



Planning Committee

23 September 2014

Planning application no.	14/00266/FUL
Site	The Lych Gate, Chamberlains Lane, Wolverhampton
Proposal	Demolition of existing detached house and garage for the construction of a new two storey house and garage. (Amended Plans Received)
Ward	Penn
Applicant	Mr A Singh
Agent	Mr Paul Davies, Simms Davies Partnership
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Marcela Quinones Herrera Tel 01902 555607 Email Marcela.QuinonesHerrera@wolverhampton.gov.uk

1. Summary Recommendation

- 1.1 Delegated authority to grant subject to conditions.

2. Application site

- 2.1 The Lych Gate is a large detached property sited on a generous plot within the Vicarage Road (Penn) Conservation Area. The plot lies close to the Chamberlains Lane/Vicarage Road junction and behind properties along Vicarage Road. Chamberlains Lane is a narrow road which is rural in character and has a number of spacious plots along its length. The existing house is sited in an elevated position on Chamberlains Lane behind a border of high hedges and mature trees.

3. Application Details

- 3.1 The application proposes to replace the existing house with a new 5 bedroom house and a detached garage.
- 3.2 The proposed dwelling house would be facing onto Chamberlains Lane leaving a front garden area of approximately 10m wide.

- 3.3 The building materials on the elevations are brick at ground floor level; render finished panels and exposed timber at first floor level.
- 3.4 The dwelling house consists of a two storey high central building with two one and a half storey high wings at either side.
- 3.5 The proposed garage is a triple door garage 8.8m long by 7m wide and 5.5m tall. It would be sited at the back of the site.
- 3.6 Vehicular access would be gained through the existing road along the Southern boundary of the site.

4 Planning History

- 4.1 08/01377/FUL - Erection of 1No dwelling. Granted on the 23rd December 2008 under delegated powers.
- 4.2 09/00377/FUL - Erection of two dormer bungalows. Refused on the 30th June 2009.
- 4.3 11/01146/EXT- Planning Application for extension of time of planning permission reference No. 08/01377/FUL - Erection of 1No dwelling. Three years permission granted on the 20th January 2012.

5. Constraints

- 5.1 Conservation Area - Vicarage Rd (Penn) Conservation Area

6. Relevant Policy Documents

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)
- 6.3 Supplementary Planning Guidance No. 3 – Residential Development

7. Environmental Impact Assessment Regulations

- 7.1 This application is considered to be a Schedule 2 project as defined by the above Regulations. The “screening opinion” of the Local Planning Authority is that a formal Environmental Impact Assessment is not required in this instance as the development is unlikely to have a significant effect on the environment as defined by the above Regulations and case law.

8. Publicity

- 8.1 Three letters of objection received which include a request to speak at Planning Committee raising the following planning issues:

- Overbearing impact
- Over looking into property No. 16 Vicarage Road
- Loss of privacy
- Roof height 1m higher than existing building and therefore, loss of light into adjacent properties
- Over dominant feature in a Conservation Area
- Detrimental to the Conservation Area
- The nature, size and height of the proposed triple door garage could be converted into additional living accommodation
- Loss of view
- Not in keeping with surrounding houses

9. Internal Consultees

- 9.1 Conservation: No objections subject to the relevant planning conditions.
- 9.2 Transportation: No objections.
- 9.3 Environmental Health: No objections subject to operational hours during construction condition.

10. External Consultees

- 10.1 Police: No objections.
- 10.2 South Staffordshire Council: No objections.

11. Legal Implications

- 11.1 When an application is situate in or affects the setting of a Conservation Area by virtue of Section 72 and Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering the application and exercising their powers in relation to any buildings or other land in or adjacent to a Conservation Area the Local Planning Authority must ensure that special attention is paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and further should have regard to any representations ensuing from the publicity required under Section 73 of the Act.
(KR/11092014/I)

12. Appraisal

- 12.1 The key issues are:-
- Principle of development
 - Impact on neighbours
 - Effect on the Conservation Area

Principle of development

- 12.2 The site has a valid planning permission for the erection of a new dwelling with a detached garage (11/01146/EXT). This permission will lapse on the 20th January 2015. The approved development consists of a two and a half storey high property to include a

new 5 bedroom dwelling. A triple door detached garage is also part of this valid permission.

- 12.3 Therefore, the principle of residential development and the construction of a new 5 bedroom house and detached garage is already established.

Impact on neighbours:

- 12.4 The footprint and siting of the main building is very similar to the approved scheme. However, significantly lower in height by approximately 3m on the side wings, one of which would be the part of the building closer to properties No. 16, 17 and 18 Vicarage Road.
- 12.5 The application proposes a dwelling with a separation distance of approximately 17m from the rear of property No. 18 Vicarage Road and the proposed rear elevation. This separation distance increases when measuring between the proposed rear elevation and rear of properties 17 and 16 Vicarage Road. This distance is above the 12m set out in the Residential Development SPD, and is therefore acceptable in terms of overbearing impact.
- 12.6 The proposed detached garage would be located on the South East corner of the application site and approximately 31m away from No.16 Vicarage Road rear elevation. The minimum separation distance from No.16 boundary and the proposed garage would be approximately 2.5m. This is considered sufficient and acceptable in terms of loss of light and would not generate an overbearing effect in to property No. 16 by virtue of its location at the bottom of the garden.
- 12.7 There are no windows on the side elevation facing into property No. 18 and therefore no overbearing/privacy issues. To ensure that the level of privacy, sunlight and views of surrounding neighbours are not affected by any future extensions, a condition to remove permitted development rights for extensions, alterations, additional windows and outbuildings would be required.
- 12.8 It is considered that by virtue of the proposed height, subservient design along the wings and a significant separation distance between the proposal and properties No. 16, 17 and 18 Vicarage Road, the proposal is in accordance with the BCCS, UDP policies and SPG 3– Residential Development.

Effect on the Conservation Area:

- 12.9 The design of the building would positively contribute to provide definition and sense of enclosure on the street scene. It would provide a focal point and a break on the bulk and mass when comparing the design of the proposed dwelling house with the approved and existing buildings.
- 12.10 The application would retain the existing driveway and would not affect the hedgerow along the lane which is an important feature of the Conservation Area.
- 12.11 To ensure the character of the Conservation Area is retained a condition to remove permitted development rights for any hard standing area and protection of the hedgerow at the front of the property would be required.

12.12 Therefore, the proposal respects and would help to maintain the character and appearance of the Conservation Area. This is in accordance with the relevant BCCS, UDP policies and SPG3 – Residential Development.

13. Conclusion

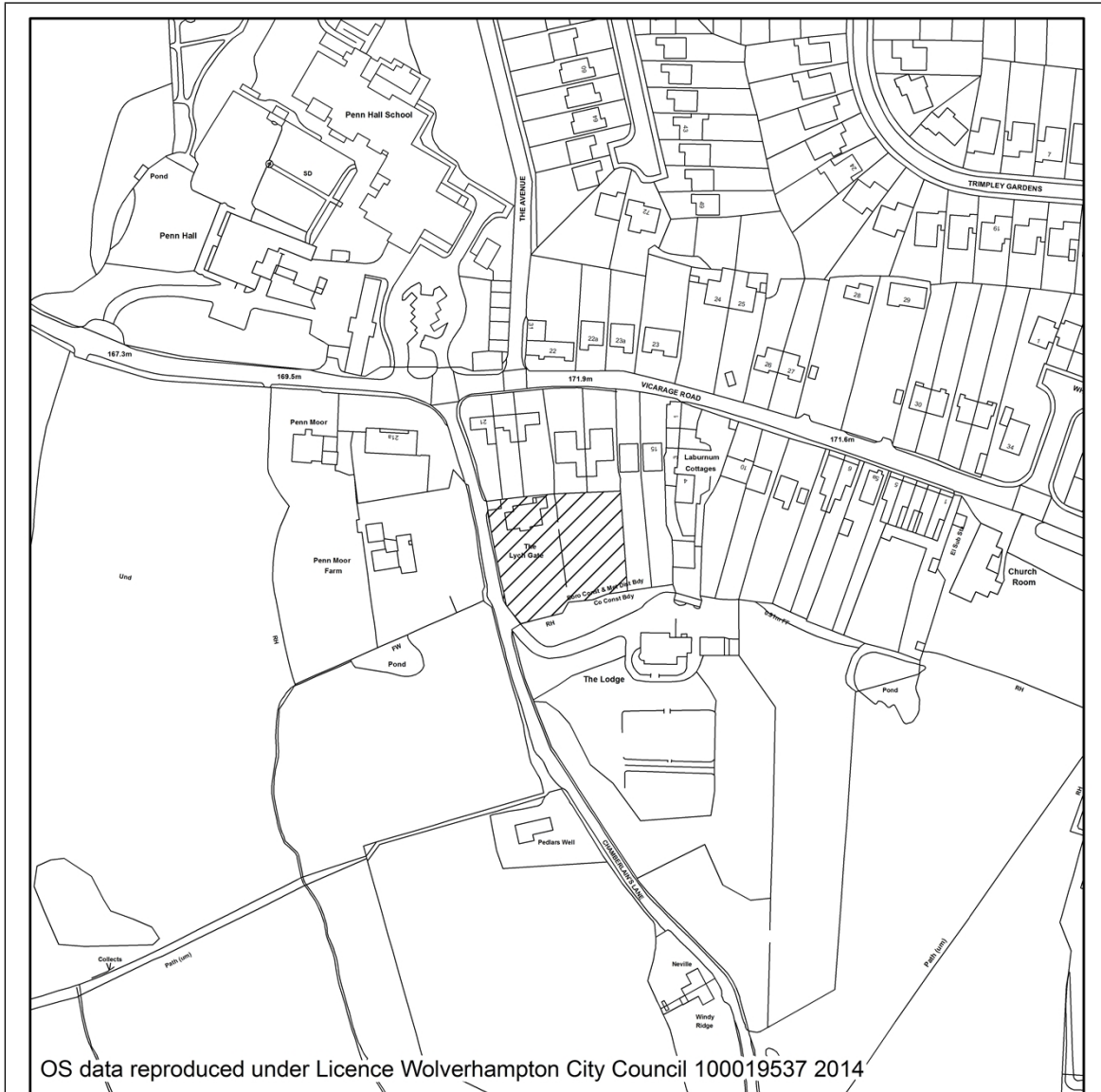
13.1 Subject to the necessary conditions, the proposal would be acceptable and in accordance with the development plan (BCCS and UDP policies).

14 Detailed Recommendation

14.1 That planning application 14/00266/FUL be granted, subject to:

(i) Any necessary conditions to include:

- Removal of PD rights for hard standing areas, boundary treatment along the Chamberlain's Lane frontage, rear extensions, additional windows and outbuildings
- Restrict conversion of garage into separate living accommodation
- Full demolition of existing house and garage prior occupation
- Joinery details
- Landscaping including boundary treatments details
- Materials
- Vehicular access to be retained as approved plan
- Sustainable drainage
- Levels
- Tree root protection measures
- Hours of operation during construction



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