

**20/00738/FUL
NON MAJOR**

Mr Richard Clarke

**BILBROOK
Councillor Gary Burnett
Councillor Ian Sadler**

2 Wesley Road Bilbrook WOLVERHAMPTON WV8 1LW

Erection of 1 new dwelling

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application relates to a semi-detached dwelling on the corner of Wesley Road in Bilbrook. There is a landscaped garden to the front with path to the front door and a large enclosed rear garden. The side of the plot is used for parking and is enclosed by a close boarded fence. Vehicle access is off Lane Green Road.

1.2 Planning History

1.2.1 No relevant history.

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 Amended plans have resulted in a proposal to erect a three-bed attached dwelling on land to the side of No.2 Wesley Road. The building would match the existing ridge height and would create a small terrace [3 properties]. The principal elevation would face Wesley Road and there would be a landscaped front and side garden. A new boundary fence would be erected approximately 5.4m from the pavement to enclose the rear garden area, with two car parking spaces provided off Lane Green Road.

2.1.2 The new dwelling would be 3 bed and have an overall floor area around 95sqm [national space standards advise 83sqm]. The front building line would be staggered with the side projection having a lower ridge height.

2.1.3 A new boundary fence with access gate will be provided for the host property with two car parking spaces off Lane Green Road.

2.1.4 The existing access onto Lane Green Road will need to be widened to accommodate the proposal.

2.1.5 The host dwelling would retain a garden area of 83sqm with a depth of some 9m to 12m. The proposed dwelling would have an amenity area of around 42sqm with garden depths of 4m and 7m.

2.2 Agents Submission

2.2.1 Not applicable.

3. POLICY CONTEXT

3.1 The site is within the Development Boundary

3.2 Core Strategy

NP1: The Presumption in Favour of Sustainable Development

Core Policy 1: The Spatial Strategy

Core Policy 3: Sustainable Development and Climate Change

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Policy EQ9: Protecting Residential Amenity

Core Policy 4: Promoting High Quality Design

Policy EQ11: Wider Design Considerations

Policy EQ12: Landscaping

Core Policy 6: Housing Delivery

Policy EV12: Parking Provision

Appendix 5: Parking Standards

Appendix 6: Space about Dwellings

3.3 National Planning Policy Framework

3.4 Supplementary Planning Document

South Staffordshire Design Guide

4. CONSULTATION RESPONSES

Councillor Burnett [02/12/2020]: *I object on the grounds of no provision for parking. I also agree with County Highways about insufficient information provided to determine the impact on the highway.*

Parish Council [03/12/2020]: *The Parish reject this application on the grounds that there is insufficient car parking and it will prejudice highway safety.*

Severn Trent [03/11/2020]: *As the proposal has minimal impact on the public sewerage system, I can advise we have no objections to the proposals and do not require a drainage condition to be applied.*

County Highways [04/12/2020]: *No objections subject to conditions.*

Neighbours [23/11/2020 - 02/12/2020]: *Two comments received; concerns expressed over:*

- *impact on neighbouring amenity;*
- *overdevelopment/design/out of character;*
- *insufficient parking/highway safety*

A **site notice** was posted on the lamppost of Lane Green Road on the 20th of October 2020.

5. APPRAISAL

5.1 The application has been referred to planning committee by Councillor Burnett with concerns over parking and highway safety.

5.2 Key Issues

- Principle of development

- Impact on neighbouring amenity/space about dwelling standards
- Impact on the character of the area
- Landscaping
- Access/parking
- Representations

5.3 Principle of development

5.3.1 The proposal is located within the main service village of Bilbrook which is considered to be a sustainable location in terms of the level of essential community facilities and services available, access to public transport and supporting infrastructure. Locating growth to the main service villages will help create better balanced settlements, reduce the need to travel and utilise and consolidate existing physical, social and community and green infrastructure. The principle of one new dwelling is therefore accepted subject to the appraisal of other relevant material planning considerations.

5.4 Impact on neighbouring amenity/Space about dwelling standards

5.4.1 New development should avoid harming the amenity of neighbouring properties and should not have any adverse impacts with loss of privacy, loss of light or overlooking to neighbouring properties, as set out in Policy EQ9 of the Core Strategy.

5.4.2 The Councils Space About Dwelling standards recommends a separation distance of 21m between facing windows to habitable rooms and 13m from habitable windows to flank walls of neighbouring houses.

5.4.3 The proposed dwelling would sit in line with the front building of the host property and 900mm past the single storey rear extension [1.6m beyond the original two-storey element]. As the rear elevation and garden is north facing, it is not considered that the proposed protrusion could cause any detrimental harm on the amenity of the host property.

5.4.4 Turning to the dwelling to the rear (No.8 Lane Green Road) a concern has been received over the proposal impact on amenity with regards to overlooking and loss of light. The new dwelling would be positioned around 12m from the side wall of the dwelling (1m short of the recommended standard), however this guideline is there to protect the living standards of the future occupants. Given the satisfactory distance and the orientation between the plots it is not considered that the proposal would cause any adverse harm with regards to a loss of light. Concerning overlooking/impact on privacy, there will be an oblique view of the neighbour's garden from the upstairs windows, however given that the garden area of No.8 Lane Green Road is currently overlooked by the host property and other neighbouring dwellings, it is not considered that the addition of one extra dwelling, would cause any additional harm.

5.4.5 Concerning the proposed living conditions for future occupants, as noted above, the proposal falls around 1m short of the recommended standard for distances between habitable windows to flank walls. As the dwelling would sit on a corner plot, there would be a satisfactory outlook for occupants and the 1m infringement in this case is acceptable.

5.4.6. The external floor area for the new dwelling exceeds the national space standards and the garden area would be around 42sqm, which is short of the Councils recommended standards for a three bed [65sqm]. It is not possible to increase the amount of the enclosed garden area for the development given the need to provide car parking and maintaining an

open, landscaped boundary. The site will though have the use of additional amenity land to the side and front of the site which will be surrounded by shrub planting. I therefore consider the overall amenity area to be acceptable in this instance.

5.4.7 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 requires that in terms of scale, volume, massing and materials, developments should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area. Furthermore, EQ11 provides that new developments should respect the plot patterns, building lines and street layout.

5.5.2 The South Staffordshire Design Guide confirms that developments should aim to continue the established pattern, without creating a sharp or sudden change in height of building scale.

5.5.3 The proposed dwelling respects the existing plot patterns along Wesley Road and matches the scale and height of the existing dwellings. A setback has been included on the side gable to allow a greater distance from the pavement and a soft boundary treatment is proposed to retain a sense of openness. Indicative street scene images have been submitted by the agent which shows the proposals appropriateness. As such I do not consider that the proposal would be so harmful to the character of the area as to warrant a refusal.

5.5.4 The proposal is compliant with Policy EQ11.

5.6 Landscaping

5.6.1 Policy EQ12 ensures that appropriate landscaping is provided for all new developments.

5.6.2 The site plan includes a landscaped front and side garden with a soft boundary treatment along the frontages of the site. Further details such as species/mix will be conditioned. The proposal is compliant with Policy EQ12.

5.7 Access/parking

5.7.1 Access and parking have now been provided to the satisfaction of the highways department. Both the host and the proposed dwelling will have two off road car parking spaces each in accordance with the Councils Standards. The proposal is compliant with Policy EV12.

5.8 Representations

5.8.1 The comments received have been addressed in the main body of the report.

6. CONCLUSIONS

6.1 The application site is located within the development boundary of a main service village where there is a presumption in favour of sustainable development. There will be no

adverse impacts on neighbouring amenity, character of the area or on the local highway network and therefore 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: 2020/08/SITE/110 B, 2020/08/FP/001 C and, 2020/08/SITE/002 B.
3. The materials to be used on the walls and roof of the building shall match those of the host building unless otherwise agreed in writing by the Local Planning Authority.
4. Within 1 month of any development commencing on the site a landscape scheme shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority. The planting shall be retained and maintained for a minimum period of 10 years by the property owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).
5. The development hereby permitted shall not be brought into use until the existing access to the site within the limits of the public highway has been widened, reconstructed and completed.
6. The development hereby permitted shall not be brought into use until the existing parking area has been widened, reconstructed and completed in accordance with the approved plans.

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.
5. In the interest of highway safety

6. In the interest of highway safety

Informatives

1. County Highways

The existing dropped crossing to the site shall be widened and reconstructed. Please note that prior to the access being reconstructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application Form for a dropped crossing. Please complete and send to the address indicated on the application Form which is Staffordshire County Council, Network Management Unit, Staffordshire Place 1, Tipping Street, Stafford. ST16 2DH. (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

2. Severn Trent Water

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

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

2 Wesley Road, Bilbrook, WOLVERHAMPTON WV8 1LW