



# Planning Committee

20 January 2015

<b>Planning application no.</b>	14/01099/FUL
<b>Site</b>	Woodcroft House, Pennwood Lane
<b>Proposal</b>	Construction of new boundary wall, railings and vehicular entrance gates to street frontage
<b>Ward</b>	Penn
<b>Applicant</b>	Mr Jujhar Gill
<b>Agent</b>	Mr Stephen Symonds
<b>Cabinet Member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Accountable director</b>	Tim Johnson, Education and Enterprise
<b>Planning officer</b>	Name Ragbir Sahota Tel 01902 555615 Email ragbir.sahota@wolverhampton.gov.uk

## 1. Summary Recommendation

1.1 Grant subject to conditions.

## 2. Application site

2.1 The application site is a large detached property set on a lower level and significantly back from the narrow lane. To the frontage were trees/shrubbery which have been removed.

2.2 The property is set within a substantial plot and is within the Vicarage Road (Penn) Conservation Area.

2.3 The site is within the designated green belt. It is characterised by large properties set in well treed grounds, with boundary treatments mostly consisting of hedging and low walls appropriate to this semi-rural setting.

## 3. Application Details

3.1 The application is for the erection of boundary walls, gates and railings to the front of the property.

#### **4 Planning History**

- 4.1 Application reference 13/00483/FUL for boundary walls, gates and railings comprising high brick walls and brick piers was refused and dismissed at appeal on the grounds that the proposal resulted in having an adverse impact on the street scene, neither preserving nor enhancing the character and appearance of the Conservation Area and as a result of it being detrimental to pedestrian and highway safety.

#### **5. Constraints**

- 5.1 Conservation Area - Vicarage Rd (Penn) Conservation Area  
Green Belt  
Mining Advice 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)

#### **7. Environmental Impact Assessment Regulations**

- 7.1 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 above regulations is required.

#### **8. Publicity**

- 8.1 One letter of objection received. The issues raised include:
- Not in keeping with the character of the conservation area/street scene;
  - Proposal should have trees behind the boundary wall/railings for privacy and security
- 8.2 One letter in support received as the proposal is considered to be in keeping with that of the street scene, no detrimental impact on the surroundings, the boundary treatments are of an appropriate height and will improve security and safety.

#### **9. Legal Implications**

- 9.1 The National Planning Policy Framework states that in assessing and determining planning applications, Local Planning Authorities should apply a presumption in favour of sustainable development.
- 9.2 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.

- 9.3 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possess. Legal Implications reference LM/05012015/N

## **10. Appraisal**

- 10.1 This proposal in terms of design is significantly different to the one that was previously submitted and dismissed at appeal which proposed 1.24metres high walls with 600mm high railings, 2metre high piers and gates proposing a more harsh and dominant feature within the streetscene and one which was more suited to a location in a built-up urban street, than a rural setting on a narrow country lane, such as this.
- 10.2 The proposal now seeks to erect boundary walls, gates and railings to the front of the property, formerly comprising trees/hedges which have been removed. The proposal seeks to erect a wall of approximately 400mm in height with a further 1350mm of railings above that. Gates and piers with stone ball copings at a height of 2.1metres are also proposed however these are set some 5metres back into the site from the lane.
- 10.3 The railings and brick wall are set approximately 1500mm into the property from the existing gas strip with security shrub planting comprising 600mm. The proposal includes a schedule of shrubs to the front border in order to soften the appearance of the boundary treatment which shall be planted with a date agreed by the local planning authority following implementation of the railings and wall. The purpose of this is to minimise the impact of the development on the character and appearance of the conservation area.
- 10.4 This proposal of railings on a lower brick plinth along with planting retains the sense of openness, morphology and is more in keeping with that of the Conservation Area. Whilst the property is within the green belt, the proposal is not considered to seriously impact on the openness, harm visual amenities or visual character of the Green Belt.

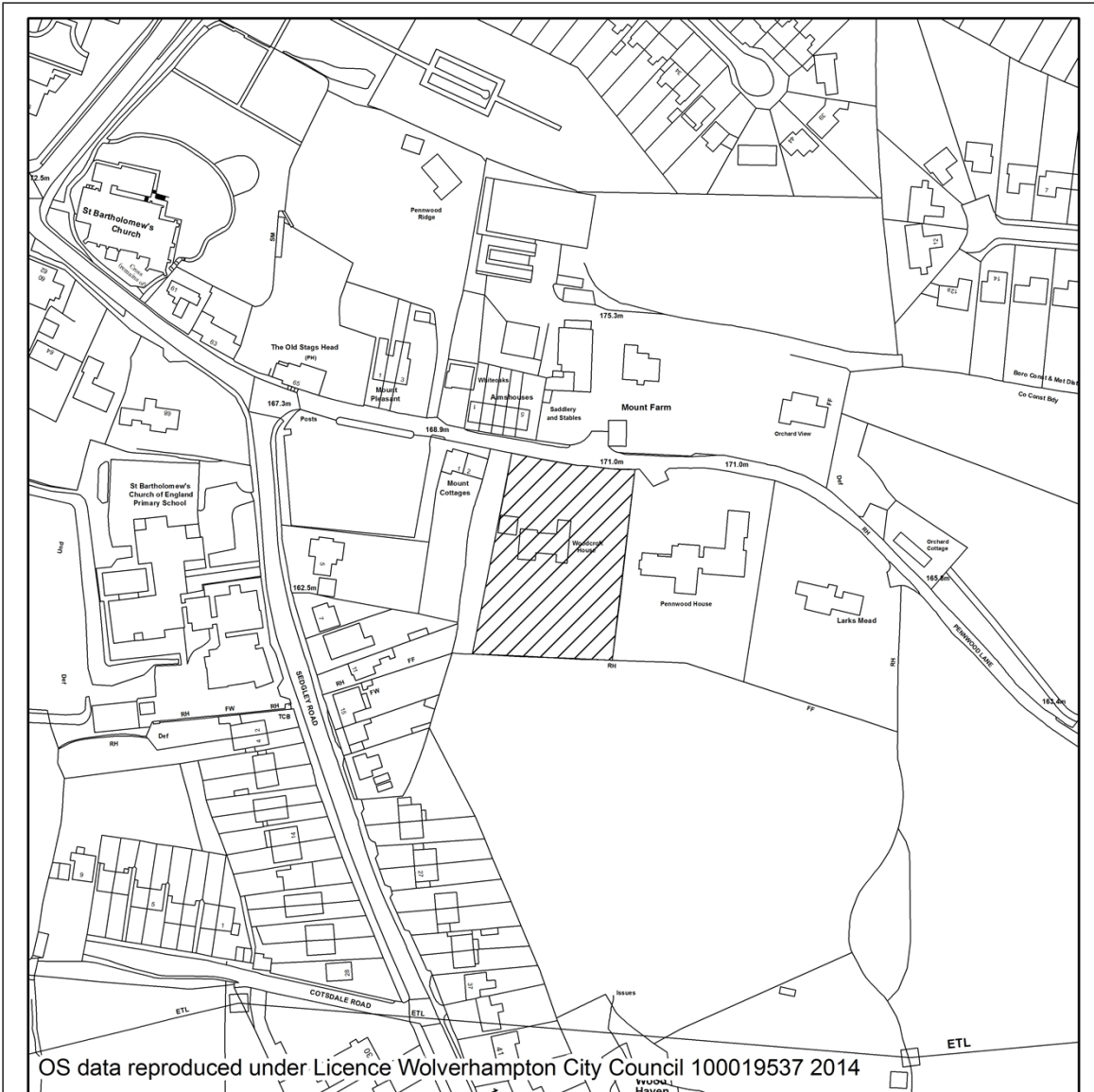
## **11. Conclusion**

- 11.1 The proposal is therefore considered acceptable as a result of it being in keeping with the street scene, impact on visual amenities and the Conservation Area. The proposal is in accordance with the provisions of the Councils Unitary Development Plan policies D4, D6, D7, D8, D9, HE4, HE5 and BCCS policies ENV2, ENV3 and CSP4.

## **12. Detailed Recommendation**

12.1 That planning application 14/01099/FUL be granted, subject to any appropriate conditions including:

- Submission of Materials
- Landscaping Details
- Wall and railings to be set back 1500mm as per drawing
- Planting species to be implemented as detailed on drawing
- Large scale drawings of wall and railings



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