

<b>Planning application no.</b>	18/00731/FUL	
<b>Site</b>	43 Willow Avenue, Wolverhampton	
<b>Proposal</b>	First Floor Side/Rear Extension and Front Porch	
<b>Ward</b>	Fallings Park;	
<b>Applicant</b>	Mr and Mrs Griffiths	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Julian Wain, Director of Regeneration	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Tracey Homfray	Planning Officer
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## **1.0 Summary recommendation:**

1.1 Refuse

## **2.0 Application site**

2.1 The application site is a three bedroom semi-detached property, set within a street scene of similar properties, within an area which is predominantly residential. The property has been previously extended with a ground floor extension to both side and rear of the property.

## **3.0 Application details**

3.1 The proposal consists of a first-floor extension to the side/rear of the property, to provide two additional bedrooms, and a porch to the front of the property. The extension is required because the applicants foster children, and they need adequate space to provide appropriate facilities. The application is a resubmission of an earlier application which was refused and subsequently appealed a decision on which is still awaited. The application has been resubmitted in order for the for the applicants to speak at Planning Committee to put forward their case.

#### **4.0 Planning History**

- 4.1 18/00302/FUL – First-floor extension to the side/rear of the property, to provide two additional bedrooms, and a porch to the front of the property – Refused 17/04/18. Currently under Appeal, and awaiting decision.

#### **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 Neighbour letters expire on 17<sup>th</sup> July 2018, no objections received at time of writing, and one letter of support received from the occupiers of No. 45 Willow Avenue.

#### **7.0 Consultees**

- 7.1 Fostering Services – No response at time of writing.

#### **8.0 Legal implications**

- 8.1 There are no legal implications arising from this report (LD/26062018/A)

#### **9.0 Appraisal**

- 9.1 The proposed extension has been suitably designed with a hipped roof design, maintaining the massing and balance of this pair of semi-detached properties. The extension is in keeping with the character and appearance of the surrounding area.
- 9.2 The property has ample parking and garden area to support the proposed extension and its usage (additional two bedrooms).
- 9.3 The proposed first floor side extension would project out beyond the rear elevation by 2.4m, which would be along the common boundary with No. 45 Willow Avenue. The proposed extension would result in significant detrimental impact to the outlook from this property (rear facing kitchen window), but especially its rear garden area, where the extension would appear overbearing and oppressive, due to its height and projection along this common boundary. The extension would also cast a shadow during late morning/early afternoon, reducing the light/sunlight especially to the neighbouring patio area.
- 9.4 It is acknowledged that the neighbour at No. 45 Willow Avenue has no objection to the proposed extension, and has submitted a letter to support this. The letter confirms the intention to extend in the future (2019) with a single storey rear extension, which would

obscure the proposed extension at No. 43 Willow Avenue, and subsequently remove the detriment as referred to in the paragraph above. However, the Planning Authority needs to consider the current situation, with respect to neighbouring amenity, and there is no sanction to ensure that the neighbouring extension would be built, and therefore, the harm could remain, to the detriment of current and future occupiers of this neighbouring property.

## **10.0 Conclusion**

10.1 The proposed extension is detrimental to neighbouring amenities, and is therefore, contrary to the Development Plan.

## **11.0 Detail recommendation**

11.1 Delegated Authority to the Director to Refuse Planning Permission for the following reason:

- The proposed extension would, by reason of its height/bulk and position relative to the garden/house at 45 Willow Avenue result in an unacceptable loss of sunlight/daylight and have an overbearing effect on the outlook presently enjoyed by this garden/house.

The proposal is therefore contrary to relevant UDP Policies: D7 & D8 and BCCS ENV3 and SPG4 House Extensions.

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