

**23/00717/FULHH
NON MAJOR**

Mr & Mrs M Evans

WOMBOURNE

**Councillor M Davies
Councillor M Evans
Councillor V Merrick**

2 Stoneybrook Leys Wombourne WOLVERHAMPTON WV5 8JE

Single storey side extension including minor re-alignment of garden wall

Pre-commencement conditions required:	Pre-commencement conditions Agreed	Agreed Extension of Time until
No	No	20 October 2023

1. SITE DESCRIPTION

1.1 The application property is a two storey detached dwelling at the northwest corner of Stoneybrook Leys and Millfields Lane, to the southwest of the main service village of Wombourne. The dwelling faces and is accessed via Stoneybrook Leys. The side of the dwelling faces Millfields Lane with a brick garden wall and hedges planted adjacent to the pavement.

2. APPLICATION DETAILS

2.1 The application proposes a single storey side extension between the dwelling and Millfields Lane, measuring 3m wide by 7.7m long. The extension is proposed with a hipped roof, eaves height of 2.4m and ridge height of 3.6m. The extension is proposed with brick and render facing materials to match the existing dwelling.

2.2 The application also proposes a realignment of the existing brick garden wall. The wall currently terminates at the existing rear building line of the dwelling but is stepped slightly out towards Millfields Lane. As proposed, a portion of the garden wall (approximately at the rear building line of the existing conservatory) would be relocated approximately 1.7m towards the highway, in order to align with the proposed side building line of the extension.

Date of site visit – 31 August 2023

SITE HISTORY

None relevant

POLICY

Constraints

Canal and River Trust - Major Buffer Name: Canal And River Trust - Major Buffer:
Canal and River Trust - Minor Buffer Name: Canal And River Trust - Minor Buffer:
Within Development Boundary Name: Wombourne Development Boundary:
Newt - Impact Risk Zone White Name: Impact Risk Zone White:
D Class Road D4545

Policies

National Planning Policy Framework
National Planning Practice Guidance

Policy EQ9: Protecting Residential Amenity
Policy EQ11: Wider Design Considerations

Supplementary Planning Documents

Supplementary Planning Document - Sustainable Development 2018
Supplementary Planning Document - Design Guide 2018

CONSULTATION RESPONSES

All consultation periods have expired unless noted otherwise.

Site Notice Expires	Press Notice Expires
N/A	N/A

National Grid Electricity Distribution

No Response Received

Councillor Vincent Merrick - Wombourne South Ward

No Response Received

Wombourne Parish Council

No Response Received

Contributors

No comments received

APPRAISAL

This application is being heard by the Planning Committee as the applicant is an elected member and the Chairman of the Planning Committee.

1. **Policy & principle of development**
2. **Layout, design & appearance**
3. **Access, parking & highway safety**
4. **Residential and Occupier Amenity**
5. **Human Rights**

1. **Policy & principle of development**

1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made, in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for South Staffordshire District comprises the Core Strategy (2012-2028) and the Site Allocations Document (2012-2028).

1.2 The property is within the development boundary, where alterations to dwellings are generally an acceptable form of development, provided they adhere to amenity and parking space standards and cause no adverse impact on neighbouring properties or the character of the area.

2. Layout, Design and Appearance

2.1 Policy EQ4 of the Core Strategy advises that “the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long distance views”. Core Policy 4 similarly seeks to promote high quality design and respect and enhance local character and distinctiveness of the natural and built environment. Policy EQ11 advises that new development should seek to achieve creative and sustainable designs that consider local character and distinctiveness, whilst having regard to matters of use, movement, form and space. Finally, the Council's Design Guide SPD amplifies the principles set out in Policy EQ11 of the Core Strategy.

2.2 The NPPF (Section 12) advises that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The document continues to state that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”.

2.3 Paragraph 130 of the NPPF also attaches great importance to the design of the built environment, which should contribute positively to making places better for people. As well as understanding and evaluating an area's defining characteristics, it states that developments should:

- function well and add to the overall quality of the area;
- establish a strong sense of place;
- respond to local character and history, and reflect local surroundings and materials;
- create safe and accessible environments; and
- be visually attractive as a result of good architecture and appropriate landscaping.

2.4 No 2 Stoneybrook Leys occupies a corner plot location and the space between the dwelling and the pavement does contribute to the openness of the area. However, the proposed extension is clearly subservient to the original dwelling given its single storey nature. The proposed front and rear building lines will also meet the existing building lines. Whilst a portion of the brick garden wall is proposed for relocation closer to the pavement, approximately 2.7m will remain between the relocated garden wall and the pavement. As noted on the proposed Block Plan, the existing hedge and shrub planted adjacent to the pavement is noted to remain. It is therefore considered that the extension would not materially impact the openness of the area.

2.5 Given the single storey nature of the proposed extension, the remaining space between the extension and garden wall and the pavement, as well as the retained hedge and shrubs, the proposed extension and relocated garden wall is considered acceptable in design, scale, siting and materials, with no demonstrable harm on the character of the property or the street scene; in accordance with Policy EQ11.

3. Access, Parking & Highway Safety

3.1 Paragraph 110 of the NPPF requires that consideration should be given to the opportunities for sustainable transport modes, that safe and suitable access to a development site can be achieved for all people, and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 111 goes on to state that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development are severe.

3.2 Paragraph 105 of the NPPF seeks to ensure that developments which would generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

3.3 Appendix 5 of the Core Strategy provides guidance on the Council's off street car Parking Standards for new development. The proposed floor plans do indicate one additional bedroom within the extension. However, no changes are proposed to the existing parking configuration, which includes two paved spaces to the front of the dwelling, a detached garage to the rear of the dwelling, as well as a paved drive on the northern side of the dwelling which has adequate space for two vehicles. As such there is space for five vehicles on the property which meets the requirements of the Parking Standards in Appendix 5.

4. Residential and Occupier Amenity

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.

4.2 In considering the potential impact on the dwelling to the south, No 1 Stoneybrook Leys, the facing window proposed for the front elevation of the extension measures 16m from the front elevation of No 1. The Core Strategy requires 15m between facing windows to habitable rooms over public space. As such, the proposal meets the requirements of the Core Strategy and there would be no impact on neighbouring amenity. No neighbour objections have been received.

4.3 Given the siting and distance to other adjacent dwellings, it is considered that the proposal would raise no undue concerns in respect of neighbour amenity and as such the development complies with Policy EQ9 of the Core Strategy.

4.4 Occupier Amenity: The single storey side extension would not impact the garden size or length of No 2 Stoneybrook Leys. Whilst the area proposed for the extension is currently a grassy area, it is not included within the existing brick garden wall which delineates the designated outdoor amenity area. The repositioning of the garden wall towards Millfields Way would slightly increase the area of the garden by widening the area to the east of the existing conservatory. As such, Space About Dwellings standards will continue to be met and are not a concern with the current proposal.

5. Human Rights

5.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

6. CONCLUSIONS

6.1 The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the application.

6.2 The proposed development is considered acceptable in principle and is not considered to cause harm to either visual or residential amenity. There would be no material harm to neighbouring amenity and there would be no adverse effect on the street scene. The development also raises no material concerns in relation to parking or highway safety. The proposal is therefore considered compliant with both national and local planning policy and associated guidance.

7. RECOMMENDATION – APPROVE Subject to Conditions

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 authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.
3. The materials to be used on the external walls and roof of the extension shall match those of the external walls and roof of the existing building unless otherwise agreed in writing by the Local Planning Authority.
4. As noted on the Block Plan 500/1 (received 22/8/23) the existing hedge and shrubs located between No 2 Stoneybrook Leys and the highway are to be retained on this location for the life of the development. In the event that the hedge and/or shrubs die, they are to be replaced with a similar species/mix within six months and within the next available planting season.

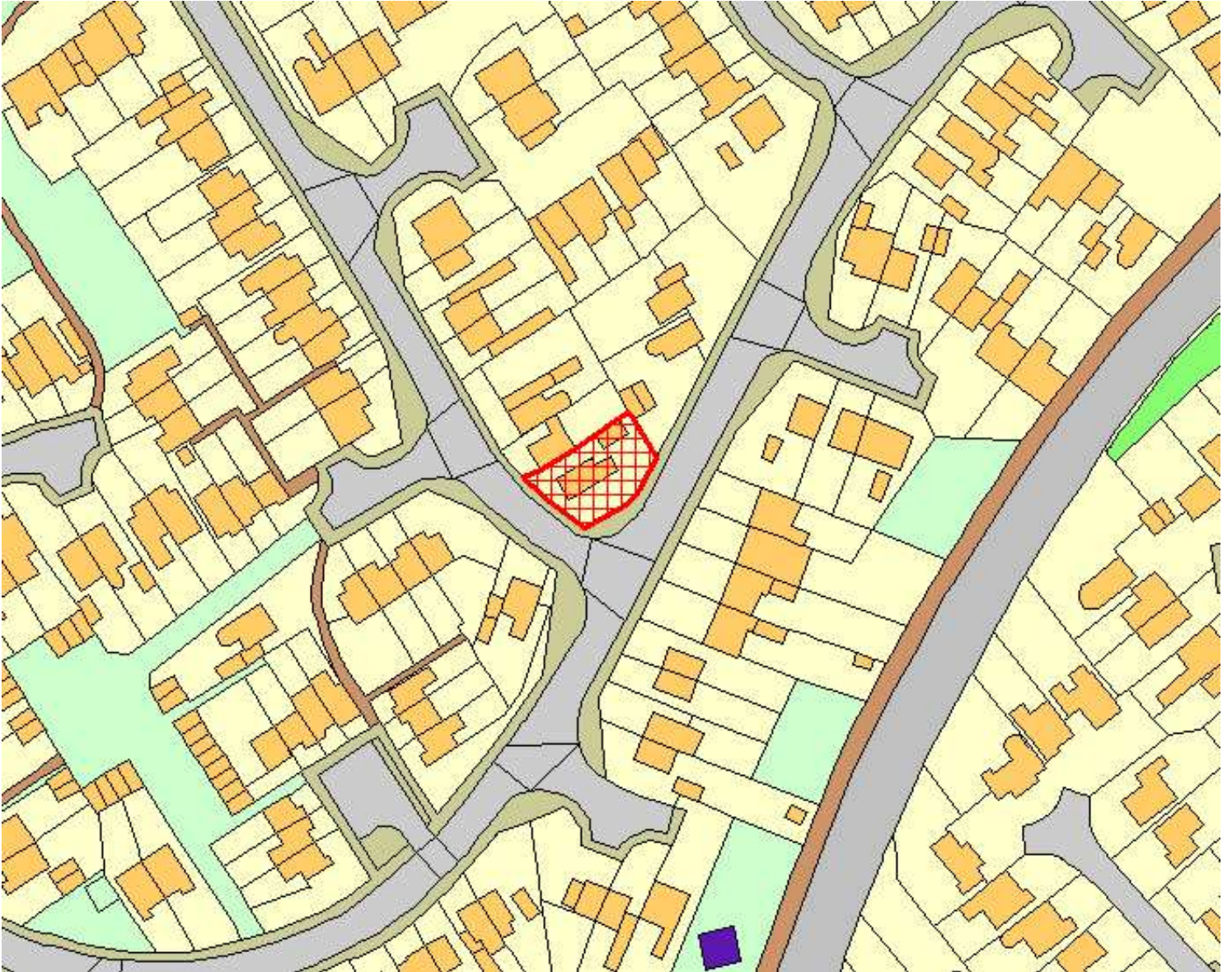
Reasons

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.
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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, 2021.

Plans on which this Assessment is based

Plan Type	Reference	Version	Received
Location Plan	1250/1		22 August 2023
Proposed Block Plan	500/1		22 August 2023
Proposed Plans and Elevations	E/02/23		22 August 2023



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