not object to its retention. Impact on outlook has largely been addressed by the brick cladding as, when first built, the external appearance was breeze block. In respect of the massing, scale and impact to the neighbouring properties, the two-storey element has limited impact with regards to loss of light, outlook and privacy and has already been deemed subservient and acceptable in planning terms as approved under DC/24/70030. On this basis, the cumulative impact is considered acceptable.

### **10.3 Design concerns**

In terms of massing and scale, the first-floor extensions are proportionate and subservient to the existing property and are considered to be compliant with design policy. Because of this, I do not think the extensions are notably out of character with their surroundings. The external materials used did not match those of the existing property and the applicant has applied brick slips (Fig 3) at the request of officers to ensure that the external materials now match the existing property. A condition should ensure that this work is fully completed within a reasonable timeframe. I note objectors concerns regarding loss of garden space, but this is to the applicant's own garden, and the resultant space is considered acceptable for general day-to-day amenity such as drying clothing.

**Fig 3 Brick slips applied**



#### 10.4 Other matters

I note concerns regarding the potential use of the property as a HMO. The property has a permitted right to change to a HMO without planning consent should the applicant wish to do so. The application is for retention of residential extensions only and the change to a HMO is beyond the scope of this application, including imposition of any conditions relating to a potential HMO. Whilst drainage has been raised as a concern, it is not a material planning consideration in this instance, and the applicant is expected to have complied with the building regulations in respect of this matter.

### 11 Conclusion

All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the 'planning balance'. To summarise: the proposal should be approved unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against development plan policies or, where those policies are out of date, the NPPF as a whole. Where national policy takes

precedence over the development plan, this has been highlighted in paragraph 9 (National Planning Policy Framework). 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.

## **12. Legal and Governance Implications**

The Planning Committee has delegated powers to determine planning applications within current Council policy. Section 78 of the Town and Country Planning Act 1990 gives applicants a right to appeal when they disagree with the local authority's decision on their application, or where the local authority has failed to determine the application within the statutory timeframe.

## **13. Other Relevant Implications**

None.

## **14. Background Documents**

Planning Appeal reference: 3374720

## **15. How does this deliver the objectives of the Strategic Themes?**

All of our residents, including our children and young people, are active participants in influencing change – through being listened to, their opinions are heard and valued. (Householder applications)

## **Relevance Check**

**Budget Reduction/Service Area:**

**Service Lead Tammy Stokes**

**Date:**

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service that you provide?

N/A

Is a Customer Impact Assessment needed? No