

Time 2.00 pm **Public Meeting?** YES **Type of meeting** Regulatory
Venue Council Chamber - 4th Floor - Civic Centre

Membership

Chair Cllr Anwen Muston (Lab)
Vice-chair Cllr Gillian Wildman (Lab)

Labour

Cllr Olivia Birch
Cllr Lovinyer Daley
Cllr Celia Hibbert
Cllr Rashpal Kaur
Cllr Phil Page
Cllr Tersaim Singh
Cllr Jacqueline Sweetman

Conservative

Cllr Andrew Randle
Cllr Wendy Thompson
Cllr Jonathan Yardley

Quorum for this meeting is four Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Donna Cope
Tel/Email Tel 01902 554452 or email donna.cope@wolverhampton.gov.uk
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|--|
| 1 | Apologies for absence |
| 2 | Declarations of interest |
| 3 | Minutes of the previous meeting (Pages 3 - 8)
[To approve the minutes of the previous meeting as a correct record] |
| 4 | Matters Arising
[To consider any matters arising] |
| 5 | 22/01337/OUT - Oxley Moor House & Oxley Training Centre, Probert Road, Wolverhampton, WV10 6UF (Pages 9 - 20)
[To consider the planning application] |
| 6 | 22/01049/OUT - Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton (Pages 21 - 28)
[To consider the planning application] |
| 7 | 22/01096/FUL - 25 Oxley Moor Road, Wolverhampton, WV10 6TT (Pages 29 - 32)
[To consider the planning application] |
| 8 | 23/00072/FUL - 1 Dovecote Close, Wolverhampton, WV6 8NA (Pages 33 - 38)
[To consider the planning application] |
| 9 | 23/00059/FUL - 8 Amos Avenue, Wolverhampton, WV11 1LF (Pages 39 - 42)
[To consider the planning application] |

Attendance

Councillors

Cllr Anwen Muston (Chair)
Cllr Gillian Wildman (Vice-Chair)
Cllr Lovinyer Daley
Cllr Celia Hibbert
Cllr Rashpal Kaur
Cllr Phil Page
Cllr Andrew Randle
Cllr Tersaim Singh
Cllr Jacqueline Sweetman
Cllr Wendy Thompson

Employees

Donna Cope	Democratic Services Officer
Stephen Alexander	Head of Planning
Stuart Evans	Solicitor
Martyn Gregory	Section Leader
Jobe Elwell	Planning Officer
Phillip Walker	Senior Planning Officer
Vijay Kaul	Senior Planning Officer
Tim Philpot	Professional Lead - Transport Strategy

Part 1 – items open to the press and public

Item No. *Title*

1 Apologies for absence

Apologies for absence were received from Councillor Olivia Birch and Councillor Jonathan Yardley.

2 Declarations of interest

There were no declarations of interest.

3 Minutes of the previous meeting

Resolved:

That the minutes of the previous meeting held on 15 November 2022 be confirmed as a correct record and signed by the Chair.

4 **Matters Arising**

There were no matters arising.

5 **22/01099/FUL - 116 Linden Lea, Wolverhampton, WV3 8BE**

The Committee considered a report regarding 22/01099/FUL - Proposed two storey roof extension, single storey rear extension, new porch, boundary treatment & landscape works.

Stephen Alexander, Head of Planning, outlined the report.

Mr Robert Grant addressed the Committee and spoke in opposition to the application.

The Head of Planning responded to comments made and explained that the proposals were acceptable.

The report was debated by Committee, and concerns were raised regarding the proposed extension and the negative impact it could have on the surrounding area.

Councillor Thompson moved that the application be refused.

Councillor Hibbert seconded the motion.

The proposed motion was debated.

Resolved:

That planning application 22/01099/FUL be refused for the following reasons:

- Out of character and appearance contrary to TNP policy 12A.
- Inadequate size of rear garden in respect of the size of the development.
- Materials to be used in relation to the development are incompatible with the character of the area.

Councillor Tersaim Singh joined the meeting.

6 **22/01493/FUL & 22/01494/LBD - Former Porters Lodge, Royal Hospital Development Site, Cleveland Road, Wolverhampton**

The Committee considered a report regarding 22/01493/FUL & 22/01494/LBD - Proposed extensions and alterations to the former Porters Lodge building.

Phil Walker, Senior Planning Officer, outlined the report.

Councillor Zee Russell addressed the Committee and spoke in support of the application.

Councillor Page moved the recommendations within the report and Councillor Randle seconded the recommendations.

Members of the Committee welcomed the application and supported the proposals.

Resolved:

1. That planning application 22/01493/FUL be granted subject to conditions, including submission and approval of external materials, large scale architectural details and provision of bin storage.
2. That planning application 22/01494/LBD be granted subject to conditions, including submission and approval of external materials and large-scale architectural details.

7 22/01049/OUT - Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton,

Planning application 22/01049/OUT had been withdrawn from Planning Committee so therefore was not considered.

8 22/01088/FUL & 22/01089/LBC - Heath Town Baths And Library, Tudor Road, Wolverhampton, WV10 0LT

The Committee considered a report regarding the following applications:

- 22/01088/FUL - Change of use from former Swimming Baths and Library to multi-use building including children's nursery, banqueting hall and community / function rooms.
- 22/01089/LBC - Listed Building Consent for new first floor extension, replacement roof, window refurbishment / replacement, installation of mechanical extraction equipment, external ramp, new boundary treatment, interior reconfiguration and installation of lifts and accompanying external works.

Vijay Kaul, Senior Planning Officer, outlined the report.

The proposals were debated by Committee and although the redevelopment of a derelict historic building was welcomed, concerns were raised regarding the proposed parking provisions.

The Senior Planning Officer responded to questions asked and explained that the proposed parking provisions were acceptable.

Councillor Page moved the recommendations within the report and Councillor Singh seconded the recommendations.

Resolved:

1. That planning application 22/01088/FUL be granted subject to the following conditions:
 - Define use class of building
 - Materials
 - Detailed roof / window design specification
 - Site levels
 - Parking layout implementation
 - Travel Plan
 - Charging Points
 - Refuse management plan
 - Car Park Management Plan
 - Barrier/gate to restrict car park access only outside operational hours
 - Construction Management Plan
 - Traffic Regulation Order review
 - Tree protection measures
 - Arboricultural Method Statement (AMS)
 - Define opening times (nursery, community uses and banqueting facilities)
 - Noise Management Plan
 - Specific noise protection measures (inc glazing spec, noise limiter, acoustic treatment).
 - External extract ventilation system
 - Drainage
 - Soft and hard landscaping
 - Boundary details
 - Accord with recommendations of ecology report
 - External lighting
 - Employment and Skills Plan

2. That planning application 22/01089/LBC be granted subject to the following conditions:
 - Repair / schedule of works.
 - Detailed specification of new lantern roof and windows

9 **22/01199/FUL - 4 Beach Avenue, Wolverhampton, WV14 9BS**

The Committee considered a report regarding 22/01199/FUL - Proposed conversion of 1No. 5-bed dwellinghouse into 1No. ground floor 1-bed apartment and 1No. first & second floor 2- bed apartment. With creation of three off-road parking spaces, subdivision of rear garden and new side staircase and first floor access.

Jobe Elwell, Planning Officer, outlined the report.

The proposals were considered by Committee and concerns were raised regarding the lack of parking provision and changing a family home to flats would be out of character with the area.

Councillor Hibbert moved that the application be refused.

Councillor Thompson seconded the motion.

The proposed motion was debated.

The Planning Officer responded to comments made and explained that the proposals were acceptable.

Resolved:

That planning application 22/01199/FUL be refused for the following reasons:

- Insufficient parking
- Character and appearance
- Need for family homes

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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 21 March 2023
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Planning application no.	22/01337/OUT	
Site	Oxley Moor House & Oxley Training Centre, Probert Road, Wolverhampton, WV10 6UF	
Proposal	Outline planning application for the construction of a 2 storey health and wellbeing facility and 3 storey residential building via the Self & Custom Build Scheme, with associated parking, landscaping and external refuse. (All matters to be considered apart from Appearance).	
Ward	Oxley;	
Applicant	Mr Ballal Raza (City of Wolverhampton Council)	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Vijay Kaul	Section Leader (Planning)
	Tel	01902 553791
	Email	vijay.kaul@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant subject to S111 Agreement and conditions

2.0 Application site

- 2.1 The application includes a former day centre and training centre, and is a currently vacant Council asset. Following ongoing anti-social behaviour, the Council has had to secure the site and provide short term security measures. Access to the application site is via Probert Road, off Oxley Moor Road, the vehicular route runs around existing building to also serve Cedar Grange Care Home to the east.
- 2.2 There is a Public Right of Way footpath running alongside the western site boundary linking to Ingestre Riad, it also serves the Children and Families Nursery, located at the rear of the neighbouring Probert Road Surgery (which has a separate vehicular access)
- 2.3 Rakegate Wood is located to the north of the application site, and is allocated as Recreational Open Space and a Site of Importance for Nature Conservation (SINC).

2.4 There are residential dwellings adjoining the site to the north, north-west and southern boundaries.

3.0 Application details

3.1 This outline planning application proposes the construction of a 2 storey health and wellbeing facility and 3 storey residential building via the Self & Custom Build Scheme, with associated parking, landscaping and external refuse. All matters relating to layout, scale, means of access and landscaping are to be considered, with appearance being a reserved matter.

3.2 Accompanying information submitted with the application details the following residential mix / types:

- 20 x One-bed apartment
- 3 x Two-bed apartments

3.3 Public facing spaces located on the ground floor include GP services, Council led health services, community spaces and pharmacy. Council services and office spaces located on the first floor include Community Nursing, Family Services, bookable meeting spaces and a staff area.

3.4 The existing vehicular access off Probert Road will be improved with vehicular access to the existing Oxley Lodge Care Home to the east retained through the proposed car park.

3.5 The Transport Assessment includes the following information on likely staff numbers:

- 18 clinical staff, 20 support staff and a 20-minute patient turnaround.

3.6 It is proposed to provide a total of 65 car parking spaces for the health and wellbeing facility and 20 spaces for the residential.

3.7 Pedestrian access to the site will be improved with the provision of more convenient access points to the existing footpath along the site's western boundary.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)

4.2 The Development Plan:

4.3 Wolverhampton Unitary Development Plan (UDP)

4.4 Black Country Core Strategy (BCCS)

5.0 Publicity

5.1 The application was advertised by direct neighbour notification and local newspaper advert.

5.2 A representation was received from ward Councillor Collinge, with comments summarised as follows:

- Campaigned for some considerable time and supportive of the redevelopment of this site to address fly tipping and anti-social behaviour.
- Degree of flexibility should be retained in relation to the internal arrangements of the health and wellbeing facility.
- Supportive of the proposed self-build accommodation, which enhances viability of project.
- Below issues need consideration or dealt with by condition:
- Traffic generation and access should address issues on Probert Road.
- Consider proportionate local measures to tackle problem speeding, review of highways signage and/or provision of Vehicle Activated Signs along Probert Road.
- Ensure sufficient parking for residential use.
- Appropriate delivery mechanism and financial contribution mechanism needs to be secured for improvements and accessibility for Rakegate Woodland.
- Certain facilities will need to be accessed outside of the normal operating hours for the wider health and wellbeing facilities, should be proportionate.
- Can energy efficiency be maximised beyond the 30% of the energy demands for the Site provided by Air Source Heat Pumps.
- Can further betterment in relation to permeable paving, water harvesting or green roof be considered as part of the development moving forward.
- Final landscaping proposals and details and also be conditioned and long-term ground maintenance secured.

5.3 A representation was also received from ward Councillor Roberts, with comments summarised as follows:

- In favour of the proposals, important as been involved with these proposals since before Covid
- The site has caused major issues
- Understand there would be further consultations with local residents once the site is cleared.

6.0 Consultees

Internal

6.1 Highways – No objection subject to conditions.

- 6.2 Environmental Protection – No objection, subject to conditions
- 6.3 Tree Officer – No objection subject to conditions
- 6.4 Archaeology and Historic Environment Officer - No objection.

External

- 6.5 Severn Trent Water – No objections subject to conditions
- 6.6 Lead Local Floor Authority - No objections subject to conditions
- 6.7 West Midlands Police - No objections subject to conditions

7.0 Legal implications

- 7.1 The legal implications arising from this report are set out below. SE/MH/09032023/D

8.0 Appraisal

- 8.1 The main issues for consideration are:

- Principle of development
- Impact on character and appearance of area
- Highways and Parking
- Residential amenity
- Impact on protected trees
- Impact on protected species
- S106 provisions

Principle of development

- 8.2 The residential building will be delivered under the Self and Custom Build Scheme and offer affordable homes to key workers in the city. The Council has a duty to provide plots for self-build housing under the Self Build and Custom Housing Act 2015. This matter is clarified in both the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) where it is stated that relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The proposal will provide a development site sufficient to meet the demand of another 23 units. The development will be done in partnership with a chosen housing association who will oversee the process with the initial tenant/owner of the home who will have primary input into its final design and layout.
- 8.3 As outlined in supporting Statement of Community Involvement, the Outline scheme has been developed through consultation with the local community and key stakeholders including The Royal Wolverhampton NHS Trust / RWT Primary Care Network (PCN), Black Country Healthcare NHS Foundation Trust and The NHS Black Country and West Birmingham Integrated Care Board (ICB).

- 8.4 The re-location of the GP services within the existing Probert Road Surgery and GP services on Stafford Road will positively serve the community in a new holistic Health and Wellbeing Facility where the public can access all health and wellbeing services in one facility that will be more efficient and easily accessible. Along with the provision of GP services and wider health provisions, the Health and Wellbeing Facility will house various council services such as District Nursing teams and Family Services. These services will be re-located from other sites to co-locate all health services into one local facility, making the council services more efficient
- 8.5 The proposed development will increase the available capacity to accommodate patient demand on local health and social care services and deliver much needed affordable housing on a brownfield site, the principle of development is therefore acceptable and in accordance with the Development Plan.

Character and Appearance

- 8.6 The layout and scale of the proposed development has been designed to respect the local character. The accompanying Design and Access Statement show the maximum height of both the health and wellbeing facility and residential block would be similar in the scale of the adjacent care home. Although the apartment block is 3 stories high, it sits at the end of a run of two storey dwellings, and has Rakegate Wood as a backdrop, and would therefore sit comfortably within this location.
- 8.7 'Appearance' is a reserved matter, the proposed materiality and façade strategy will need detailed consideration of a subsequent application. However, CGI's submitted with the application does show a high quality design that would be appropriate within the area, and set against the new public realm and landscaping surroundings, this will result in a scheme with a distinctive character of its own. The increased permeability of the area will contribute to the creation of a safe and attractive environment.
- 8.8 Access to the main car parking immediately to the frontage, works to provide immediate and well overlooked parking spaces, with natural surveillance afforded by users along the public right of way.

Highways and Parking

- 8.9 The proposed vehicular access into the site will be provided by the existing access point from Probert Road.
- 8.10 The submitted Transport Assessment has considered key transport elements of the development including parking, access, servicing, trip generation and junction impact assessments. Junction modelling assessments have found that the traffic flows generated by the proposals will have a negligible impact on the forecast operation of the junctions in the immediate area. A minor improvement is proposed to move the centreline of Probert Road north-east towards the site access. This will encourage drivers to take better road positions when turning right into the access road from Probert Road and

therefore improve the visibility splay slightly from 43 metres to 46 metres. The Highway Authority confirm that the Transport Assessment can be accepted.

- 8.11 Private car parking for residents is provided separate from the public car parking for the Health care centre. The parking demand assessment was undertaken using local Census car ownership data and historical travel surveys from similar developments in the local area, to determine proposed parking provision sufficient to meet the anticipated demand.
- 8.12 The Highway Authority have accepted that each apartment should provide 1 space. At present there are 18 general car parking spaces (plus 2 Electric Vehicle Parking Spaces) for the 23 units. This shortfall is not significant, and it is acknowledged that any overspill parking, (if parking demand exceeds the parking provision) will take place as close to the residential units as possible and is very unlikely to have any significant impact on Probert Road or the wider highway network. Any overspill car parking could take place on the adjacent Healthcare parking spaces which would not be operationally restricted, and when parking demand reduces in evening hours.
- 8.13 Further mitigation to reduce private vehicle trips to and from the site, and therefore parking demand, have need to be included in a more detailed Travel Plan, which will be secured by condition.
- 8.14 The introduction of new parking restrictions around the bend of Probert Road will help to protect the junction of the access road and Probert Road from inappropriate parking, a condition will be attached to secure this.
- 8.15 The applicant advises that the relocation of the access to the Cedar Grange site has been agreed with the land owners, no objection has been raised to this planning application.
- 8.16 As unrestricted vehicular access still need to be provided to the residential accommodation and the Cedar Grange Care Home as part of this proposal, it would be reasonable to secure a Car Park Management Plan so that any unauthorised parking or activity does not arise on the car park.
- 8.17 The proposed development would not conflict with transport and parking development plan policies, nor with would there be conflict with NPPF paragraph 111 which says that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Residential Amenity

- 8.18 Private amenity space will be included via inset balconies to each apartment. These are inset in order to reduce the visual mass of the building as well as enhance privacy and reduce overlooking. Futhermore, residents would have access to the proposed communal public realm around the apartment block, as well as the existing Rakegate Wood to north of the site.

- 8.19 The development has been carefully located to ensure no harm would arise on privacy, outlook and day/sunlight standards of existing dwellings. The layout plan shows separation between the health and wellbeing facility and existing housing to rear (455, 457 and 459 Stafford Road) of between 24 to 28.2 metres, and to Cedar Grange Care Home some 26.5 metres (there is a slightly closer distance of 22 metres corner to corner). The proposed residential block is situated some 28m from the nearest neighbour at 9 Ingestre Road.
- 8.20 The Noise Assessment confirms noise limits have been specified to ensure that combined plant noise rating levels are at least 10 dB below existing daytime and night-time background noise levels, therefore operational noise levels for the health and wellbeing facility during the daytime and night-time are predicted to be below the guideline BS 8233:2014 / WHO criteria at existing nearby properties with either windows-open or closed scenario. Mitigation measures are included for the proposed development in terms of glazing specification and alternative ventilation which will be secured by condition.
- 8.21 The residential development is likely to be offered to end users as a 'shell and core', with the 'Self and Custom Build' component allowing the final layouts to be custom designed by future occupiers. The applicant confirm that all units will comply with the space standards as set out in the Nationally Described Space Standards (DCLG, 2015). This can be secured by condition.

Impact on protected trees

- 8.22 A thorough desktop assessment has been undertaken to determine the age of the Rakegate Wood in relation to its potential ancient woodland status, which demonstrates that the woodland does not meet the criteria for classification as Ancient woodland, and as such there is no requirement for a minimum 15m buffer zone. The proximity of the development to the woodland raises no concern in policy terms.
- 8.23 The loss of lower quality trees within the site will be mitigated by the proposed landscaping scheme, which subject to the confirmation of the species, size, and planting pit design is considered acceptable.
- 8.24 The submitted tree survey appropriately identifies all tree protection measures required, and subject to the provision of an appropriate Arboricultural Method Statement to provide the required details by condition, there should be no long term impact on the trees to be retained.

Impact on protected species

- 8.25 The Preliminary Ecological Appraisal Report indicates that the habitats within the site support or have some potential to support protected species (in particular roosting bats, badgers).

- 8.26 The recommendations contained in the Section on Ecological Constraints and Opportunities and Badger Mitigation Strategy will need to be secured by condition, which should include the erection of a badger proof fence at the north site boundary, between the site and adjacent woodland, to prevent the movement of badgers back into the site once any setts have been closed under Natural England mitigation licence.
- 8.27 As part of accompanying evidence on prior approval application for demolition of existing buildings 22/00494/DEM, the Council commissioned an update to the Preliminary Roost Assessment (December 2022) confirming that further survey work for bats must be carried out and a detailed mitigation / compensation strategy devised (informed by the results of the survey) and submitted and approved by the LPA prior to any demolition commencing on site. The consultant Ecologist's advice to secure this prior to demolition commencing or by condition on the outline planning application is based on the following:
- Classification of the buildings as holding 'low' suitability for bats.
 - High levels of human disturbance and light pollution associated with the urban location of the site, reducing suitability of the site for roosting and the overall diversity of bat species within the area
 - Lack of bat-related evidence identified during the surveys to date, suggesting that
 - the buildings are highly unlikely to support a large or significant roost of bats (e.g. maternity colony).
 - Scope within the proposals to provide adequate mitigation / compensation measures to accommodate a variety of scenarios, including 'worst-case scenario' i.e. room to accommodate a standalone 'bat barn' or 'bat loft' within the post-development site to provide mitigation / compensation for a large or significant roost (e.g. maternity) if identified during the further survey work for bats.
- 8.28 To inform the outline planning scheme, a Mitigation Strategy for bats has been outlined to ensure that all development works at the site have and will be completed in accordance with relevant wildlife legislation pertaining to bats and their roosts to ensure that the 'favourable conservation status' of bats at the site is not adversely impacted upon and is preferably enhanced as a result of the development. Once the further survey work is completed within the bat survey season of 2023, this strategy will need updating accordingly with full details of mitigation, compensation and enhancement measures.

Air Quality / Renewable Energy

- 8.29 In line with BCCS Policy ENV8, an Air Quality Assessment submitted with the application confirms that in order to off-set the potential effects on air quality, the following elements will be secured, provision of six EV charging points, secure cycle parking spaces and implementation of a Travel Plan. A condition will be attached to require implementation.
- 8.30 The Energy Statement relies on provision Air Source Heat Pumps for both buildings, to provide just over 30% of the energy demands for the development, this exceeds the

requirements of BCCS Policy ENV7 Renewable Energy, which requires the incorporate generation of energy from renewable sources sufficient to off-set at least 10% of the estimated residual energy demand of the development on completion. A condition will be attached to require compliance.

S106 provisions

8.31 The Council cannot enter into a S106 agreement both as land owner and local planning authority, therefore to secure the planning obligations the council and developer will enter into an agreement under Section 111 of the Local Government Act 1972, to require the developer to enter into a S106 at the same time they take ownership of the land.

Triggered only by the residential element, the S106 will secure the following:

- Provision of 25% Affordable Housing (this would not prevent the site being developed for a 100% affordable housing scheme operated by a Registered Provider. For this type of development, a shared ownership and/or affordable home ownership model would be the most suitable.
- Custom and Self Build - restriction and confirmation that the proposal will be carried out in the manner proposed.
- Cannock Chase Special Area of Conservation (SAC) contributions of £290.58 per home (index linked).
- Off-site open space contribution from the flats of £33,670, to be spent on maintenance of Rakegate Wood.

8.32 These Section 106 requirements meet the relevant tests (necessary to make development acceptable, directly related to development and fairly and reasonably related in scale and kind to the development) to comply with policy requirements.

9.0 Conclusion

9.1 For the reasons outlined above, the proposal is acceptable and overall is in accordance with the development plan.

10.0 Detail recommendation

10.1 That the Director of Regeneration Place be given delegated authority to grant planning application 22/01337/OUT subject to:

- (i) Completion of Section 111 to obligate the developer to enter into a Section 106 agreement on taking possession of the land to secure:
 - Provision of 25% Affordable Housing
 - Cannock Chase Special Area of Conservation (SAC) contribution of £290.58 per home
 - Off-site open space contribution of £33,670

- Custom and Self Build restriction
- (ii) Subject to any appropriate conditions including (but not limited to):
 - Implementation date
 - Submission of reserved matters (appearance)
 - Use of building restricted to health and wellbeing facility (uses listed in application)
 - Operational hours
 - Materials
 - Levels
 - Boundary treatment
 - Detailed landscaping proposals
 - Long term Landscaping management plan
 - Transport Assessment (implement highway improvements)
 - Access and parking implementation (residential and health and social building)
 - Traffic Regulation Order (along Probert Road).
 - Travel Plan
 - Drainage scheme implementation
 - Control of surface water in place as part of any temporary works
 - Construction Management Plan (including traffic control measures)
 - Car Parking Management Plan
 - Cycle / motorcycle parking provision
 - Residential internal layouts to comply with Nationally Described Space Standards
 - Arboricultural Method Statement
 - External lighting plan / light spillage
 - Recommendations in the Preliminary Ecological Appraisal (bats and badgers)
 - Land contamination - Phase 2 intrusive investigation
 - Noise Assessment recommendations
 - Electric charging points
 - 10% renewable energy
 - Refuse management plan



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 21 March 2023
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Planning application no.	22/01049/OUT	
Site	Land Behind 2 To 30 Eccleshall Avenue, Wolverhampton	
Proposal	Proposed Residential Development for One Dwelling (Outline Permission)	
Ward	Oxley;	
Applicant	Mr Poonia	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Tracey Homfray	Planning Officer
	Tel	01902 555641
	Email	tracey.homfray@wolverhampton.gov.uk

1.0 Summary recommendation

- 1.1 Delegated Authority to Grant, subject to the completion of a Unilateral Undertaking for the Cannock Chase SAC.

2.0 Application site

- 2.1 This application site is a part of a triangular parcel of land which is nestled behind properties, fronting Eccleshall Avenue, Churchfield Road, and Beech Road. The land is accessed off Eccleshall Avenue, via an existing vehicular/pedestrian access. The land has been divided off into segments, some of which have garages and sheds. There is a National Grid Sub Station located along the shared access. The surrounding area is predominantly residential.

3.0 Application details

- 3.1 This is an outline application for one five-bedroom detached dwelling, accessed via the existing shared vehicular/pedestrian access. Matters for approval are access, layout and scale. Landscaping and appearance are reserved matters.

4.0 Planning History

4.1 This is a resubmission of the same application which was refused at planning committee on 16th November 2021 for the following reasons:

1. The proposed access to the proposed development is inadequate to support a development of this nature, having a detrimental impact to highway and pedestrian safety. The proposal would therefore be contrary to policies H6, AM12 and AM15.
2. Western Power have a network along the access drive, off Eccleshall Road. The proposed development will increase traffic over the underground cables to the detriment of the integrity and security of this network, and the ability to maintain supplies. Contrary to Policy H6, AM12, AM15.

This application has been resubmitted with some additional detail, to address the above concerns, and for the applicant to appeal the decision should it be refused.

5.0 Relevant policy documents

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

6.0 Publicity

6.1 32 letters of objection:

- Highway/Pedestrian Safety due to the narrow nature of the access and surrounding highway, impacting on access and parking
- Disruption to neighbouring properties, noise from traffic and building.
- Loss of Privacy
- Loss of outlook
- Increase in volume of traffic
- Impact on the character of the residential area
- Loss of Natural Beauty/Wildlife
- Restrict Access to Other Parcels of Land
- Provides Security/Access to neighbouring properties
- Greenfield not Brownfield
- Out of character as all properties are semidetached no detached properties
- Access not wide enough especially for larger vehicles – Problems with fire service etc
- Access/Egress on Eccleshall Avenue not wide enough, risk to damage of cars parked on the highway
- Insufficient access to drainage/electricity
- Health/Safety to uses of the access
- Out of character as all properties are facing the highway, mostly 2 storey / 3 bed
- Onset of further development to other plots

- Loss of secured gate and allowing unauthorised access to neighbouring properties
- Mental wellbeing of isolated dwelling
- Property breaks Wolverhampton Planning guidance specifications
- Security issues with open access to vital Mains substation and access to rear of residential gardens

7.0 Consultees

7.1 Transportation – No Objections subject to conditions.

7.2 Coal – No Objection

7.3 National Grid (Previously known as Western Power) – No Objection Subject to Condition:

As discussed our focus is on protecting the integrity and security of our distribution network. However, we do now appreciate that it may be more appropriate to undertake the impact review we are suggesting is necessary once there is more certainty associated with the proposed development.

This is the condition that we would propose:

No development shall commence until investigative works to determine the potential impacts of the development on National Grid (Electricity Distribution (Midlands) Plc's electricity apparatus have been carried out and a report detailing such investigative works and any resulting recommendations has been submitted to and approved in writing by the Local Planning Authority. In the event that the report identifies the need for mitigation works or measures to protect the apparatus, no development shall commence until a methodology for carrying out such works or measures, including a timetable for completion thereof, has been submitted to and approved in writing by the Local Planning Authority. The mitigation works or measures shall then be implemented and completed strictly in accordance with the approved methodology, including the timetable for completion set out therein.

7.4 Ecology

The Report is satisfactory and no further Ecological Assessments or Surveys are required before consideration is given to granting outline planning consent. The recommendations on Mitigation and Enhancements contained in the Assessment should be followed by the developer. Detailed hard and soft landscaping plans will be required.

7.5 Building Regulation/Fire – Building Regulation have no comments, and Fire to be verbally updated at planning committee.

8.0 Legal implications

8.1 There are no legal implications arising from this report. SE/10032023/E

9.0 Appraisal

9.1 The key issues in this case are urban design, highway/pedestrian safety and the impact on neighbours' amenities, wildlife, and utilities.

Urban Design

- 9.2 The surrounding area is predominantly residential; therefore, the principle of residential development is acceptable.
- 9.3 The triangular piece of land has been divided up and owned by separate people, some of the land is used for garages, storage and parking of vehicles, one parcel of land has been left unattended, to overgrow naturally, another appears to be used for some form of commercial activity. Therefore, there is no formal designation for these private parcels of land. The garages adjacent to the application site, are now within the ownership and in control by the applicant.
- 9.4 The layout displays a large detached property, located along the western boundary of the plot adjacent, an overgrown parcel of land. The layout provides a sufficient amount of private garden land and parking to support the proposed dwelling and its occupants. Access to the dwelling would be along a shared access drive. The layout would have no detrimental impact on the established pattern of development, so would therefore, be in keeping with the character and appearance of the surrounding area.

Highway Safety

- 9.5 The existing access, is currently used by both pedestrians and vehicles, in connection with the various parcels of land and their usage. The development, which would be for one five bedroom dwelling, should not generate an increase in vehicle trips that would have a significant impact on Eccleshall Avenue or the wider highway network. Therefore, the access would be suitable for a residential development of this size.
- 9.6 Access for larger vehicles during the development stage would be difficult. This is due to the narrow nature of the access. However, this could be address by condition for a "Construction Method Statement", which would be submitted for assessment/release. The statement would need to address access, by submitting a plan of action, which would prevent any larger vehicles accessing the site, protecting the access. The agent has confirmed that all deliveries would have to be made by suitable smaller vehicles which currently access the site. They have also suggested a "Banksman" at the entrance to the site to supervise access, in relation to Eccleshall Avenue, and to organise deliveries outside peak hours.
- 9.7 The volume of traffic associated with a dwelling of this size, would not be significantly different to the level of traffic which currently exists, on the access to this site. National Grid do have concerns, however, after considering the application detail and dialogue with the applicant, they are now in a position to support the proposal, subject to the inclusion of a condition which would need to be addressed prior to any development taking place. The condition would require any necessary investigations/mitigation measures, in order to protect their apparatus etc.
- 9.8 Without physical changes to the existing access, any vehicle larger than a Transit Van type vehicle would be unlikely to enter \ exit the access road, especially if \ when cars are parked on Eccleshall Avenue. This would need to be considered by any future residents \ occupiers. The access road is private, but it should be constructed so that mud and dirt are not brought out onto the highway network. Therefore, suitable replacement surfacing

for the access road would be necessary, especially in light of the concerns raised by National Grid, this can be conditioned as part of the decision.

- 9.9 With reference to Refuse Vehicles, and Fire Service, accessing the site. This can also be addressed, by residents putting their own bins out for collection on Eccleshall Avenue, which is normal practice for surrounding dwellings, and in the case of a fire, internal sprinkler systems can be incorporated into the design as part of the building regulation application.

Neighbour Amenities

- 9.10 The proposed dwelling would be located adjacent to the western boundary with a neighbouring parcel of land and set in from the boundaries with neighbouring residential gardens. Although the dwelling would be clearly apparent, from neighbouring properties, due to the detachment from the boundaries, and a suitable window to window relationship, the development would not appear overbearing or oppressive. Restrictions, for future development could also be conditioned in order to protect neighbouring amenities.
- 9.11 Neighbours have raised concerns over disturbance during development, and from vehicles accessing the site, along with security. Disturbance during development can be conditioned, so that development takes place during suitable times of the day. Vehicle movement generated by a property of this size, would not be significantly different to what currently exists, so there would be no excessive increase in disturbance from vehicles approaching or leaving the site. With respect to security, the site is currently accessed by owners of the site, and possibly other members of society. Development would be enclosed by suitable boundary treatment, preventing direct access, and once occupied the development would also provide natural surveillance, providing further security.
- 9.12 The development site is currently an untidy piece of land, and on the previous application some neighbours welcomed development, as it would tidy the area up, and prevent vermin. It is hoped that once development is completed, it would deter any antisocial activity taking place, in the vicinity.
- 9.13 Concerns have been raised with respect to covenants on the land and rights of access. These are private issues to be addressed between the parties concerned, and are not material considerations with respect to planning applications.

Wildlife

- 9.14 Wildlife has been considered via the submission of an Ecological Appraisal dated 6th January 2021, subject to the recommendations on Mitigation and Enhancements contained in the Assessment, being carried out by the developer, there would be no detriment to the wildlife in this area. The Mitigation/Enhancements can be conditioned as part of the proposal, including any updates to them.

Unilateral Undertaking

- 9.15 A new Cannock Chase Special Area of Conservation (SAC) planning contributions system came into effect on 1 April 2022. This requirement sits under Policy ENV1:

Nature Conservation of the adopted Black Country Core Strategy, which states that: “Development within the Black Country will safeguard nature conservation inside and outside its boundaries by ensuring that development is not permitted where it would harm internationally (Special Areas of Conservation), nationally (Sites of Special Scientific Interest and National Nature Reserves) or regionally (Local Nature Reserve and Sites of Importance for Nature Conservation) designated nature conservation sites”

“The development of housing with its associated population growth may lead to indirect adverse impacts on Cannock Chase SAC. This is likely to be caused by increased visitor activities on Cannock Chase and is the subject of ongoing research. Depending on the outcome of this research, development plans and proposals may be required to demonstrate appropriate and proportionate measures sufficient to avoid or mitigate significant identified adverse impacts. Guidance may be given through subsequent local development plan documents.”

As the site falls within the zone for mitigation measures, a financial contribution would be required, with a payment of £290.58 per home and is non-negotiable, even for reasons of viability. This is because mitigating harm to SACs is a legal requirement. The contribution will increase in line with inflation each 1 April.”

10.0 Conclusion

10.1 The application has satisfactorily demonstrated that the development can be accommodated, without any significant detriment to the character/appearance of the area, highway/pedestrian safety, neighbouring amenities, and wildlife. Therefore, subject to the Unilateral Undertaking for the Cannock Chase SAC and inclusion of conditions, the proposal is acceptable and in accordance with the Development Plan.

11.0 Detail recommendation

11.1 Delegated Authority to Grant Planning Permission subject to the following:

- Completion of a Unilateral Undertaking for a financial contribution of £290.58 for the Cannock Chase SAC.

And

Any necessary conditions to include:

- Submission and Implementation of landscaping
- Sustainable Drainage
- Levels
- Boundary Treatment
- Tree Protection
- Materials

- External Lighting
- Parking provision as shown, and to be provided before occupation/and maintained as
- parking
- Turning Area as Shown and to be provided before occupation/and maintains as a turning area.
- Electric Charging Points and to be provided before occupation.
- Hours of Operation During Construction
- Construction Management Statement
- Restrict future development.
- Nation Grid Investigation/Mitigation



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 21 March 2023
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Planning application no.	22/01096/FUL	
Site	25 Oxley Moor Road, Wolverhampton, WV10 6TT	
Proposal	Erection of two, three bed detached dormer bungalows on land rear of 25 Oxley Moor Road	
Ward	Oxley;	
Applicant	Mr Andrew Bound	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Ragbir Sahota	Planning Officer
	Tel	01902 555616
	Email	Ragbir.sahota@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Delegated authority to Grant, subject to signing of Unilateral Undertaking and conditions.

2.0 Application site

2.1 The site is currently an overgrown area of land situated to the rear of the property at 25 Oxley Moor Road and fronting Brunslow Close.

2.2 The area is characterised by residential properties comprising detached and semi-detached houses of differing designs.

3.0 Application details

3.1 The application proposes the erection of two, three bed detached dormer bungalows on the land rear of 25 Oxley Moor Road with the frontages and access onto Brunslow Close.

3.2 The two bungalows are of differing designs with provision for two car parking spaces and private rear amenity provided.

3.3 Planning permission has historically been given for the erection of one three bedroom bungalow which was submitted under application reference 94/1101/FP and approved on 20 December 1994.

4.0 Relevant policy documents

- 4.1 National Planning Policy Framework (NPPF). This encourages high quality design and “beautiful” buildings.
- 4.2 The Development Plan: Wolverhampton Unitary Development Plan (UDP) and the Black Country Core Strategy (BCCS).
- 4.3 UDP policy D8 “Scale - Massing” aims to ensure that proposals make a positive contribution to an area through appropriate scale buildings that do not harm people's amenities.
- 4.4 UDP policy D9 “Appearance” encourages high quality architecture, individual expression and a variety of architectural style. It is proper to reinforce local distinctiveness, but if a design is of a sufficiently high standard it will help create urban richness and diversity.
- 4.5 BCCS policy ENV3 “Design Quality” aims to deliver a successful urban renaissance through high quality design that stimulates economic, social and environmental benefits.

5.0 Publicity

- 5.1 Eight letters of objection and a 22 signature petition from 17 different households were received objecting to the proposal on the following grounds:
- Loss of privacy and amenity
 - Disruption to neighbour amenity with the works and the coming and going of residents and visitors to the new dwellings
 - Parking concerns
 - Child safety due to increased level of traffic
 - Utilise access from Oxley Moor Road rather than Brunslow Close

6.0 Consultees

- 6.1 Transportation – No objections subject to a Construction Method Statement condition.

7.0 Legal implications

- 7.1 There are no legal implications arising from this report [SE/MH/09032023/A](#)

8.0 Appraisal

- 8.1 The area is predominantly residential in character and with planning permission for one dwelling being historically approved in 1994, the principle of residential development is accepted and the creation of two new dwellings would not be out of character with the area.
- 8.2 The design of the dwellings are single storey with dormer windows, are modest in scale and provide adequate distance between habitable windows from other residential dwellings meaning the proposal would not have an unreasonable negative impact upon

the occupiers of the neighbouring dwellings in terms of over bearing impact, privacy, or loss of light.

- 8.3 The scheme has accommodated two on-site parking spaces per dwelling to meet the required parking provision. There have been no objections regarding highway safety for the new access to the properties. Whilst parking is occurring on the road in Brunslow Close and outside the application site, residents in Brunslow Close have adequate off street parking to accommodate their private vehicles. In addition there are garages within the cul-de-sac with an additional space in front for cars to park to be clear of the carriageway and footway.
- 8.4 The concerns from residents on disruption and impact of increased vehicles on Brunslow Close and danger to child safety has been considered and there will be no significant disturbance to residents or highway safety as a result of the two additional dwellings. A condition has been recommended for the developers to provide a construction method statement so that any disruption during the construction period is limited.

9.0 Conclusion

- 9.1 The proposed bungalows would not have an unreasonable negative impact on the character of the area or result in any loss of amenity to adjacent occupiers. The design, scale and appearance of the development will respect and relate to Brunslow Close. Sufficient parking and amenity space is provided to support the proposed development. The proposal is in accordance with the approved policies in the Development Plan.

10.0 Detail recommendation

- 10.1 Delegated Authority to Grant, subject to the signing of a Unilateral Undertaking and conditions:

Unilateral Undertaking

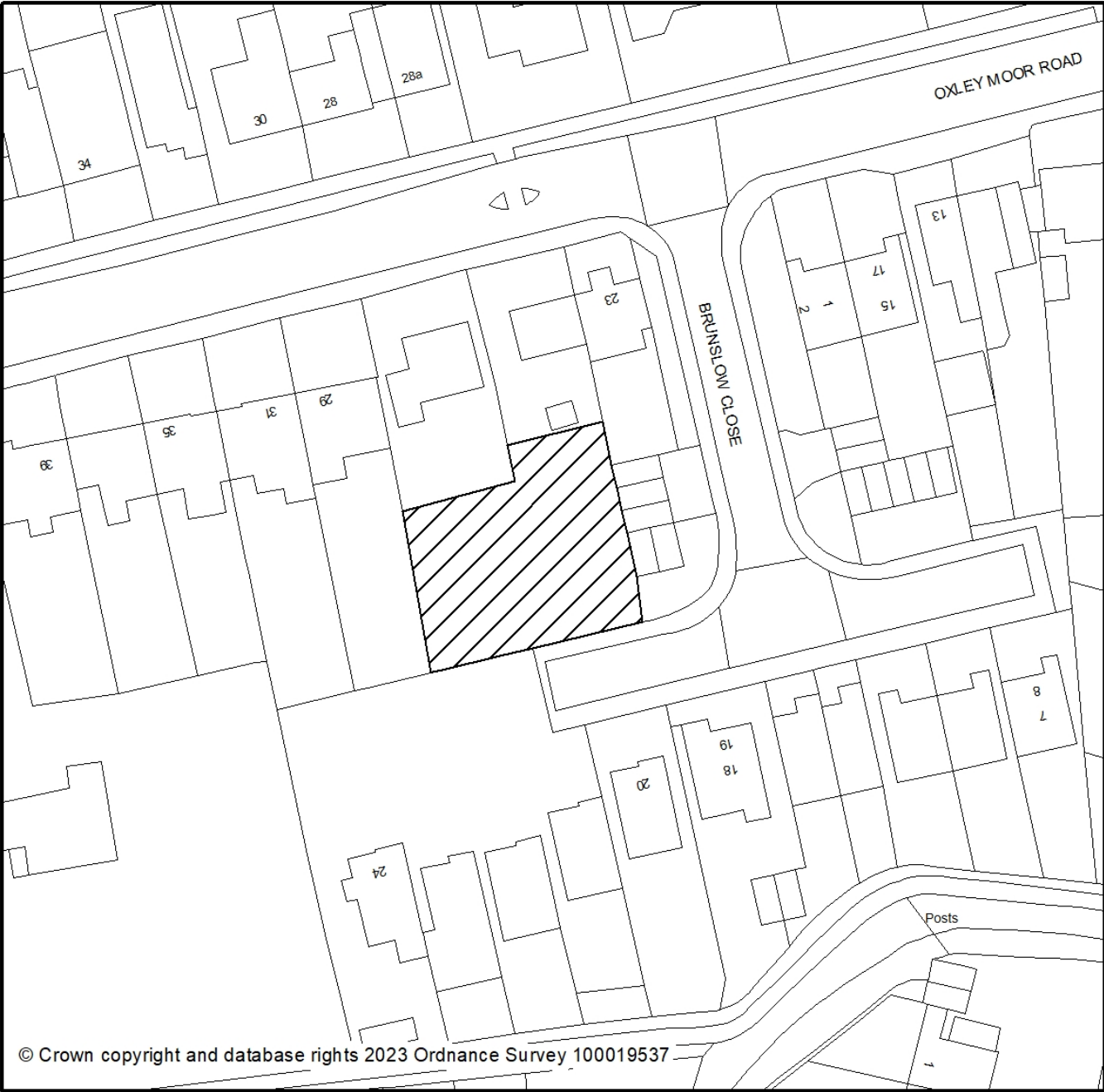
- Cannock Chase Special Area of Conservation (SAC)

Conditions

- Details of boundary treatments
- Landscaping scheme
- Electrical vehicle charging point
- Materials
- Construction working hours
- Remove permitted development rights for extensions and outbuilding

Note for Information

Coal Mining



CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 21 March 2023
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Planning application no.	23/00072/FUL	
Site	1 Dovecote Close, Wolverhampton, WV6 8NA	
Proposal	Two storey side and rear extensions, single storey rear extension, front canopy and porch	
Ward	Tettenhall Wightwick;	
Applicant	Ms J Raja	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Alisha Paul	Planning Officer
	Tel	01902 550348
	Email	Alisha.paul@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant planning permission, subject to conditions.

2.0 Application site

2.1 The existing dwelling is a detached 4-bedroom dwelling, located on a cul-de-sac road in a row of dwellings that are similar in scale and design. The adjacent property to the south, 42 Woodcote Road, is a detached bungalow.

3.0 Application details

3.1 This application seeks permission for the development of two-storey side and rear extensions, a single storey rear extension, and front porch and canopy extensions to create a 5-bedroom dwelling.

3.2 Previous planning permission for the same proposal (18/01015/FUL) was refused by Planning Committee on 13 November, 2018, but was allowed on appeal by the Planning Inspectorate on 24 May, 2019.

3.3 No development commenced within the standard three-year period and planning permission expired on 24 May, 2022. This current application seeks approval of this same proposal.

4.0 Relevant planning history

4.1 18/01015/FUL – See 3.2 for details.

5.0 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)
Tettenhall Neighbourhood Plan

6.0 Publicity

6.1 Following direct neighbour consultation, two objections were received for this application with regards to the impact on the neighbouring bungalow at 42 Woodcote Road on the following grounds:

- The position and scale of the extensions would be overbearing/oppressive in relation to the neighbouring bungalow
- Impact to the outlook from the garden and rear windows of the neighbouring bungalow
- Overdevelopment of the application dwelling
- The proposal is not in accordance with the policies of the development plan.

7.0 Consultees

7.1 No consultees.

8.0 Legal implications

8.1 There are no legal implications arising from this report (SE/MH/09032023/C).

9.0 Appraisal

9.1 The proposed development plans submitted for this planning application are identical to those submitted in the previous planning application, that was subsequently granted permission by the Planning Inspectorate. The Planning Inspector's appeal decision is a weighty material planning consideration in this case.

9.2 One of the main issues in the appeal was the effect of the proposed two storey rear element of the extension on the outlook of the occupiers of 42 Woodcote Road. The

Planning Inspector stated that although the proposed two storey rear extension would extend across slightly less than half the width of the open outlook from the rear of this neighbour, the extension would be comfortably set back from the boundary and would be separated by the length of the neighbouring back garden from the rear elevation of this neighbour. As a result, the extension would not be overbearing or have an undue enclosing effect on the outlook from within this property or from its patio area immediately outside. Consequently, it would not have a significant adverse effect on the outlook from within or outside this property.

- 9.3 The distance between the rear elevation of 42 Woodcote Road and the proposed side elevation of the development is 14 metres. This exceeds the minimum distance of 12 metres outlined in the Extension to Houses Supplementary Planning Guidance. There are no first-floor windows to habitable rooms proposed on the side elevation of the development. A condition to obscurely glaze the side facing first-floor bathroom windows would mitigate any overlooking impacts to the neighbour at 42 Woodcote Road.
- 9.4 There is sufficient space for parking on the front drive of the dwelling to support the creation of a 5-bedroom dwelling. The proposed front extensions and the creation of an additional bedroom will not compromise the space for parking which exceeds highway standards for car parking spaces. The proposal will therefore not cause any adverse impacts to highway safety.
- 9.5 The objections received for this application refer to the design policies of the UDP and Tettenhall Neighbourhood Plan. These policies require high quality developments that complement the character and appearance of the area. The proposed development would complement the existing house and the street scene of which it forms a part and so would be in compliance with these policies. It should also be noted this is an identical scheme to that allowed on appeal.
- 9.6 Given the above, the proposed development is acceptable in terms of its appropriate design, scale and mass and would not cause any significant adverse impacts to the amenities of neighbouring dwellings. The development is in accordance with the policies of the development plan, including UDP policies D4, D6, D7, D8, D9, H6, BCCS policy ENV3, and policy TNP12 Parts A and B of the Tettenhall Neighbourhood Plan.

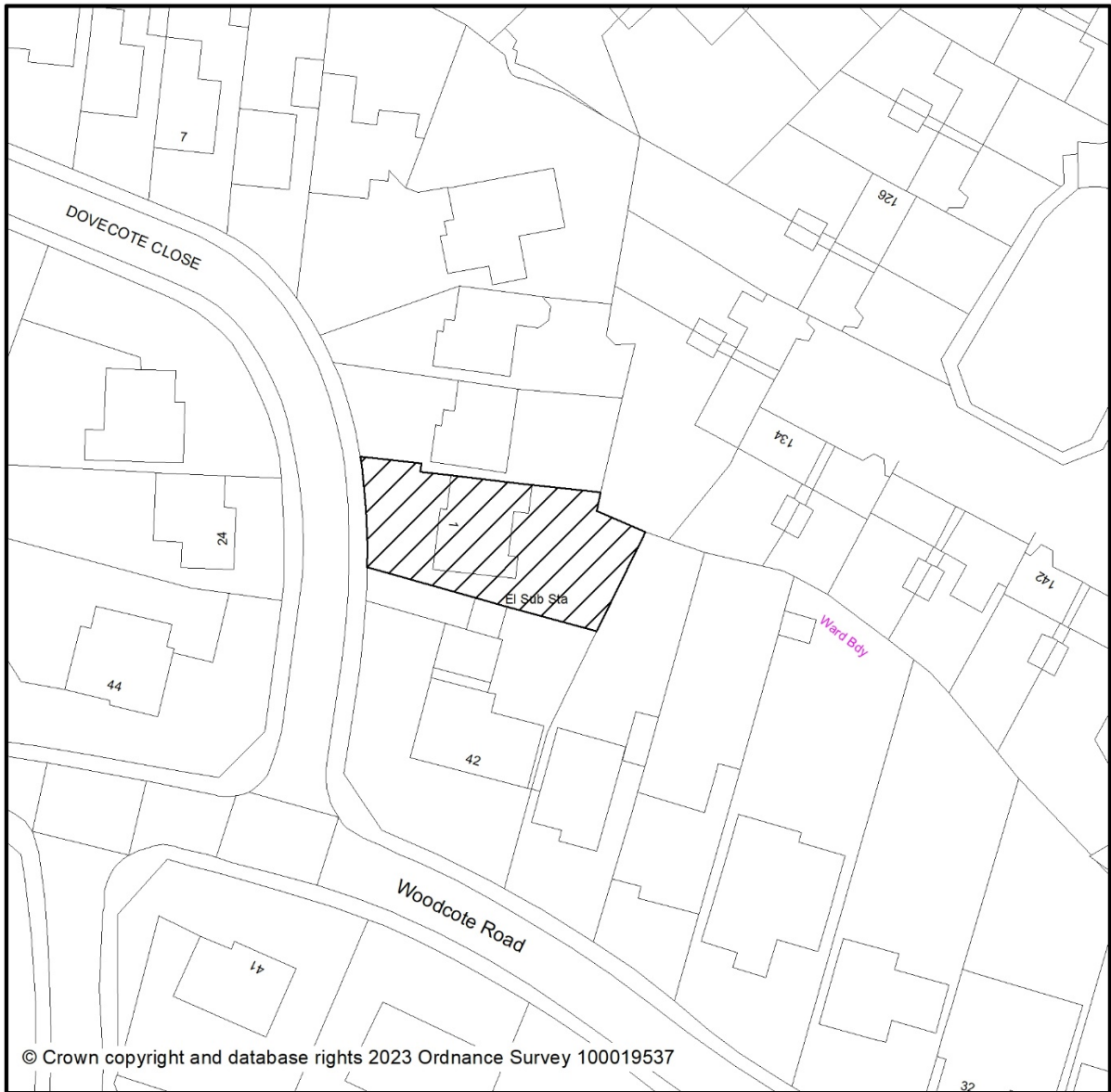
10.0 Conclusion

- 10.1 Although the previous planning permission has now expired, the Planning Inspector's decision is a weighty material planning consideration in this case. For the reasons detailed above, it is concluded that no harm to the character of the area or to neighbouring residents would arise, and therefore the proposal is in accordance with the Development Plan.

11.0 Detail recommendation

11.1 Grant planning permission for application 23/00072/FUL, subject to the following conditions:

- The materials to be used in the construction of the external surfaces of the development shall match those used in the existing building.
- Notwithstanding the details submitted with the planning application, the proposed first floor side elevation windows shall be obscurely glazed.



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CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 21 March 2023
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Planning application no.	23/00059/FUL	
Site	8 Amos Avenue, Wolverhampton, WV11 1LF	
Proposal	Retrospective application for detached playroom and store outbuilding in rear garden	
Ward	Heath Town;	
Applicant	Mr and Mrs Chahal	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Laleeta Butoy	Assistant Planner
	Tel	01902 555605
	Email	Laleeta.butoy@wolverhampton.gov.uk

1.0 Summary recommendation

1.1 Grant planning permission, subject to conditions.

2.0 Application site

2.1 8 Amos Avenue is a large, detached dwelling house situated in a cul-de-sac location.

3.0 Application details

3.1 The proposal is a retrospective application for a detached playroom and store outbuilding in the rear garden.

4.0 Planning history

4.1 Reference: 22/00275/FUL – First floor rear extension Granted 06 January 2023

5.0 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)

6.0 Publicity

6.1 One objector who has request to speak. Their concerns include:

- Structure causing flooding in the bottom of their rear garden
- Structure is too tall
- Structure is out of character with all other garden outbuildings in the vicinity i.e. not a wooden structure

7.0 Consultees

7.1 Building Regulations – The outbuilding measures approximately 28 square metres. Given its construction and size a detached outbuilding/garage of less than 30 square metres floor area would not normally need building regulations approval. A building under 30m² floor area can be built up to a boundary if constructed substantially of non - combustible materials, in this case brick and block wall construction and concrete tiled pitched roof. Building Control have no powers to enforce Building Regulations, due to the detached building being exempt.

8.0 Legal implications

8.1 There are no Legal implications arising from this report. SE/MH/09032023/B

9.0 Appraisal

9.1 8 Amos Avenue is a large, detached, two storey dwelling house situated in a cul-de-sac location. The side elevation of the property lies adjacent to the rear garden boundary of houses on Amos Lane with the rear garden boundary backing onto the rear garden boundary of No's 102 and 104 Prestwood Road West.

9.2 Retrospective planning permission is sought for the detached outbuilding of brick and tile construction which forms a playroom and store outbuilding at the end of the rear garden. The works commenced in December 2020 and the structure was completed in January 2021.

9.3 The structure is built with drainpipes and soakaways and is situated adjacent to the rear garden boundary of residential dwellings along Prestwood Road West. The building measures 3.5m in height, 2.5m to the eaves and is set in from the application site boundary. In this instance the outbuilding is within 2 metres of the property boundary and exceeds 2.5 metres in height to be permitted development.

9.4 The outbuilding is used for purposes incidental to the use of the dwelling house as a playroom and storeroom

10.0 Conclusion

- 10.1 The detached playroom and store outbuilding situated in the rear garden of the application site is screened with trees, boundary fencing and neighbouring outbuildings.
- 10.2 The recessive hipped roof design, materials, and position of the outbuilding in relation to the setting with neighbouring gardens does not cause any unnecessary, undue, adverse impact on the amenity of neighbouring gardens. The height of the structure does not have a materially overbearing or oppressive impact upon the enjoyment of the neighbouring rear garden space considering the heights and limits of permitted development.
- 10.3 The outbuilding considered to be causing flooding at the bottom of the rear garden by the objector is not a material planning consideration that can be taken into account in deciding the planning application. This issue would be a separate civil matter.

11.0 Detail Recommendation

- 11.1 That planning application 23/00059/FUL is granted subject to conditions including:

The development hereby permitted shall be used only for purposes incidental to the use of the dwelling house and not for any commercial, industrial or business purpose nor as a separate dwelling for the lifetime of the development.

