

<b>Planning application no.</b>	22/00033/RC
<b>Site</b>	12 Yew Tree Lane, Wolverhampton, WV6 8UF
<b>Proposal</b>	Variation of condition – amendment to rendering required by previous condition
<b>Ward</b>	Tettenhall Regis;
<b>Applicant</b>	Mr Charnjit Ram
<b>Cabinet member with lead responsibility</b>	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration
<b>Originating service</b>	Planning
<b>Accountable employee</b>	Charlotte Morrison    Section Leader Planning Tel                            01902 551357 Email                        charlotte.morrison@wolverhampton.gov.uk

## 1.0 Summary recommendation:

1.1 Grant subject to conditions

## 2.0 Application site

2.1 The site is a semi-detached dwelling as part of a group of four properties with similar design. The surrounding area is predominantly residential with a mixture of dwelling types of different design and scale

## 3.0 Application history

3.1 A planning application (19/01285/FUL) was approved 9<sup>th</sup> January 2020 for a two-storey side and rear extension a loft conversion

3.2 A resubmission (20/00063/FUL) was refused on 17<sup>th</sup> February 2020. This application was to change the design of the front and to increase the width of the two-storey rear extension. The front design had an unacceptably adverse impact on the character of the area and the rear extension would be too overbearing.

- 3.3 An appeal was dismissed based on the front design only. The Inspectorate stated that the 2-storey extension was acceptable in terms of outlook, loss of light or privacy.
- 3.4 A planning application (21/00026/FUL) sought to deal with an amended plan following the Inspectors decision. The application was reported to planning committee who resolved to approve the application subject to a condition requiring that the whole of the extension be rendered to match the existing building.

#### **4.0 Application details**

- 4.1 This application is to vary the condition applied by planning committee, following a site visit, to the previous planning permission.
- 4.2 The applicant wishes to vary the condition to render the front of the property and the side, but to retain brickwork to part of the side (extension) and to the front elevation, including the original house.
- 4.3 A breach of condition notice has been issued in order to enforce the condition applied to the extension by Planning Committee. The notice refers to the extension only and does not (and could not) require the front of the original property to be rendered.

#### **5.0 Relevant policy documents**

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

#### **6.0 Publicity**

- 6.1 4 Objections from have been received raising the following relevant issues. This application has come to committee as a result of a neighbour requesting to speak.
- Out of character with the street scene as other properties in the row are fully rendered.
  - The original consent requires materials to match existing, and this should be render.
  - Not in accordance with the approved plans
  - Poor workmanship
  - Party Wall Issues

#### **7.0 Consultees**

- 7.1 None

#### **8.0 Legal implications**

- 8.1 The legal implications stemming from this report are set out below. KR/11032022/E

## **9.0 Appraisal**

- 9.1 The other properties in the group are rendered apart from exposed brickwork to the lowest parts.
- 9.2 The original consent required the materials used in the extension of the property to match those of the existing property. The render from the front of the property has been removed by the applicant and as such it could be argued that matching materials would be brickwork rather than render.
- 9.3 As the property had not been rendered on the substantial completion of the development the breach of condition notice (only relating to the extension), was served requiring the works to be completed. Further action could be considered under this notice to require the rendering to be completed to the extension.
- 9.4 As the property had not been rendered on the substantial completion of the development a breach of condition notice was served requiring the works to be completed, further action could be taken under this notice to require the rendering to be completed to the extension.
- 9.5 Following discussion with the applicant the decision was taken to submit the planning application now under consideration. The applicant proposes to render the front of the property leaving a brick course to the bottom, the front of the garage and the porch being unrendered. This would be an improvement to the current requirements, which cannot require the original property to be rendered. Further the exposed brick work to the front of the garage is a successful contrast which retains the integrity of the original property whilst ensuring some brick features remain.
- 9.6 The main concern of a materials condition is to maintain the street scene. The applicant does not propose to render the rear of the property, including the extension and this would have been the case on the previous approval as he has chosen to remove the render from the front of the original property in its entirety.

## **10.0 Conclusion**

- 10.1 The current proposal to render the front of the original property, the front of the approved extension and part of the side of the property are acceptable and the contrasting brickwork is of a reasonable level to strike the balance between the rendered and brick parts of the front.
- 10.2 The rendering of the rear part and the rear side part of the extension is not necessary to protect the design integrity of the host dwelling or the street scene.

## **11.0 Detailed recommendation**

### 11.1 Grant planning subject to conditions:

- Render the proposed parts of the property within 2 months of the date of the planning permission
- Retain the render in its approved form for the lifetime of the development