

Report to Planning Committee

4 June 2025

Application reference	DC/25/70515
Application address	68 Grove Vale Avenue Great Barr Birmingham B43 6BZ
Application description	Retention of rear dormer (amendment to planning permission DC/23/68803 and Lawful Development Certificate DC/23/68615).
Application received	4 June 2025
Ward	Charlemont With Grove Vale
Contact officer	William Stevens William_stevens@sandwell.gov.uk

1. Recommendations

That retrospective planning permission is granted.

2. Reasons for Recommendations

- 2.1 The proposal is of satisfactory design, and it would not have a detrimental impact on the private amenity of occupiers of adjacent properties by reason of loss of light, outlook or privacy.

2. 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 as three objections have been received. However, two objections are from the same wider household.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[68 Grove Vale Avenue, Great Barr](#)

5. Key Considerations

- 5.1 The application site relates to a semi-detached property within a residential area.
- 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:
- Government policy (NPPF);
 - Amenity concerns – overlooking/loss of privacy, loss of light and/or outlook and overshadowing;
 - Design concerns - appearance and materials, and overdevelopment;
 - Ecology concerns – loss of wildlife,

6. The Application Site

- 6.1 The application site is situated on the northern side of Grove Vale Avenue and relates to an extended (see point 7 below) semi-detached property within a residential area.

7. Planning History

- 7.1 The application site benefits from several permissions which are currently being built out.

- 7.2 Relevant planning applications are as follows:

DC/23/68349	Proposed single and two storey side extension, single storey rear extension, and loft conversion with dormer to rear.	Withdrawn 25 July 2023
DC/23/68615	Proposed loft conversion with hip to gable roof extension and rear dormer window (Lawful Development Certificate).	Granted Lawful Use Certificate 23 October 2023
DC/23/68803	Proposed two/single storey side and single storey rear extensions, garage conversion into habitable room, fenestration alterations and render/cladding to	Granted subject to the external materials matching the existing property 5 January 2024

	front/side/rear (Revision to withdrawn application DC/23/68349).	
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8. Planning permission v Lawful Development Certificate

- 8.1 Members will notice that the planning history refer to in point 7.2 above contains an application for planning permission (DC/2368803) and a Lawful Development Certificate (LDC) (DC/23/68615).
- 8.2 While both the LDC and the planning permission are used to establish the legality of development, the LDC focuses on confirming the existing or proposed development is lawful, whereas planning permission is required for specific types of development that may impact the environment or public interest.
- 8.3 DC/23/68615 was granted for the hipped to gable and rear dormer window. One of the conditions to make this permitted development (and not require planning permission) was that the external materials used match that of the existing roof.
- 8.4 Following the commencement of the development the applicant has chosen to use a different material to clad the rear dormer. So, because dormer window does not match the original roof tiles and instead, modern external materials have been used and therefore, the rear dormer requires planning permission. It should be noted that in terms of the size of the dormer this still falls under permitted development.

9. Application Details

- 9.1 The applicant proposes to retain the rear dormer with the modern material finish.
- 9.2 As mentioned above in point 8.4, the dormer only requires planning permission due to the external materials used.

- 9.3 The dormer measures 5.2m (w), a depth of 3.6m, and a maximum height of 2.7m with a maximum overall height above ground level of 8.2m
- 9.4 The materials that have been introduced incorporate timber cladding and light grey aluminium cladding:

The photograph below shows illustrates the materials used.



10. Fallback position

- 10.1 It is important to note that the applicant has a “fallback position” in that were Members to refused planning permission, the applicant could hang matching roof tiles to the façade of the dormer window making it permitted development. Furthermore, all other aspects of this development remain unaltered and hence benefit from planning consent. Therefore, Members are invited to assess any harm the external materials used on the dormer have on the surrounding area as their main focus. However, other material planning considerations can still be taken into account.

11. Publicity

- 11.1 The application has been publicised by four neighbour notification letters. Three objections have been received (albeit two from the same extended household), hence this application is before your committee.
- 11.2 A letter of support has also been received which will be dealt with in point 11.6
- 11.3 Objections have been received on the following grounds:
- i) The dormer window causes a loss of light to the objectors existing conservatory,
 - ii) Given the height of the dormer window it would have an adverse impact on the privacy of residents given it would overlook neighbours gardens,
 - iii) The dormer window is out of character with the street,
 - iv) The dormer window is “overbearing” and would create a sense of enclosure,
 - v) Contrary to adopted policy, section 12 of the National Planning Policy Framework paragraph 134, “sympathetic to local character” and maintain “a high standard of amenity for existing and future users”,
 - vi) Concerns on the impact on wildlife given the proximity of the water course and noise of construction, exacerbated by a number other property being extended in the area,

The above objections will be addressed in under paragraph 15 (Material Considerations).

- 11.4 Non-material objections have been raised regarding previous consents, and on-going building works which are not material to this application.

- 11.5 Despite objections received, Members are reminded that this application is only for the rear dormer and cannot debate previous permissions that have been granted and built.

Neighbour in Support of the Proposal

- 11.6 A letter of support of the proposal has been received. As well as placing on record their wish for their comments to be made public in that they have no objections to the proposal, they state that the choice of materials used makes for a less imposing and more attractive and modern look dormer than many other examples that they have seen.

12. Consultee responses

12.1 Highways

No objections.

13. National Planning Policy Framework (NPPF)

- 13.1 The NPPF sets out government's planning policies for England and how these are expected to be applied.
- 13.2 The framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts.

14. Development Plan Policy

- 14.1 The following policies 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

- 14.2 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality living environments. The proposed design is considered to be acceptable with little to no impact on the street scene.

Revised Residential Design Guide (RRDG)

- 14.3 Page 26 of the above document states:

“Dormer extensions that require planning consent will need to be designed so that their scale and appearance fits into the architectural language of the original dwelling, neighbouring properties and street scene. Where living space is introduced into roof spaces, whether new build or conversion, main living room areas must have a direct outlook onto external outdoor space.

Proposals to increase the internal capacity of dwellings to provide additional bedroom spaces, must demonstrate that there is scope within the plot structure to cater for increased off-street car parking demand, without diminishing the quality of front garden areas.”

- 14.4 It is the opinion of the Council that the scheme does comply with the above paragraphs of the RRDG. Whilst the proposal is of modern materials, the extensions to the existing property have also been built in similar modern materials so the dormer and extensions match those the architectural design of the property.
- 14.5 The extra room provided by the dormer, looks out onto the rear of the property (see 15.5 below), giving direct outlook onto the applicant’s own private amenity space without causing any significant privacy issues to occupants of neighbouring properties.

14.6 The scheme would create one extra bedroom (the property would have four bedrooms in total) which requires the same number of off-street parking spaces as the original property (two spaces). Notwithstanding this, given the size of the frontage of the property should an extra parking space be required, an additional space could easily be provided without diminishing the quality of the front garden and therefore complying with the RRDG.

15. Material Considerations

15.1 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:

Government policy (NPPF)

15.2 One of the objectors raised paragraph 134 of the NPPF (now paragraph 135 points “c” and “f”) in that development should be *sympathetic to local character* and maintain *a high standard of amenity for existing and future users*. However, the previous paragraph (now 134) states:

Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.

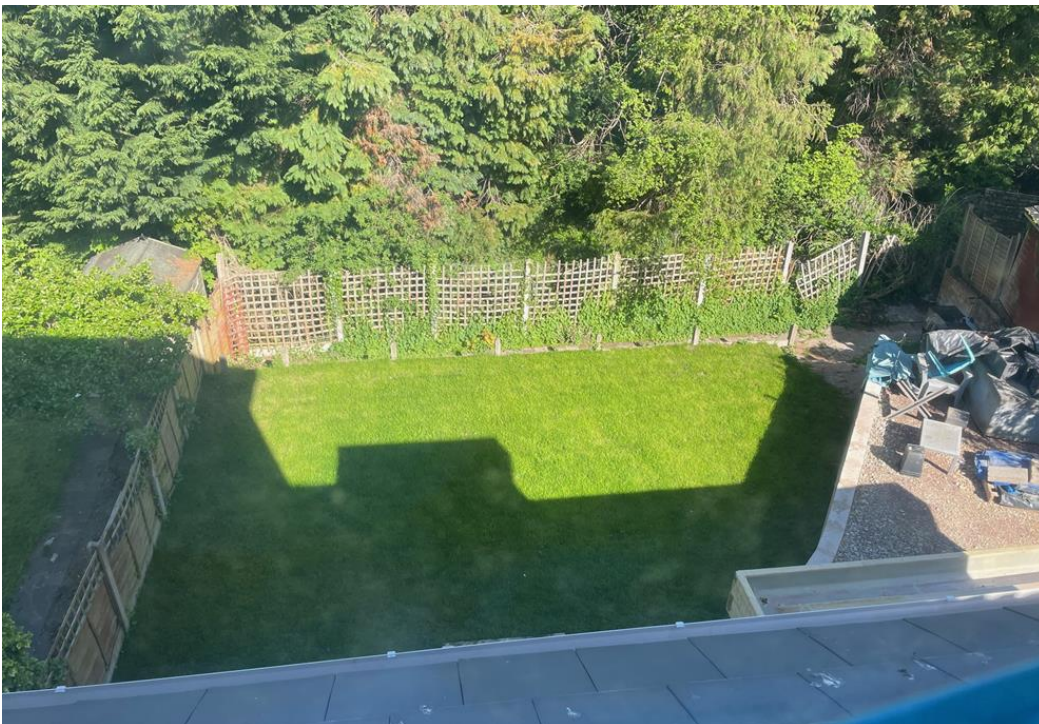
15.3 I therefore refer to the Council adopted Revised Residential Design Guide and point 14.3 above regarding dormer windows. I am of the opinion that the modern materials used in the external surfaces of the dormer are acceptable, and whilst not traditional, provides a modern and clean looking dormer window which would not have a negative impact on the street scene or impact on resident’s visual amenity.

Amenity concerns: Overlooking/loss of privacy

- 15.4 The applicant's agent has commented on this aspect and that's that the Dormer was designed to have two projections either side, effectively creating a screen either side, and the window is inset further in from the edge of the dormer so to limit visibility.
- 15.5 Upon my site visit I took the photographs shown in 4.4 to 4.8 above, and the camera was pressed against the glass for photographs 4.6-4.8. At the closest point, I could not see into the objector's conservatory nor have a view that would significantly overlook the private amenity areas of residential properties.



View out of the bathroom window of the dormer



Views looking straight out of the bedroom window of the dormer, and then looking down onto the applicant's garden



View from the bedroom window of the dormer looking in the neighbouring property to the north east.



View from the bedroom window of the dormer window looking toward the adjoining property to the north west.

- 15.6 I am therefore satisfied that the development would not cause any significant overlooking or privacy concerns that would warrant a refusal.

Amenity concerns: loss of light and overshadowing;

- 15.7 As Members are aware, the sun rises from the east, moves south and sets in the west. The objector's property is northeast of the site, and whilst not only being lower than the ridge height of the existing roof, would be more than 5.0m away from the objector's conservatory.
- 15.8 In my professional opinion, I do not consider that the dormer window would cause any significant loss of light or overshadowing to the private amenity space of the neighbouring residential properties.

Design concerns - appearance and materials, and overdevelopment;

- 15.9 I am of the opinion that the modern materials used in the external surfaces of the dormer are acceptable, and whilst not traditional, provides a modern and clean looking dormer window which would not have a negative impact on the street scene or impact on resident's visual amenity.

Ecology concerns – loss of wildlife,

- 15.10 Whilst I understand concern about ecology, the development is not afforded any special designation hence building works are unlikely to have detrimental effect on ecology. In addition, the Canal and River Trust have raised no objections. Furthermore, the development is largely now complete and hence it is considered that there is unlikely to be any significant disturbance to wildlife in the future.

16. Conclusion and planning balance

- 16.1 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 13 (National Planning Policy Framework).
- 16.2 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.

17. Alternative Options

- 17.1 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 especially given the fallback position open to the applicant.

18. Implications

Resources:	There are no direct implications in terms of the Council's strategic resources. If the Planning Inspectorate overturns the Committee's decision and grants consent, the Council may be required to pay the costs of such an appeal, for which there is no designated budget.
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Legal and Governance:	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
Risk:	There are no risks associated with this report.
Equality:	There are no equality implications associated with this report.
Health and Wellbeing:	There are no health and wellbeing implications associated with this report.
Social Value	There are no implications linked to social value with this report.
Corporate Parenting	None.

19. Appendices

19.1 Plans for consideration

Context plan

Elevation Plans – Proposed – A-E201

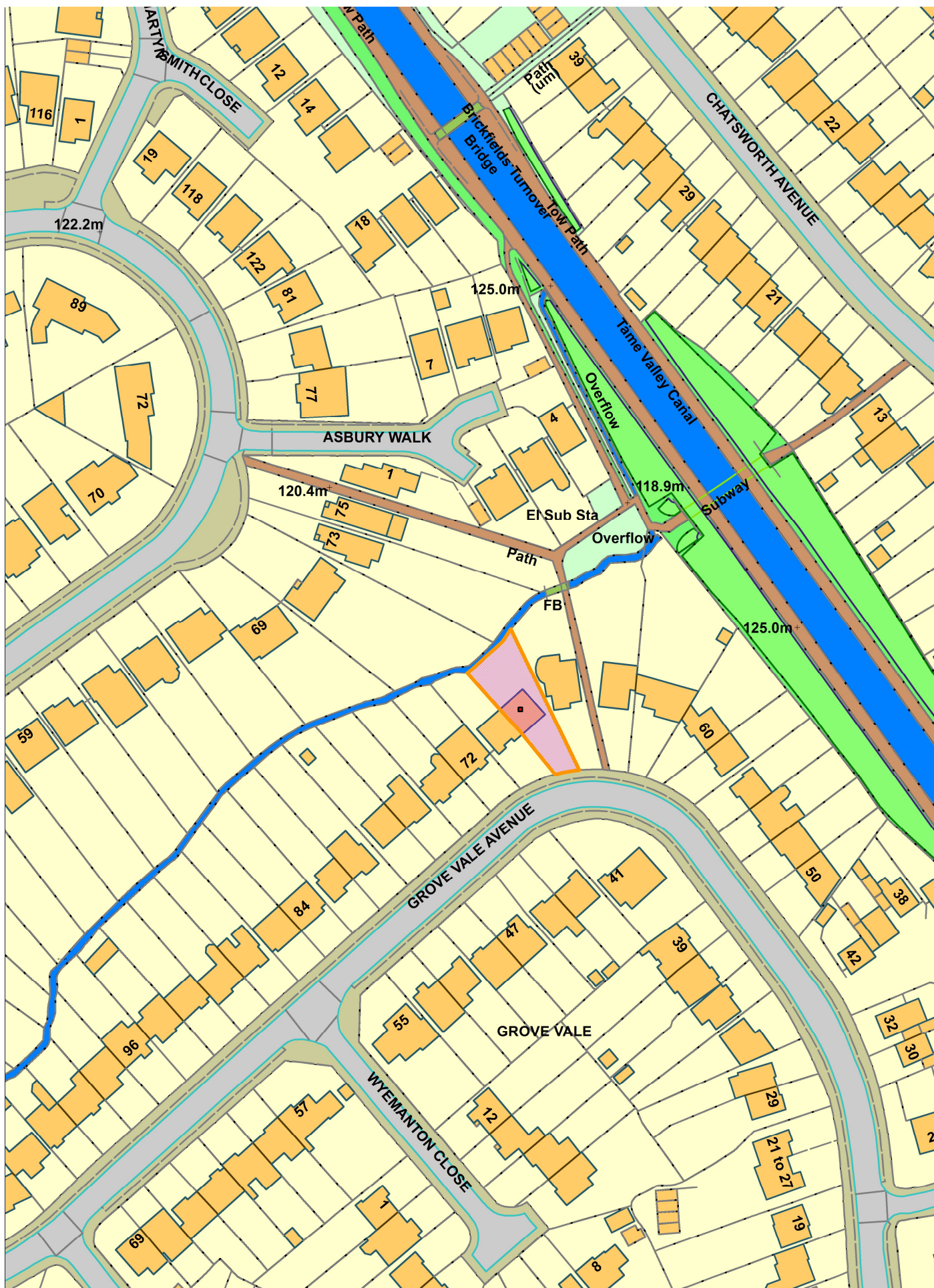
Elevation Plans – Proposed – A-E202

Elevation Plans – Proposed – A-E203

Elevation Plans – Proposed – A-E204

Floor Plans – Proposed – A-P104

Roof Plan – Proposed – A-P105



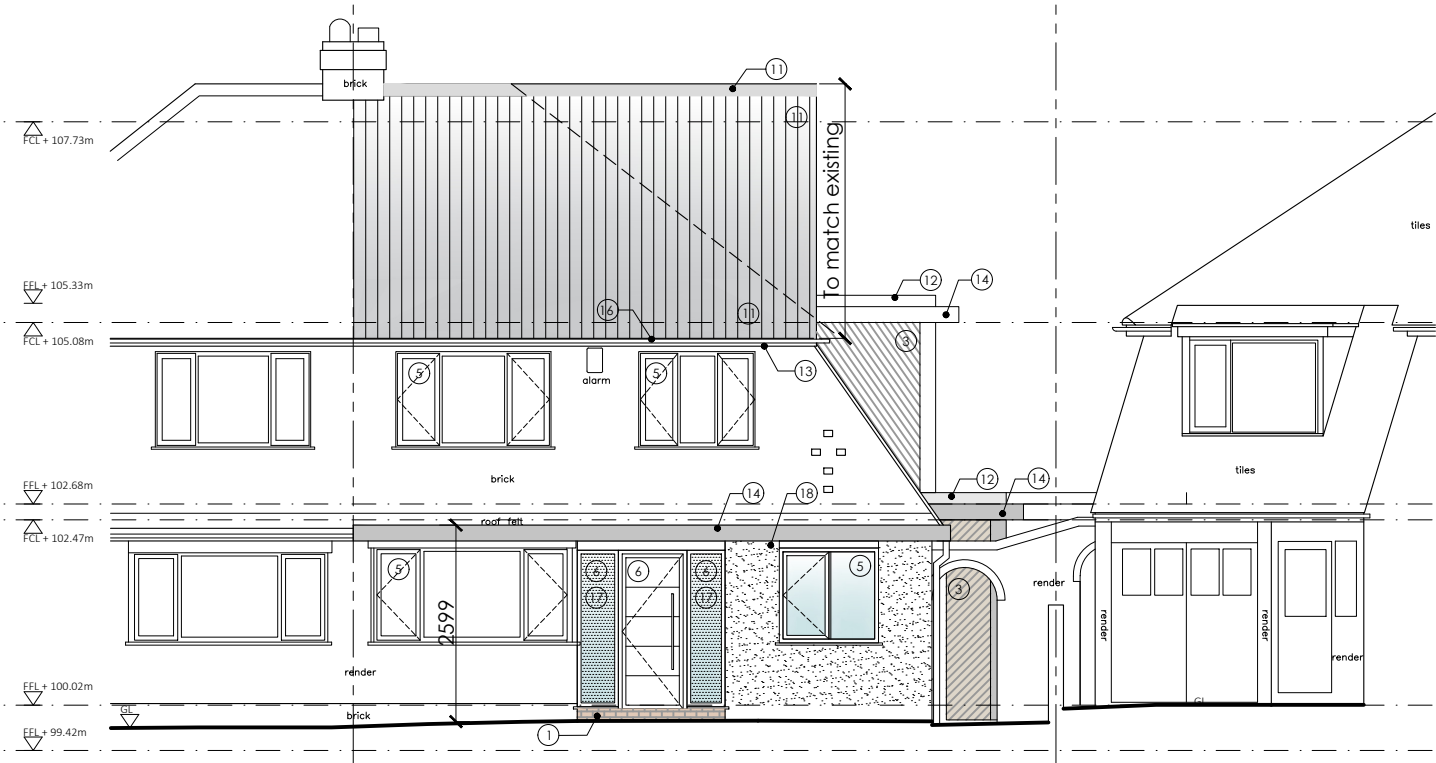
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Notes

Existing survey information undertaken by others

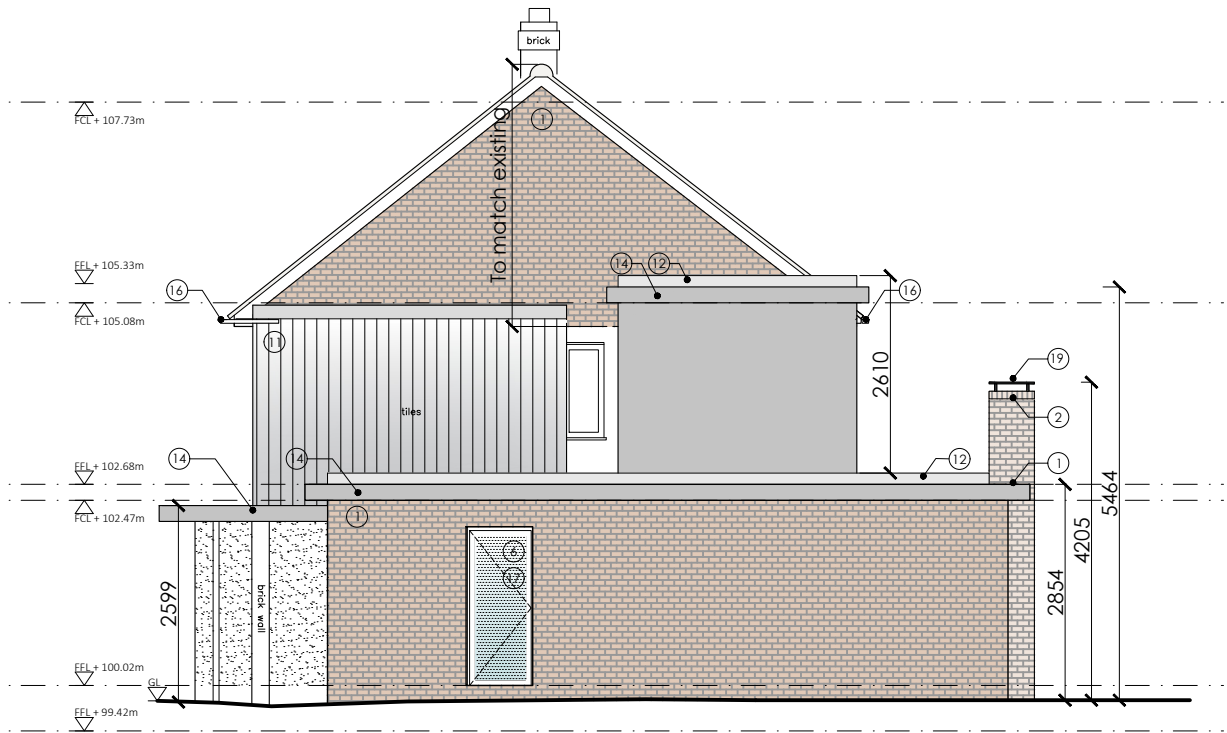
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1. Brown brickwork with light brown mortar in stretcher bond to match existing
2. Solider course brick detail
3. Timber cladding or similar laid diagonally
4. Timber cladding or similar laid vertically
5. White uPVC windows to match existing
6. White composite front door & side lights
7. White composite sectional garage door
8. Black aluminium bifolding or similar
9. Black aluminium windows and doors or similar
10. Black rooflights to match doors and windows
11. Concrete grey plain roof tiles and matching ridge to or similar
12. GRP or grey flat roof
13. White uPVC or similar soffits and fascias to match existing
14. PPC Aluminium or similar metal light grey fascia, soffits, trims
15. PPC Aluminium or similar metal light grey cladding
16. White uPVC or similar square profile gutters and downpipes
17. Frosted glazing
18. White render to match existing
19. Black metal chimney top
20. Concrete base
21. External planters with timber or similar horizontal cladding
22. Lead or similar flashing



CURRENT FRONT ELEVATION A

Approved works under DC/23/68803 & DC/23/68615



CURRENT SIDE ELEVATION B

Approved works under DC/23/68803 & DC/23/68615

Scale 1:100



Revision	Description	Date
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Client **Mr & Mrs Hallan**

Project **68 Grove Vale Avenue
Birmingham
B43 6BZ**

Title **Current Elevations**

Drawn **MP** Checked **MP** File **22057-300-01032025**

Status **PLANNING** Date **15/05/2025**

Job No. **22057** Drg No. **A-E201** Rev **XX** Scale **1:100@A3**

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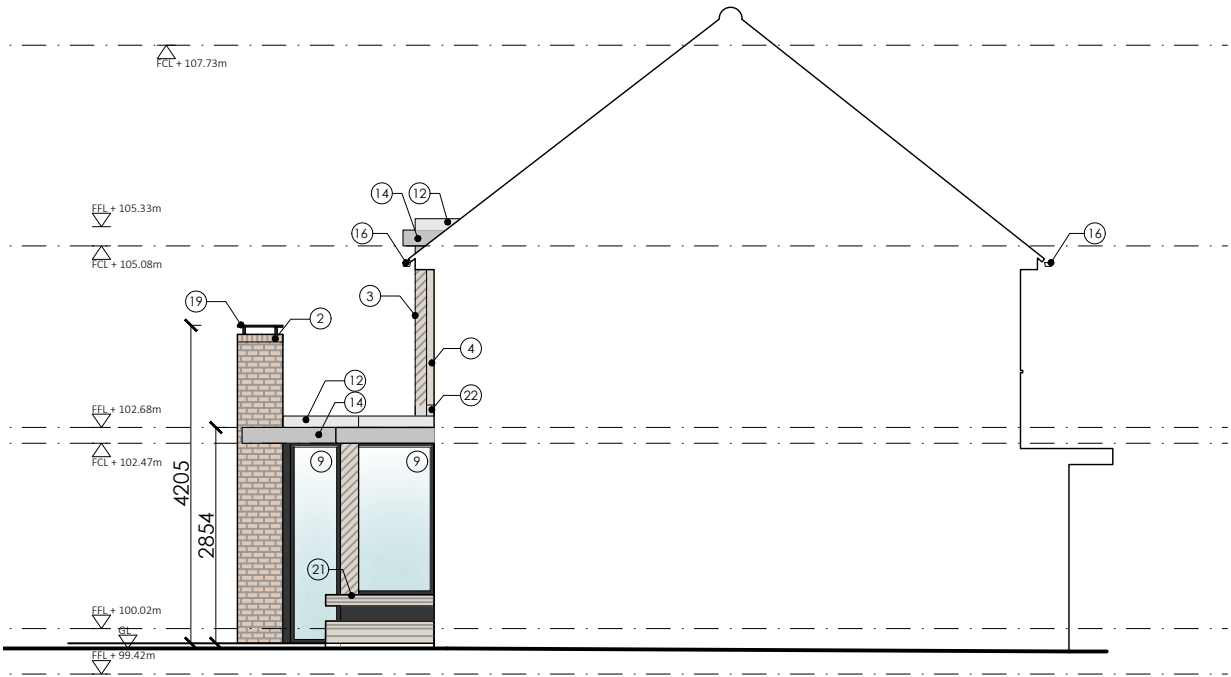
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DATUM 98.0M

CURRENT REAR ELEVATION C

Approved works under DC/23/68803 & DC/23/68615



DATUM 98.0M

CURRENT SIDE ELEVATION D

Approved works under DC/23/68803 & DC/23/68615

Scale 1:100



Revision	Description	Date
Client	Mr & Mrs Hallan	
Project	68 Grove Vale Avenue Birmingham B43 6BZ	
Title	Current Elevations	
Drawn	MP	Checked MP
Status	PLANNING	Date 15/05/2025
Job No.	22057	Drw No. A-E202 Rev XX Scale 1:100@A3



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DESIGN WELL
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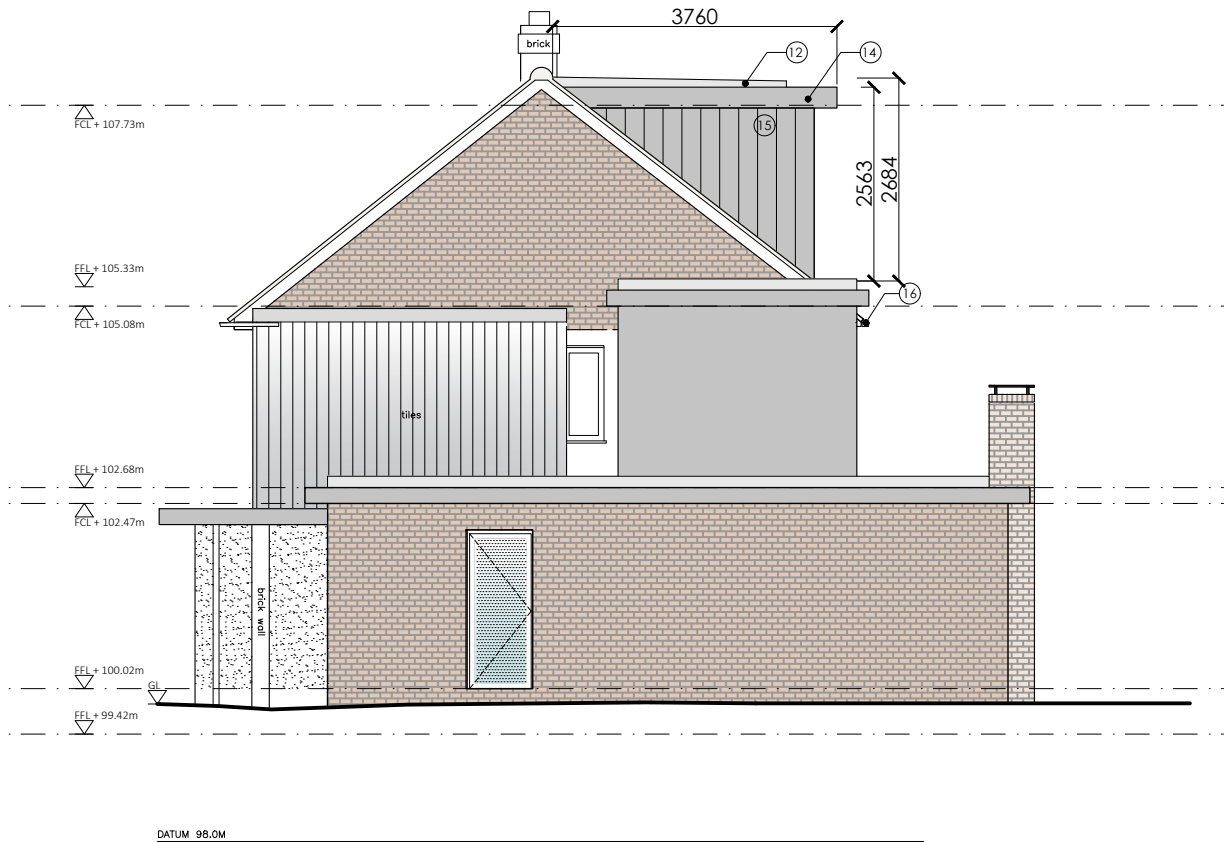
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2. Brown mortar in stretcher bond to match existing
3. Solder course brick detail
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21. Concrete base
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23. Lead or similar flashing



PROPOSED FRONT ELEVATION A



PROPOSED SIDE ELEVATION B

Scale 1:100

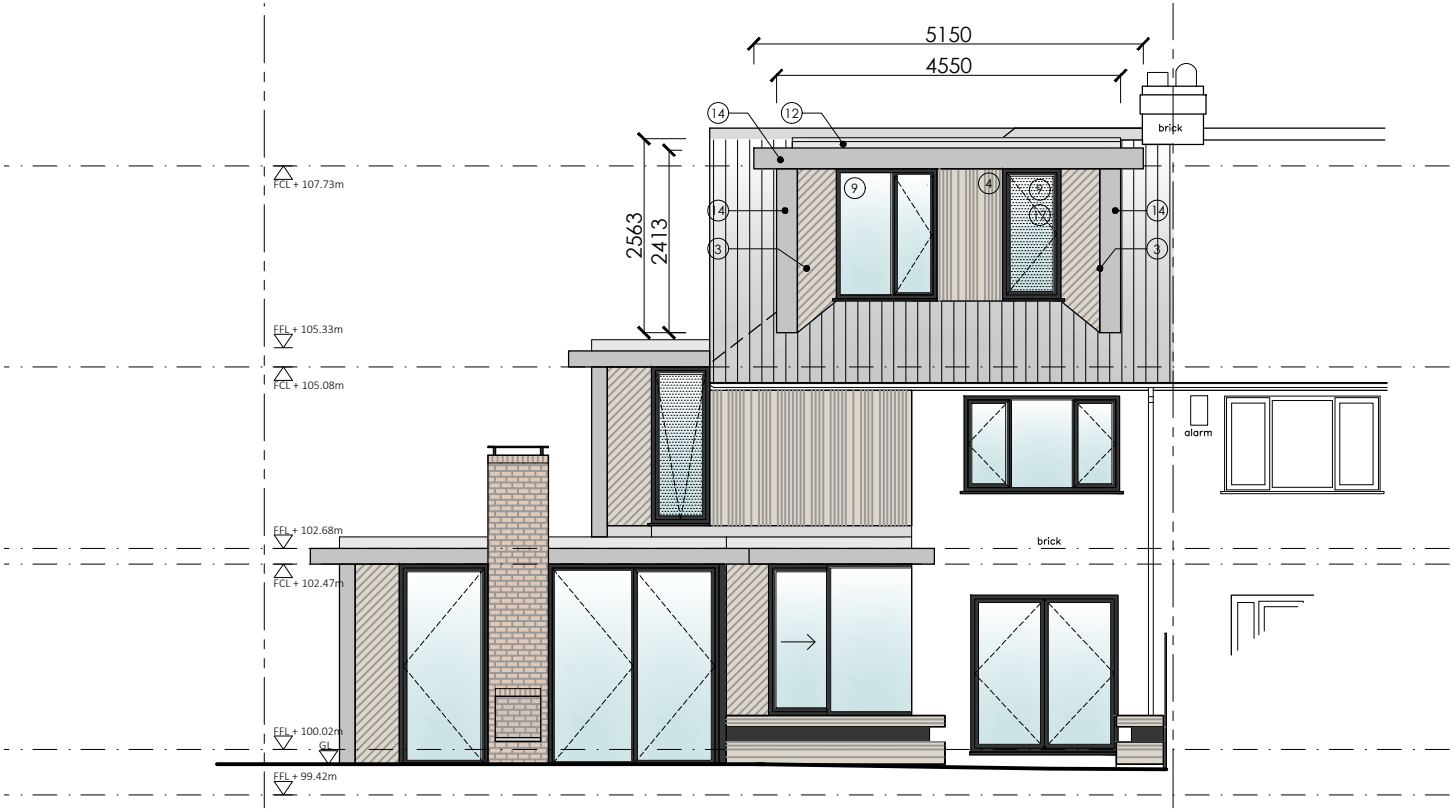


Revision	Description	Date
Client	Mr & Mrs Hallan	
Project	68 Grove Vale Avenue Birmingham B43 6BZ	
Title	Proposed Elevations	
Drawn	MP	Checked MP
Status	PLANNING	Date 15/05/2025
Job No.	22057	Drw No. A-E203 Rev XX Scale 1:100@A3

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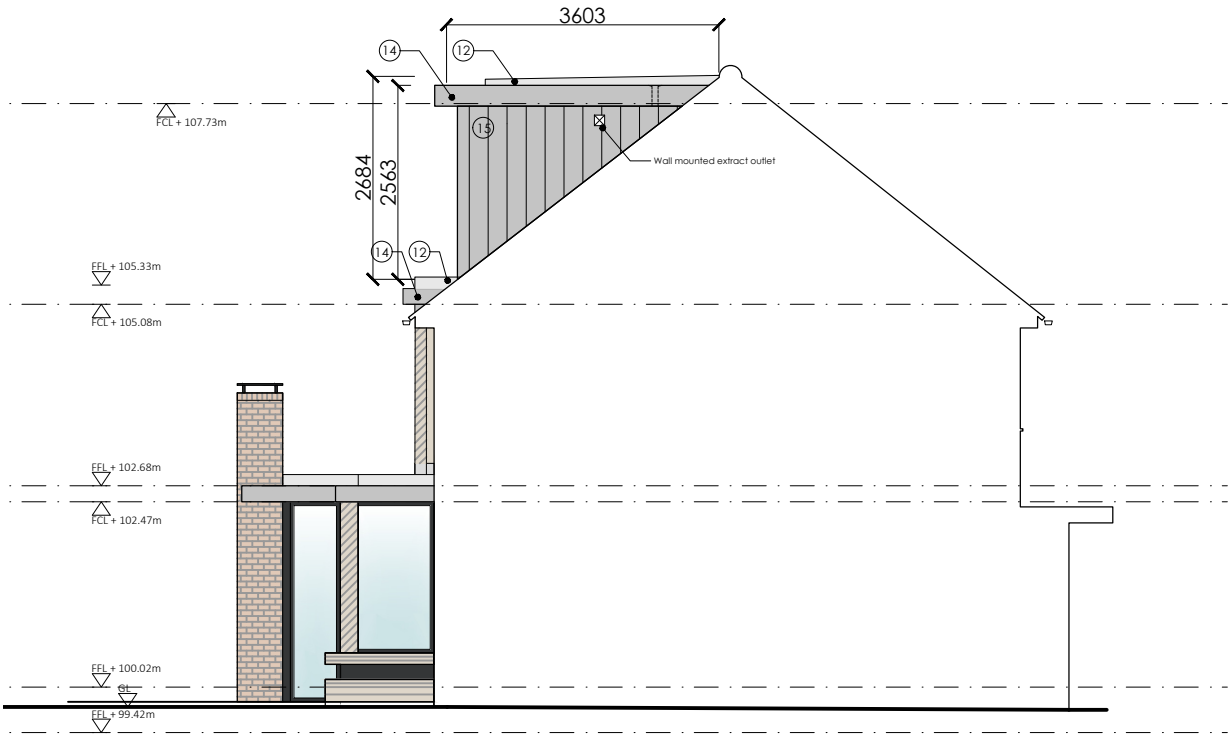
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DATUM 98.0M

PROPOSED REAR ELEVATION C



DATUM 98.0M

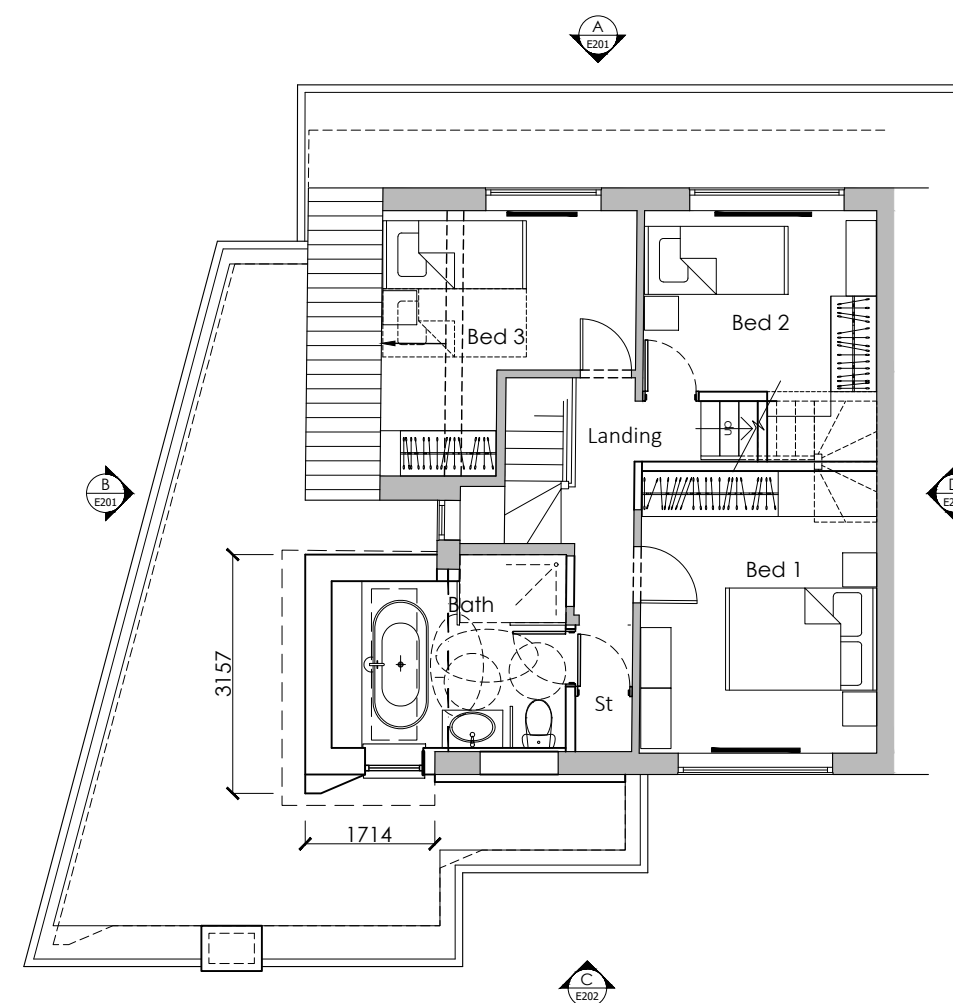
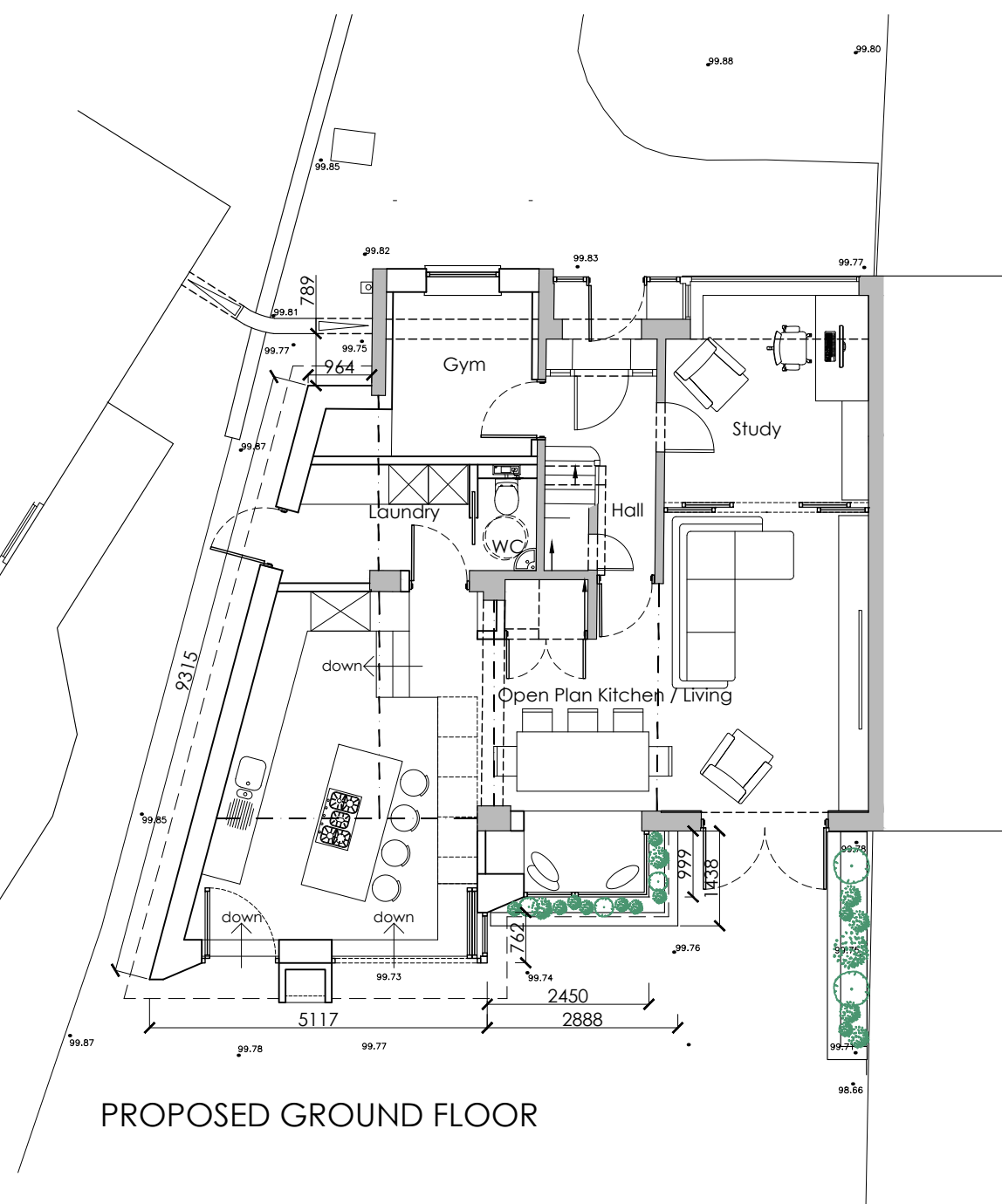
PROPOSED SIDE ELEVATION D

Scale 1:100



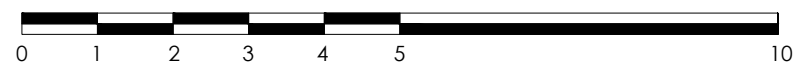
Revision	Description	Date
Client	Mr & Mrs Hallan	
Project	68 Grove Vale Avenue Birmingham B43 6BZ	
Title	Proposed Elevations	
Drawn	MP	Checked MP
Status	PLANNING	Date 15/05/2025
Job No.	22057	Drw No. A-E204 Rev XX Scale 1:100@A3

Existing survey information undertaken by others



PROPOSED FIRST FLOOR

Scale 1:100

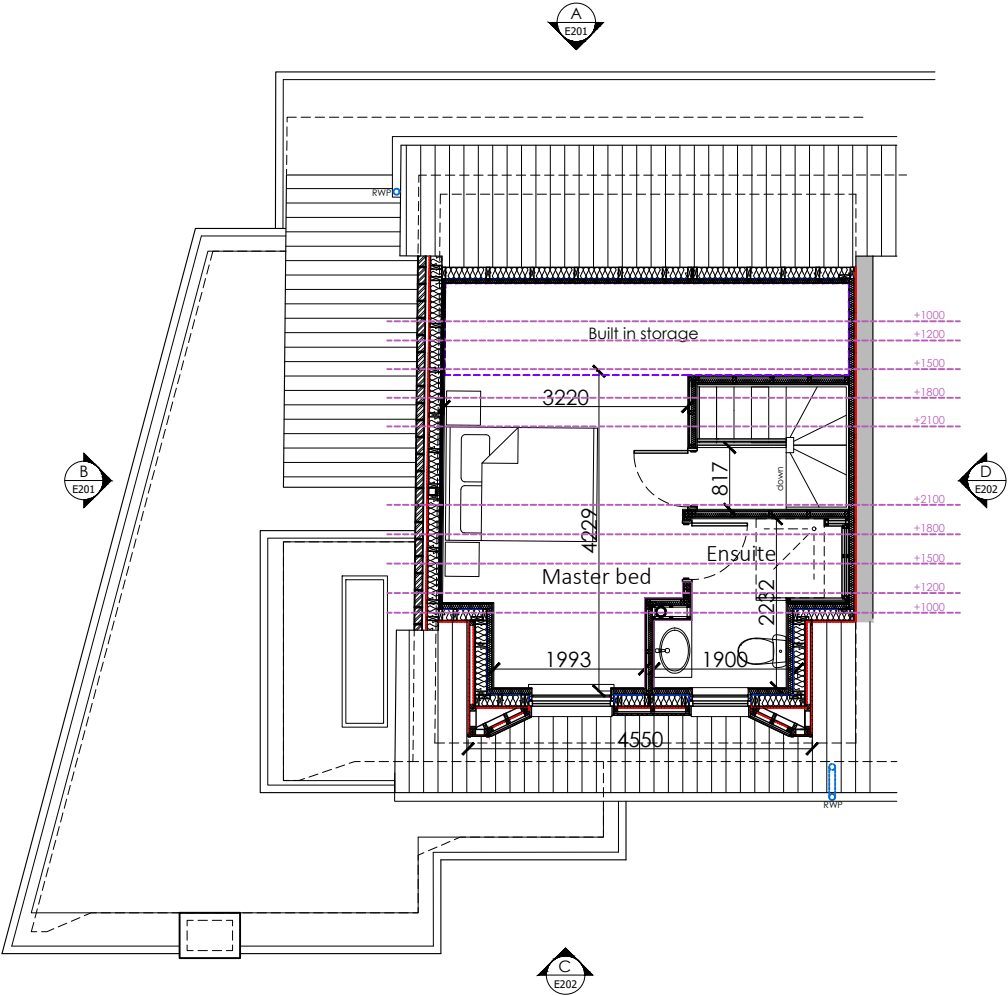


Revision	Description	Date
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Client	Mr & Mrs Hallan	
Project	68 Grove Vale Avenue Birmingham B43 6BZ	
Title	Proposed Ground and First Floor Plans	
Drawn	MP	Checked MP
		File 22057-300-01032025
Status	PLANNING	
		Date 15/05/2025
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Job No.	22057	Drg No. A-P104
	Rev XX	Scale 1:100@A3

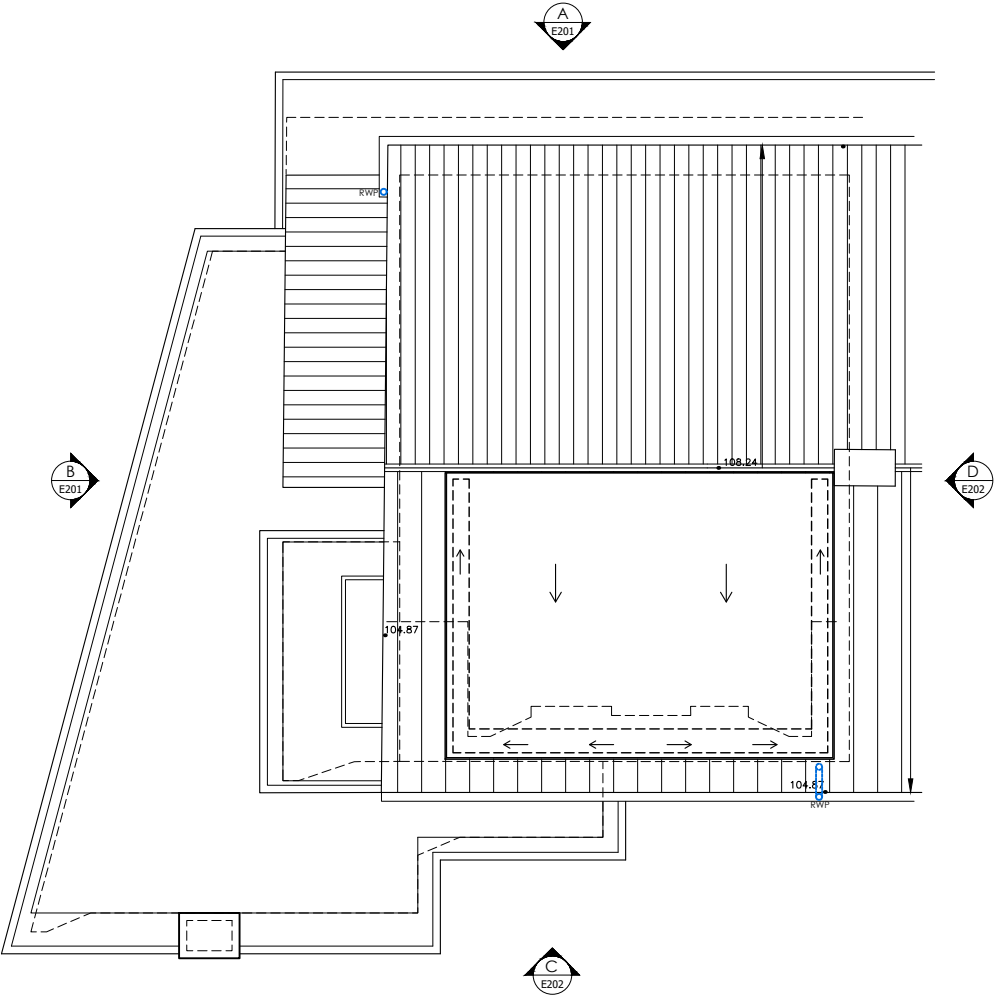


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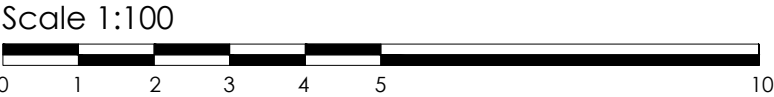
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PROPOSED LOFT FLOOR WITH DORMER



PROPOSED ROOF PLAN WITH DORMER



Revision	Description	Date
Client	Mr & Mrs Hallan	
Project	68 Grove Vale Avenue Birmingham B43 6BZ	
Title	Proposed Loft and Roof Plans	
Drawn	MP	Checked MP
Status	PLANNING	Date 15/05/2025
Job No.	22057	Dr No. A-P105 Rev XX Scale 1:100@A3



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DESIGN WELL
LIVE BETTER

DC/25/70515

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).

Reason: To ensure that any development undertaken under this permission shall not be otherwise than in accordance with the terms of the application, on the basis of which permission is being granted, except in so far as other conditions may so require.