

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Planning Committee</b> <b>Tuesday, 21 March 2023</b>
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<b>Planning application no.</b>	23/00059/FUL	
<b>Site</b>	8 Amos Avenue, Wolverhampton, WV11 1LF	
<b>Proposal</b>	Retrospective application for detached playroom and store outbuilding in rear garden	
<b>Ward</b>	Heath Town;	
<b>Applicant</b>	Mr and Mrs Chahal	
<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>	Laleeta Butoy	Assistant Planner
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## **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 30m<sup>2</sup> 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.

