

**21/00006/FUL**

**Mr E Johnson**

**BREWOOD & COVEN**

**Cllr Brian Cox**

**Cllr Venetia Jackson**

**6 Old Coach Road Bishops Wood ST19 9AD**

**Proposed new roof to garage to create storage space within**

**1. SITE DESCRIPTION AND PLANNING HISTORY**

**1.1 Site description**

1.1.1 This application relates to a detached bungalow property, situated on land fronting Old Coach Road on the southern side of Bishops Wood. The property benefits from off-road parking to the front for 3 cars on the driveway with further parking available in the detached rear garage and hardstanding at the rear of the site behind the false garage facade, along with a private rear garden. The dwelling is situated within a residential area comprising a mix of bungalows and 1.5 storey dwellings all varying slightly in size and style with open fields opposite.

**1.2 Relevant planning history**

None

**2. APPLICATION DETAILS**

**2.1 The Proposal**

2.1.1 This application proposes to replace the existing roof on the detached garage to the rear of the site with a mansard style roof to increase the height of the structure and accommodate an upper floor in the eaves to provide an office/storage room for the occupants of the dwelling. It is also proposed to extend the structure to the front by 2 metres, giving the outbuilding a width of 5.32 metres and a length of 7.75 metres. The alterations to the roof will increase the height of the structure from the flat roof height of 2.64 metres to a maximum height of 4.47 metres with an eave's height of 2.25 metres. There are 3no. roof lights proposed to the eastern roof slope and a circular feature window to the front elevation (which will be obscurely glazed and non-opening) to provide natural lighting at first floor. Other minor changes to the ground floor fenestration are also proposed.

2.1.2 Original plans submitted for the proposals featured a large upper floor window serving the office and higher ridge height of circa 4.9 metres. The plans were subsequently amended as a result of negotiations with the LPA after the planning officer expressed concerns regarding design and that the outbuilding would have a detrimental impact on the neighbouring dwelling through loss of privacy and overlooking. A further amended plan was also submitted on 24.03.2021 to address a discrepancy between the amended elevations and floor plan as the previous amendments neglected to amend the window outline on the floor plans to match the revised scheme.

**2.2 Applicants statement**

2.2.1 The applicant has submitted a short statement setting out why the outbuilding is needed.

### **3. POLICY CONTEXT**

#### **3.1 Within the Development Boundary**

#### **3.2 Core Strategy**

Core Policy 3: Sustainable Development and Climate Change

Core Policy 4 Promoting High Quality Design

Policy EQ9: Protecting Residential Amenity

Policy EQ11: Wider Design Considerations

Policy EQ12: Landscaping

Core Policy 11: Sustainable Transport

Policy EV12: Parking Provision

Appendix 5: Parking Standards

Appendix 6: Space about Dwellings

South Staffordshire Design Guide [2018]

Sustainable Development SPD [2018]

#### **3.3 National Planning Policy Framework**

Chapter 12: Achieving well-designed spaces

#### **3.4 National Planning Policy Guidance**

3.4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless materials considerations indicate otherwise.

3.4.2 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

### **4. CONSULTATION RESPONSES**

#### **Summary of comments received from Councillor Sutton on 08.03.2021:**

- *The application will be called into planning committee*
- *Application description does not fully describe the works proposed or the change of use of the garage.*
- *Prominent, overbearing and visually intrusive feature in the local streetscene, dominating neighbouring properties and the skyline.*
- *Significantly harmful impact on neighbouring amenity by way of loss of privacy, daylight and outlook.*
- *Smaller, non-opening window fitted with obscure glass in the office space would still overlook the neighbours rear windows to main rooms and would cause significant loss of privacy and enjoyment of their private rear garden space.*
- *Blocking natural light to their rear garden of an additional neighbour and creating an overbearing and overshadowing presence, thus preventing the enjoyment of their rear garden.*
- *The design of the roof is not one, which is either traditional or prevalent in the area.*

#### **Brewood and Coven Parish Council (received on 02.03.2021)**

*Objection, not in keeping with the surrounding area or street scene, not a change of use application but proposes to change the use of the garage, infringement of privacy and loss of light to the neighbouring property (window could be changed at a later date).*

### **Neighbour comments received to amended plans:**

4 Old Coach Road, Bishops Wood (received 03.03.2021):

- *Floor plans do not show amendments to proposed elevations*
- *This proposed window changes will not overcome this very real perception of harm to their privacy. Given the height of the extension and juxtaposition with my clients garden and rear windows the only way to overcome this concern is to remove any first floor window.*
- *Inappropriate design that stands out from its surroundings, overbearing on neighbouring properties and out of character with the area*

8 Old Coach Road received on 28.02.2021:

- *Loss of light and outlook*
- *Not in keeping with the existing bungalows*
- *Increase in footprint rather than height would prevent detrimental impact on neighbouring amenity*
- *Concerns it could be used as a 'granny flat'*

Ashley Cottage, Ivetsey Bank Road received on 03.03.2021:

- *Concerns it will be used for living accommodation*
- *Loss of outlook, loss of light to the kitchen, overbearing and dominant*
- *Loss of light to the garden*
- *Any approval would set a precedent*
- *Inappropriate and disproportionate to the bungalow*
- *Awkward in design and 'alien' to the existing street scene.*

17 Royal Oak Drive received on 03.02.2021:

- *Roof style and size are not in keeping with the area*
- *Loss of light and privacy to neighbouring dwellings*
- *Concerns over it becoming a future independent dwelling*

## **5. APPRAISAL**

5.1 The application has been called to the planning committee by Councillor Sutton who has concerns about the proposals impact on the street scene and character of the area and a detrimental impact on the amenity of the neighbouring dwellings, primarily nos. 4 and 8 Old Coach Road, Bishops Wood.

### **5.2 Key Issues**

- Principle of development
- Impact on neighbouring properties
- Impact on the character of the area
- Space about dwelling standards
- Highways/Parking

### **5.3 Principle of development**

5.3.1 The property is within the development boundary where proposals such as this can be considered to be an acceptable form of development, providing there is no adverse impact on neighbouring properties or the amenity of the area.

## **5.4 Impact on neighbouring properties**

5.4.1 In accordance with Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight. Appendix 6 sets out minimum separation distances between facing habitable room windows and towards flank walls.

5.4.2 Objections have been received from both immediate neighbouring dwellings, nos. 4 and 8 Old Coach Road concerning loss of privacy, overlooking and a loss of outlook to both the dwellings and the gardens of the neighbouring properties along with a loss of light and overbearing effect on the gardens. The occupier of Ashley Cottage has also expressed concerns of loss of light and outlook to the dwelling and an overbearing impact. Other objections have also raised concerning future uses for the outbuilding.

5.4.3 Looking firstly at no.4 Old Coach Road, the immediate neighbouring dwelling to north-eastern side. The current garage lies adjacent to the boundary with this property, approximately 10 metres beyond the rear of the dwellings. On the other side of the boundary lies the detached garage of this dwelling with the boundary comprising a 2.6-metre-high conifer hedgerow with fence behind. The proposals will extend the front of the garage forward by 2 metres but will still give a set back of 8 metres from the rear of the dwellings to ensure there will be no loss of light to the dwelling itself. Whilst the proposals will increase the height of this structure quite significantly, it will sit alongside the neighbour's own garage and the boundary hedge and given the set back from the main dwelling and the orientation of the plots this should not result in any significant loss of light, outlook or overbearing effect and the changes to the fenestration in the front elevation will ensure there is no loss of privacy. I note the concerns of the neighbouring property owner that the window could in the future be changed without consent, however, an obscurely glazed non-opening window would ensure the proposals did not allow for any overlooking or loss of privacy to the neighbouring dwellings and a condition could be placed on any approval to ensure the window remained so.

5.4.4 Turning to the other immediate neighbouring property, no.8 Old Coach Road. Due to the layout of the properties, this neighbouring dwelling extends beyond the rear wall of the host dwelling with the proposed garage extending just beyond the rear wall of this dwelling. The proposals will be separated from this dwelling by the garden of the host dwelling and a gap of around 8.5 metres (when measured from the front of the garage to the boundary) limiting any loss of light or overbearing effect on this property and given the angle of the roof lights proposed and their height within the building there will be no resulting loss of privacy. Again, I note the neighbours' concerns and those too of the surrounding neighbours regarding loss of outlook and the appropriateness of the design in the garden of the bungalow however, given the separation distances to this and the remaining other dwellings it will not be significantly detrimental as to warrant refusal of the application and must also be viewed alongside the outbuilding that the applicant could potentially erect utilising the properties permitted development rights (subject to meeting the criteria set out under the legislation). Whilst these would not allow for an upper floor in the eaves as proposed, a 4-metre-high pitched roof outbuilding could potentially be erected, providing it was set in from the boundary by 2 metres which would have a similar impact on the outlook of the surrounding dwellings.

5.4.5 Turning to look at the concerns expressed by the occupier of Ashley Cottage, Ivetsey Bank Road regarding loss of light to the dwelling, loss of outlook and an overbearing impact. The rear garden of this dwelling adjoins the side garden of no.4 Old Coach Road and as such, the dwelling is separated from the proposed garage by a separation gap of circa 27 metres which will sufficiently ensure there will be no detrimental impact on this property through

loss of light or overbearing effect and as stated previously the impact on outlook will not be materially harmful above that of the permitted development equivalent that could occur.

5.4.6 The remaining neighbouring concerns relate to the future use of the garage. A condition will be placed on the approval to ensure that the garage remains incidental to the dwelling house but to consider future use any further would be inappropriate, the decision must be based on the use as proposed, any future desire to convert this into a separate dwelling would need to be considered under a separate planning application.

5.4.7 On balance and considering the material considerations explored above the proposals will not result in any detrimental impact on the amenity of the neighbouring dwellings as to warrant refusal of the application, particularly given the PD fallback position. Overall, I consider that the proposals would comply with Policy EQ9 of the Core Strategy.

## **5.5 Impact on the character of the area**

5.5.1 Policy EQ11 'Wider Design Considerations' of the South Staffordshire Local Plan states 'in terms of volume, scale, massing and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area'. The Council's adopted Design Guide elaborates on these principles and with regard to new buildings it states generally; "Buildings should take account of the scale and form of neighbouring buildings and key features, ensuring that they respond positively to the street scene. New buildings should take opportunities to preserve and enhance existing rhythms in the street scene for example by incorporating subtle changes in height, size and form between buildings. Within larger developments, subtle variety in building form and scale can add interest and vitality. However, new buildings should avoid stark or sudden changes in scale."

5.5.2 The proposed garage is located in the rear of the application site behind the false garage façade of the property and the design has been amended to reduce the height of the structure to 4.47 metres. The garage will be set back approximately 30 metres from the highway boundary and will be viewed in the context of the surrounding bungalows, all of which are approximately 5+ metres in height. Given the height of the garage it will likely be partially visible from the immediate street scene but as discussed it will be viewed alongside the false garage facade and will be set back sufficiently from the road so as not to adversely affect the character and appearance of the area. The proposals are therefore considered to be appropriate in scale, mass, design, layout, siting and materials and would therefore comply with Policy EQ11 of the Core Strategy.

## **5.6 Space about Dwellings**

5.6.1 The proposals would maintain the existing rear garden length of around 24 metres and an area in excess of 240 square metres easily the minimum requirements as set out in the Council's Space about Dwellings (SAD) Standards. No other technical infringements of Space about Dwellings result from the proposal.

## **5.7 Highways/parking**

5.7.1 Policy EV12 and Appendix 5 of the Core Strategy require that highway safety and parking provision are considered as part of development proposals. There are no changes proposed to the front driveway and the site currently has off street parking for a minimum of 3 vehicles in this location which will remain unchanged by the proposals thereby meeting the parking standards as outlined in the Core Strategy.

## 6. CONCLUSIONS

6.1 The application is considered acceptable as it will not cause any undue harm to the amenity of neighbouring residential properties and will be sympathetic to the character of the surrounding area. Therefore, the proposal is in accordance with Local Plan Policies EQ9 and EQ11 and I recommend the application for approval.

## 7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

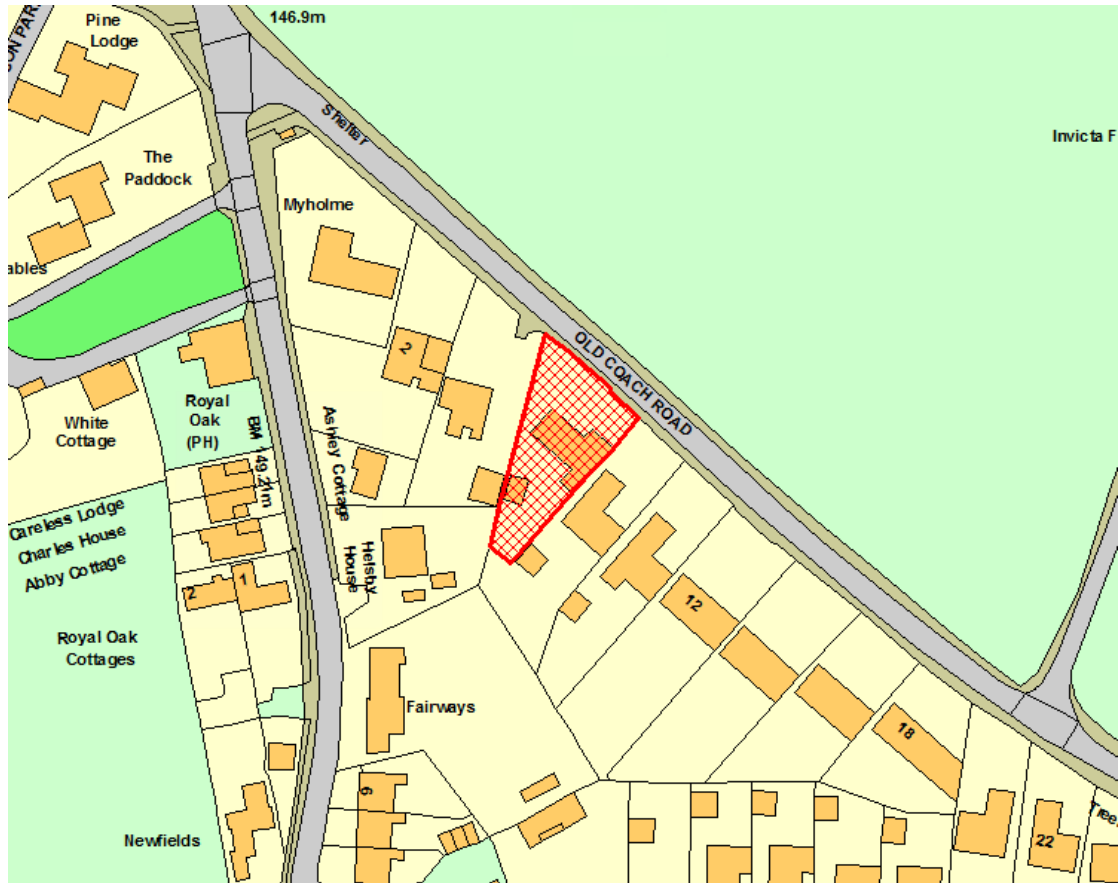
1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: EJ1/1220 Proposed plans received on 24.03.2021, EJ2/1220 Proposed plans sheet 2 received on 26.02.2021 Proposed block plan received on 04.01.2021
3. The materials to be used on the walls and roof of the extension shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.
4. The garage shall be used only for purposes incidental to, and in connection with, the use of the site as a dwelling.
5. Notwithstanding what is shown on the approved plans, the window on the northern front elevation of the proposals serving the upper floor shall be obscure glazed and non opening and maintained as such throughout the life of the development.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other subsequent equivalent Order, no windows (other than those shown on the approved plans) shall be inserted in the upper floor/roof of the outbuilding without the prior written consent of the Local Planning Authority.

### Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the visual amenity of the area and the existing building in particular in accordance with policy EQ11 of the adopted Core Strategy.
4. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
5. To safeguard the visual amenity of the area and the privacy of residents in nearby dwellings in accordance with policy EQ9 of the adopted Core Strategy.
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**INFORMATIVE**

Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2019.



6 Old Coach Road, Bishops Wood, STAFFORD ST19 9AD