



Planning Committee

1 April 2014

Planning application no.	14/00026/FUL
Site	Land at the rear of 216 Compton Road, Wolverhampton
Proposal	Erection of a five bedroomed detached house and double garage (amendment to previously approved application 11/00821/FUL)
Ward	Park
Applicant	Mr Ian Muscat
Agent	Mr Dave Truran
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Tracey Homfray Tel 01902 555641 Email tracey.homfray@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to the Strategic Director for Education and Enterprise to grant planning permission subject to satisfactory updated engineers report.

2. Application site

- 2.1 The site was originally part of the garden land to 216 Compton Road, which has now been subdivided, and sold to the applicant for development purposes.
- 2.2 The surrounding area is predominantly residential with a mixture of dwellings, north, east, south and west of the site. This land originally formed part of the garden land to 216 Compton Road, which was larger than average wrapping around the rear of the neighbouring property at 218 Compton Road. The site is accessed from Ross Close north of the site. The site is prone to flash flooding, although it is not within a flood zone.

3. Application Details

- 3.1 This application follows a previous planning application which was considered by Planning Committee on 3 January 2012. The application was for the

erection of a four bedroomed dwelling with detached garage, and vehicular access from Ross Close. The application was granted subject to conditions.

- 3.2 The site has now been sold to Mr Muscat, the applicant for this proposal. Mr Muscat would like to amend the approved scheme, by raising the ridge height to incorporate a bedroom into the attic area, with the provision of dormer windows, and a third floor gable end window. The proposal also incorporates some changes to the front façade with a slightly higher ridge height to the feature gable frontage, window design and the insertion of a canopy.
- 3.3 The ridge height has increased from 7.9m to 8m. The feature gable ridge height has risen from 7m to 7.4m. The insertion of a proposed third floor side facing window to the northern elevation is to be obscurely glazed and would accommodate an ensuite bathroom. The rear facing dormer would provide a landing area and the window is also to be obscurely glazed, the east facing (front) dormer windows are to the additional bedroom.
- 3.4 The footprint of the dwelling and detached garage remain as originally approved, along with the mitigation measures in respect of the surface water flooding issues on site.

4 Planning History

- 4.1 A/C/1916/78 for extension to rear of house – Granted 7/9/1978
A/C/0953/81 for construction of bungalow – Refused 19/10/81
A/C/0062/82 for erection of one bungalow – Refused 22/2/1982 Allowed at Appeal
11/00821/FUL for the erection of a four bedroom detached dwelling and detached garage – Granted 9th January 2012.

5. Relevant Policy Documents

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

6. Environmental Impact Assessment Regulations

- 6.1 This development proposal is not included in the definition of projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the regulations is required.

7. Publicity

- 7.1 Four representations received, with one request to speak at Planning Committee. Objections are as follows:
 - Access from Ross Close unsuitable, during and after development.

- Flooding Issues.
- Child Safety due to increased level of traffic to Ross Close.
- Insufficient level of parking.
- Out of Character with surrounding development.
- Out of Character with the surrounding area.
- Massing and Appearance visually unappealing and overbearing, being out of scale and character.
- Loss of privacy due to the dormer and third floor windows
- Mitigation measures include works to land outside the ownership of the applicant, and therefore, difficult to provide without a Legal Agreement.
- Engineering Report inadequate, as does not take into account neighbouring properties, and recent flooding.
- Insufficient level of information justifying the enlargement of the approved dwelling house
- Maintenance issues between boundaries

8. Internal Consultees

8.1 Environmental Services – Operational hours during construction, in order to limit the potential for complaint.

8.2 Transport – No objections

9. External Consultees

9.1 Severn Trent – No objection subject to standard condition.

10. Legal Implications

10.1 There are no legal implications arising from this report (LD/18032014/B)

11. Appraisal

11.1 The key issues area:-

- Design
- Neighbouring Amenities
- Layout (garden and parking)
- Flooding

11.2 Design

The dwellings surrounding the site are of varied designs. The proposed design changes to the previously approved scheme are still considered to be in keeping with the surrounding development, whilst adding a little more interest to what was previously considered to be a simple design. Therefore, subject to conditions of materials, the proposed changes are considered to be compliant with UDP Policies D4, D6, D7, D8, D9 and BCCS ENV3.

11.3 Neighbouring Amenities

Initially there was some concern regarding the neighbouring amenities, especially in light of the additional roof height, the size of the dormers, and direct overlooking from the additional side facing window to the southern elevation. However, during the assessment process, and in light of neighbours' concerns, the applicant has amended the proposal, by reducing the overall roof height, redesigning the proposed dormer window, to decrease their massing, and removed one of the proposed attic rooms (study/bedroom six) and the associated side facing gable window, to remove any perceived loss of privacy.

11.4 The amended scheme is now considered to be acceptable, having no significant impact on neighbouring amenities, such as outlook, light, sunlight and privacy, and therefore, compliant with UDP Polices D7, D8, D9 and BCCS Policy ENV3.

11.5 Layout

Following the changes at stated in 11.3 the proposal would now increase the dwelling size from four bedrooms to five. There is no proposed change to the originally approved footprint of the dwelling, therefore, it is considered that the garden size and parking facilities would be sufficient to support the additional living accommodation proposed. Any decision would also be conditioned to remove permitted development rights, to ensure that the level of amenity and parking is sufficient to support the size of the accommodation. Therefore the proposal is compliant with UDP Polices AM12, and D4.

11.6 Flooding

The flash flooding which occurs on the Compton Road and flows across this and other adjacent residential properties, was considered as part of the previous approval, where an Engineer's Report from "Sanderson", recommended mitigation measures. Severn Trent has raised no objections to that proposal, and the recommended mitigation measures.

11.7 This proposal includes the same report, as previously submitted/approved, and proposes to provide the same mitigation measures. However, in light of the most recent flash flooding of the site and increasing rain fall levels, an updated report has been requested, in order to establish whether any additional measures are necessary.

11.8 Therefore, subject to satisfactory updated report and subject to conditions requiring the implementation of mitigation measures, the proposed development is considered to be consistent with UDP Policy EP9, and BCCS Policy ENV5.

12. Conclusion

12.1 The nature of this site has already been considered appropriate for residential development at approved on the previous scheme, with flooding mitigation measures, in light of the issues with respect to flash flooding. The proposed changes to the design and layout now proposed are considered to be

appropriate with no significant detriment, to the character or appearance of the proposed dwelling or the surrounding area, and with no significant impact to neighbouring amenities.

- 12.2 Therefore, subject to conditions, and certain restrictions via the removal of permitted development rights the proposed scheme is compliant with UDP Policies H6, D4, D6, D7, D8, D9, D11, D12, D13, AM12, AM15, N7, N9, EP9 and BCCS ENV3, ENV5, PPS1 and PPS3.

13 **Detailed Recommendation**

- 13.1 That the Strategic Director for Education and Enterprise be given delegated authority to grant planning application 14/00026/FUL subject to receipt of satisfactory updated engineers report any appropriate conditions to include:
- Drainage (including surface water) scheme to be implemented prior to occupation
 - Removal of permitted development rights for side/rear (south/West) facing windows
 - Removal of permitted development rights for extensions and outbuildings
 - Tree Protection including boundary hedge



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