

Council/Committee:	Planning Committee
Date of Meeting	22 October 2025
Application Reference	DC/25/70663
Application Description	Proposed single storey rear extension and raising the height of the existing garage flat roof.
Application Received	23 May 2025
Application Address	71 Birch Road Oldbury B68 0EP
Report Author	Lucinda McKee lucinda_mckee@sandwell.gov.uk
Lead Officer	Tammy Stokes
Ward	Old Warley
Appendices (if any)	<ol style="list-style-type: none"> 1. 6 Rev A – Amended Location Plan 2. 05 Rev A – Amended Proposed Site/Block plan 3. 01 Rev A – Amended Existing & Proposed Ground Floor Plan 4. 03 Rev A – Amended Existing Elevations Plan 5. 04 Rev A – Amended Proposed Elevations Plan 6. 02 Rev A – Amended Existing & Proposed Roof Plan

1. Application Summary

- 1.1 The application is being reported to Planning Committee because three material planning objections have been received.
- 1.2 To assist members with site context, a link to Google Maps is provided below:

[71 Birch Road, Oldbury](#)

2. Recommendations

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

- i) External materials;
- ii) Pre-commencement Construction Management Plan (to include deliveries).

3. Reasons for the recommendation and conditions

The proposed development would be acceptable because it accords with policy, it has no significant impact on the amenity of the occupiers of the neighbouring properties and the design and scale is 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);
- Amenity concerns – loss of privacy, light and outlook, overshadowing/loss of residential garden amenity, overlooking/loss of residential garden amenity and impact on neighbour future planning application;
- Design concerns – overdevelopment, out of character with surrounding area and effect on the streetscene;
- Environmental Concerns – noise and disruption from construction works, noise from proposed use, cooking smells and impact to wildlife;
- Highways considerations – construction deliveries.

5. The Application Site

5.1 The application property is a detached bungalow situated on the northern side of Birch Road, Oldbury. The character of the surrounding area is predominantly residential in nature.

5.2 Planning History

A full list of the planning history is provided below:

Application No.	Description	Decision and date
DC/08988	Birch Road, Oldbury - Erection of 27 Detached dwellings and Estate Road	Grant Permission Subject to Conditions - 06.06.1979

DC/13489	Land at Birch Road, Oldbury - Erection of 26 detached houses and roads	Grant Permission Subject to Conditions - 03.06.1981
DC/13925	Land Fronting Birch Road & Birch Walk, Oldbury - Erection of 26 detached houses and construction of estate road	Grant Permission Subject to Conditions - 21.10.1981
DC/14800	Adjacent Birch Walk Birch Road, Oldbury - Construction of cul-de-sac of 26 dwellings (Permitted development rights removed: Condition No. 10: Notwithstanding the provisions of the Town and Country Planning General Orders 1977-1981 no walls or fences greater than one metre in height shall be erected in advance of the forwardmost part of any wall of a dwelling which fronts onto a highway or private drive except as may be shown on the approved site layout drawing).	Grant Permission Subject to Conditions - 30.06.1982

6. Application Details

- 6.1 The proposal is for a single storey rear extension and raising the height of the existing garage flat roof.
- 6.3 Amended plans have been received to reduce the massing, scale and height of the extension as originally proposed, also, removing the garage conversion and retaining the existing path, wall, steps and lawned areas to the rear garden. The plans before your committee are those of the amended scheme.
- 6.4 The proposed single storey rear extension measurements are 2.8 metres in length (projection from the existing rear elevation wall) and 6.6 metres in width. A flat roof is proposed with a height of 2.6 metres (3.0 metres maximum height to include two roof lanterns). The proposed increase in the height of the existing garage roof is 100mm.

- 6.5 An existing conservatory will be demolished, and the proposed single storey rear extension will project 2.8 metres from the existing rear elevation wall and will attach onto the existing garage.
- 6.6 The proposal seeks to reconfigure the existing internal arrangement and to create an enlarged kitchen/diner and relocate bedroom number two to the rear of the property.

7. Publicity

The application was initially publicised on 28 May 2025 by three neighbour notification letters. Upon receiving two amended proposals, the application was further publicised by three neighbour notification letters on 18 June 2025 and 31 July 2025. Three objections have been received and are summarised below:

- i) Loss of light, privacy and outlook;
- ii) Overshadowing/loss of light to garden;
- iii) Overdevelopment;
- iv) Out of character with the area;
- v) Effect on the streetscene;
- vi) Overlooking/loss of residential amenity.
- vii) Noise and disruption from construction works;
- viii) Noise from proposed use;
- ix) Cooking smells;
- x) Impact to wildlife;
- xi) Impact on neighbour's future planning application.

Non-material objection raised:

- i) Affects property value;
- ii) Boundary issues;
- iii) Drainage;
- iv) Party wall;
- v) Foundations;
- vi) Building Regulations.

8. Consultee Responses

- 8.1 The Head of Highways has reviewed the application and has raised no objections to the application.

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 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. No significant highway concerns are noted.

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 layout and design are considered to be acceptable with no concerns being raised from the urban design team.

Site Allocations and Delivery Development Plan Document – (SADDPD)

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

10. Material Considerations

10.1 Amenity concerns - loss of privacy, light and outlook, overshadowing/loss of residential garden amenity, overlooking/loss of residential garden amenity and impact on neighbour future planning application

The proposed development would be a sufficient distance from neighbouring properties and raises no significant concerns regarding its impact on privacy, light and outlook. There would be no overshadowing of neighbouring residential garden amenity spaces.

A concern raised is that the neighbouring properties would be able to view the rear of the applicant property from their own garden amenity space (upper level) and therefore feels that the applicant's property would be impacted by loss of privacy, in turn leading to the neighbouring properties being unable to use their own rear garden amenity spaces. The applicant and neighbouring gardens are small and have tiered ground levels. The proposed extension would not impact privacy for the neighbouring properties.

It is not considered that the proposed extension would impact the future submission of a neighbouring planning applications.

Photographs taken from the site visit to applicant property

Applicant rear garden and boundary with neighbouring property to the north.



Applicant rear garden/conservatory and side boundary with neighbouring property to the east.



Applicant rear elevation/conservatory/garage and neighbouring property to the west rear elevation including conservatory roof.



Applicant rear garden and side boundary with neighbouring property to the west (conservatory roof)



Applicant rear garden/garage and side boundary to neighbouring property to the west (conservatory).



10.2 Design concerns – overdevelopment, appearance/out of character with surrounding area and effect on the streetscene;

The development is not considered to be over-development; the massing and scale of the extension would be proportionate to the existing dwelling.

The development is not considered to be out of character with the surrounding area; it is noted that there are several rear extensions within the immediate local area (see google earth image below).

The existing garage is set-back from the highway and the raising of the garage roof height by 100mm would not significantly impact the streetscene.

The development raises no concerns regarding its impact on the character of the existing property and the visual amenity of the wider area.



10.3 Highways considerations – construction deliveries.

Highways have reviewed the application and have raised no objections to the application. The development provides adequate parking provision; the bungalow is remaining a 2-bedroom property therefore there is no requirement for an increase in parking provision. The external parking area is also remaining unchanged. A condition has been included in the recommendation for the submission of a pre-commencement Construction Environmental Management Plan which would include delivery times.

10.4 Environmental concerns – noise and disruption from construction works, noise from proposed use, cooking smells and impact to wildlife

Concern was raised regarding noise and disruption from the construction works. As indicated above, a condition has been included in the recommendation for the submission of a pre-commencement Construction Environmental Management Plan.

Turning to post construction noise and nuisance, It is not considered that the proposed extension usage would cause any significant noise nuisance above what is normally associated with a residential property.

Similarly, It is unlikely that there would be any significant impact on the amenities of the occupants of adjacent properties regarding cooking smells above what is normally associated with a residential property.

It is not considered to be any impact to wildlife; the existing rear garden is to be retained.

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 11 (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. 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.

To be completed if you do not need an Equality Impact Assessment. (I do not consider that planning applications would require this, the only factor when it may be applicable would be if it provides additional accommodation for an individual with disabilities.

Relevance Check

Budget Reduction/Service Area:

Service Lead Tammy Stokes

Date: 8 October 2025

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