

SMD/2022/0146 e-mail correspondence with the applicant's agent 14th September 2022

from the agent 15.26

Good Afternoon Arne,

We have been having some discussions with our client in regards to the above application. We can see no way forward in satisfying the Highways comments with this in mind we have decided to extend the building within permitted development rights and continue to use the building providing retail services within the existing footprint, unless a reasonable solution can be contained between ourselves. If this is not the case we will be withdrawing this application. I have attached a copy of the sketch plan for your viewing.

Kind Regards, Sam Ashmore
Architectural Technologist (BSc hons) (ACIAT)
Cr8 Architectural Ltd., Acorn House, 22 High Street,
Sutton Coldfield, Birmingham, B72 1UX

Reply from the planning officer 16.16

Good afternoon Sam

I am just editing some final tweaks to the report and decision notice ready for issue by close of tomorrow with, as previously notified to you at 28th July 2022, a recommendation of refusal.

As regards the plan you have forwarded this afternoon indicating some proposed extensions, in order for me to review this fully and accurately this would need to be submitted as an application for a Lawful Development Certificate for proposed development. There are two issues to resolve: (i) can the building benefit from any category of permitted development given that it is in part a dwelling and in part a retail space; (ii) if there are pd rights, would they cover your proposals?

On brief and incomplete review just now it strikes me that the two-storey rear extension you have shown would not be pd under class A of part 1 for example (even if this class were available) as 'the enlarged part' would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres.

Unless you inform me that the application is withdrawn I am intending to put it forward for issue as a refusal by close of tomorrow.

Arne

From the agent 16.21

Good Afternoon Arne,

Thank you for the prompt response, we will review this application further under permitted development rights so we will be withdrawing this application.

Kind Regards, Sam Ashmore