

**21/00329/FUL
MINOR**

Mrs Stephanie Hollands

**PERTON
Cllr Anthony Bourke**

22 Farleigh Road Perton WV6 7RH

Erection of detached double garage. Double garage conversion under permitted development.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application relates to a detached two-storey house positioned at the end of a cul-de-sac in Farleigh Road, in the main service village of Perton. There is a large drive with a grass verge running along the front boundary [northern] with trees/shrubs which continue along the side boundary [eastern]. There is also a retaining wall along part of the north and eastern boundary. To the rear there is a large enclosed amenity space.

1.1.2 The existing attached garages have been converted under permitted development rights to habitable accommodation.

1.2 Planning History

1997 Garage and store, approved (97/00168)

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 The application proposes to erect an outbuilding in the north eastern corner of the site. The existing vegetation on the boundaries and the retaining wall would remain in situ.

2.1.2 The hipped roofed double garage would measure approx. 5.2m wide by 5.m long by 3m high (eaves 2.2m). There would be a roller shutter door on the front elevation and a side door. Matching materials would be used.

2.2 Applicant Submission

2.2.1 Photographs of the site and additional information has been provided to the arboricultural officer by the applicant.

3. POLICY CONTEXT

3.1 Within the Development Boundary

3.2 Core Strategy

CP1: The Spatial Strategy

NP1: The Presumption in Favour of Sustainable Development

CP4: Promoting High Quality Design

Policy EQ2: Protecting the Character and Appearance of the Local Landscape
Policy EQ9: Protecting Residential Amenity
Policy EQ11: Wider Design Considerations
Policy EQ12: Landscaping
Policy EV12: Parking Provision
Appendix 5: Parking Standards
Appendix 6: Space about Dwellings
South Staffordshire Design Guide 2018

3.3 National Planning Policy Framework

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 material 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

No Councillor comments [expired 21/04/2021]

Parish Council [20/04/2021]: *Perton Parish Council have raised concerns that the drawings are very basic and contain no information about footings, the slope of the drive, the excavations necessary and the effect on adjacent trees.*

Arboricultural Officer [12/04/2021]: *Based on the additional information received I have no further comments or objections to the proposed on arboricultural grounds.*

Neighbours [expired 21/04/2021]: No comments received

5. APPRAISAL

5.1 The application has been referred to planning committee as the applicant works for Dudley Council Planning Team, who are currently providing consultancy work for householder applications.

5.2 Key Issues

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

5.3 Principle of development

5.3.1 The property is within the development boundary where new outbuildings to dwellings 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 Policy EQ9 seeks to protect the amenity of existing and future occupants.

5.4.2 The proposed outbuilding is to be positioned a suitable distance away from any neighbouring dwellings and would be predominately screened by existing vegetation. There is no conflict with Policy EQ9.

5.5 Impact on the character of the area

5.5.1 Policy EQ11 of the Core Strategy states that proposals should respect local character and distinctiveness including that of the surrounding development and landscape. The South Staffordshire Design Guide provides that extensions should be subservient to the main building, respecting the scale and form and relationship to adjacent buildings.

5.5.2 Whilst outbuildings forward of the principal elevations are not usually looked upon favourably as they are often seen to be out of character with the local area the proposed dwelling in this instance is positioned at the end of a cul-de sac, and the outbuilding would be tucked away in the north eastern corner of the site and partially concealed given the existing vegetation along the front [northern] and side [eastern] boundary. The outbuilding would be viewable when driving to the property off Farleigh Drive, but given its low height and position, and the vegetation softening its appearance, I do not consider that any material harm would be caused on the character of the area.

5.5.3 With regards to the Parish Council comments [trees], there are no noteworthy trees near the application site and the Councils Arboricultural Officer is satisfied with the information submitted. I do however recommend that the planting on the frontage [north] is conditioned to be retained for the reasons mentioned in paragraph 5.5.2.

5.5.4 On balance I consider the proposal to be compliant with Policy EQ11.

5.6 Space about Dwellings

5.6.1 The proposal does not infringe the Councils space about dwelling standards.

5.7 Parking

5.7.1 The site has a large driveway with ample of room for the parking of at least three off road vehicles.

6. CONCLUSIONS

6.1 The proposed outbuilding will cause no adverse harm on neighbouring amenity or character of the area in accordance with Policies EQ9 and EQ11. I therefore recommend the application for approval subject to a number of conditions.

7. RECOMMENDATION - APPROVE Subject to Conditions

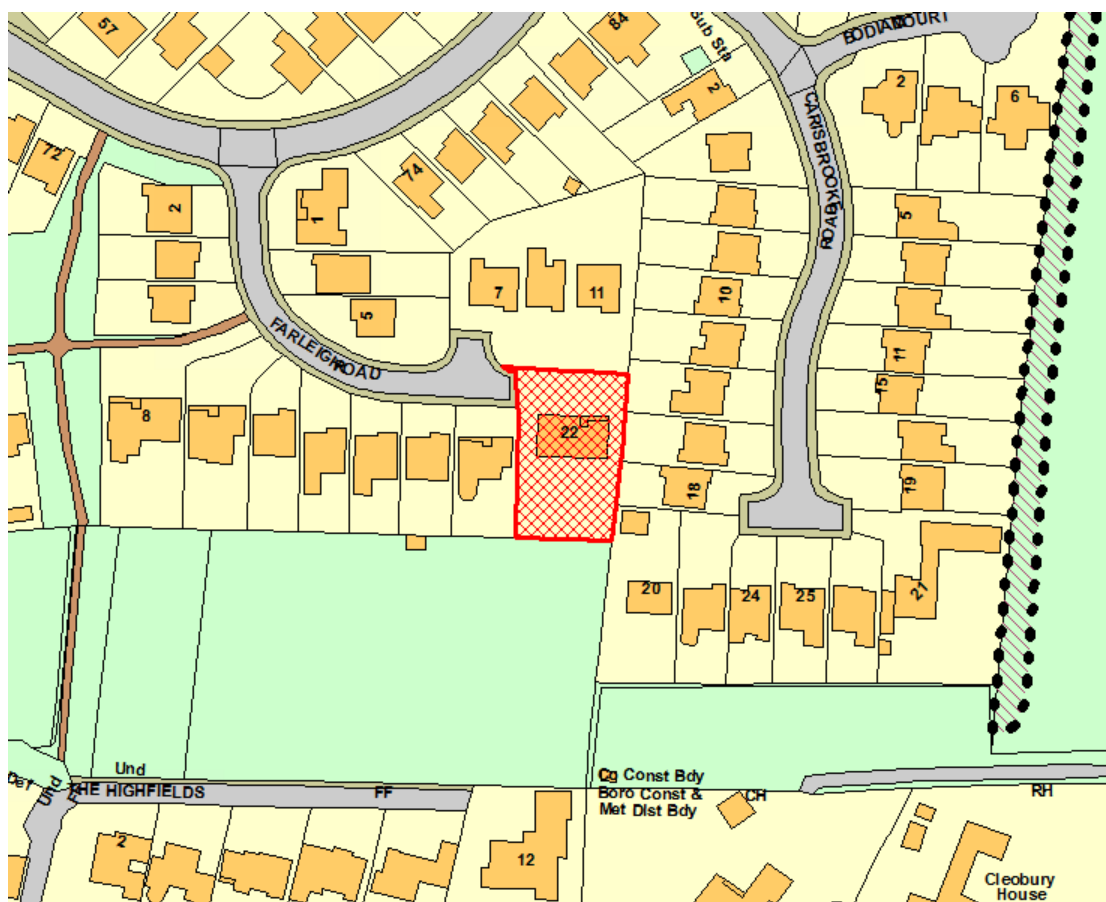
Subject to the following condition(s):

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: Proposed site plan, proposed side elevation, (south), proposed front elevation (west), proposed side elevation (north), proposed rear elevation (east) and proposed floor plan. received 28/03/2021
3. The materials to be used on the walls and roof of the outbuilding shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.
4. No existing trees, shrubs or hedges on the sites northern boundary shall be removed for a period of 10 years following completion of the development without the prior consent of the Local Planning Authority. If any the existing planting is removed or dies within 5 years of completion of the development it shall be replaced with the same species (or alternative agreed with the Council) within 12 months of its removal and as close to the original position as possible (or elsewhere in a position agreed with the Council). The existing and any replacement planting shall be maintained for a period of 10 years respectively from completion of the development or time of planting to the satisfaction 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 amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



22 Farleigh Road, Perton, WOLVERHAMPTON WV6 7RH