

## PLANNING APPLICATION NUMBER:P14/1483

Type of approval sought	Full Planning Permission
Ward	Sedgley
Applicant	I TURNER
Location:	<b>233, WOLVERHAMPTON ROAD, SEDGLEY, DUDLEY, WEST MIDLANDS, DY3 1QR</b>
Proposal	<b>ERECTION OF A DETACHED DOUBLE GARAGE IN FRONT GARDEN</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### SITE AND SURROUNDINGS

1. The application property is a late 1980's era detached property set within a line of similar properties accessed via an access drive from Wolverhampton Road. The property is set back approx 22m from Wolverhampton Road to allow for the driveway and front parking area and there is a line of relatively dense tree coverage along the boundary with Wolverhampton Road that obscures the row of properties from view.
2. At the front of the property there is a parking area immediately in front of the dwelling, a private drive that gives access to the neighbouring property 235 Wolverhampton Road and a gravelled area between the private drive and the line of trees adjoining Wolverhampton Road.
3. Within the grounds of the neighbouring property, 235 Wolverhampton Road, there is a detached garage located within the front parking/amenity area of the property.

## PROPOSAL

4. Permission is sought for a detached garage measuring 6.2m wide by 6.1m long and sited at the front of the property within the existing gravelled area and behind the hedge adjacent to Wolverhampton Road.

## HISTORY

5.

APPLICATION No.	PROPOSAL	DECISION	DATE
88/52581	Erection of 3no 4 bed detached houses	Granted	09/02/89

## PUBLIC CONSULTATION

6. The application has been advertised by way of neighbour notification with 3 letters sent out and 6 emails of objection being received from 2 properties, either side of the application site raising the following issues:
- Garage would be an eyesore/loss of light
  - Open plan layout
  - Existing access issues
  - Spoil view
  - Deeds say no free standing building and fencing to be erected at front of properties.
  - Support an extension to the existing house.

## OTHER CONSULTATION

7. None required

## RELEVANT PLANNING POLICY

### 8. Saved Dudley UDP (2005)

DD1 – Urban Design

DD4 – Development in Residential Areas

NC10 – The Urban Forest

#### Supplementary Planning Documents

New Housing Development – Revised 2013

#### Supplementary Planning Guidance

PGN 17 – The 45° code

## ASSESSMENT

### 9. The key issues for consideration in this application are as follows:

- Impact on Street Scene/Design
- Residential Amenity

#### Impact on Street Scene/Design

10. The proposed garage would be well screened from Wolverhampton Road due to the line of trees next to the road boundary. Conditions can be attached to any permission to ensure there is a tree protection and retention plan in place. In regards to materials it is required that the garage would be built in brick to match the existing house which would be confirmed by condition. The garage would have a shallow gabled roof to match the design of the application property and it is considered that proposed extension would not unduly harm the visual amenity or the character of the area, in accordance with saved policy DD4 of the UDP (2005).

### Residential Amenity

11. Saved Policy DD4 advises that developments should only be allowed where they would not have any adverse impact on residential amenity. The key issue in the assessment of this application therefore is the impact of the proposed garage on the amenities of the occupants of the neighbouring properties.
12. The proposed garage would be sited to the front of the application property, separated by the front parking area and private drive access. The neighbouring properties would be separated from the garage by a distance of approx 16m. As in the case of the application property the garage would be separated from neighbouring houses by the private drive access and respective front garden/parking areas and the garage would be set against the line of existing tree screening and hedgerow which will remain and is conditioned as such. Taking into account the siting and size of the proposed garage it is considered that the garage would not adversely impact upon residential amenity in accordance with saved policy DD4 of the adopted UDP (2005).

## CONCLUSION

13. It is considered that the proposed development is acceptable in terms of scale and appearance, would not have a detrimental impact on residential amenity and the street scene and is compliant with Saved Policy DD4 of the Adopted UDP.

## RECOMMENDATION

14. It is recommended that the application be approved subject to the following conditions:

## APPROVAL STATEMENT INFORMATIVE

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative

### All developments within coalfield standing advice area

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

## NOTE TO APPLICANT

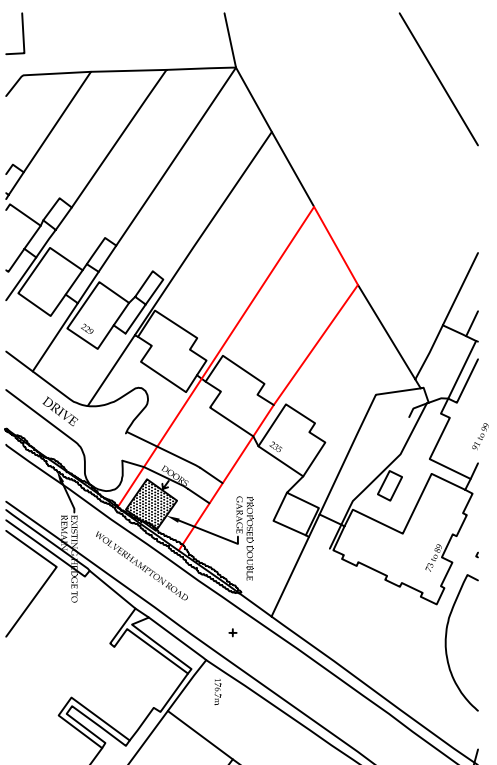
The granting of planning permission does not confirm the structural integrity of the proposed development. Local Planning Authorities do not have a duty of care to individual landowners when granting applications for planning permission and are not liable for loss caused to an adjoining landowner for permitting development. Sections 77 and 78 of the Building Act 1984, provides Local Authorities with powers to take

action with respect to dangerous buildings/structures. Therefore, should the development raise concerns in the future with respect to its structural stability there are powers under separate legislation to planning that would enable the situation to be rectified.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: T/01/14 Rev A, 500/1 and 1250/1.
3. Notwithstanding the approved plans, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be of brick which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details and thereafter maintained for the lifetime of the development.
4. No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority details of the tree protection measures on site. The details shall include:
  - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.
  - b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.
  - c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected is to be calculated in accordance with Clause 5.2 of British Standard BS: 5837 - 2005 'Trees in Relation to Construction - Recommendations'.
  - d. Design details of the proposed protective barriers to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 9.2 of British Standard BS:5837 - 2005 'Trees in Relation to Construction - Recommendations'.

5. The garage hereby approved shall not be sold off or sub-let separately from the main dwelling but used wholly incidental to the main dwelling.
6. All the existing trees and hedges indicated on the approved drawings to be retained shall be protected by suitable fencing and at a suitable distance as outlined in BS:5837 - 2005 - 'Trees in Relation to Construction', or such alternatives as may be agreed in writing by the Local Planning Authority. Such fences shall be erected before any materials are brought onto site or development commences. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Local Planning Authority.
7. The existing trees and hedges shown on the approved plans to be retained shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without the prior written consent of the local planning authority. Any trees removed without such consent or dying or being seriously damaged or diseased during that period shall be replaced with healthy trees of such size and species as may be agreed in writing by the Local Planning Authority.



LOCATION PLAN  
233 WOLVERHAMPTON  
ROAD  
SEDGLEY

SCALE : 1:1250  
DRG NO:1250/1  
DATE : 18 AUG 2014

MICHAEL DAVIES MCIAT  
ARCHITECTURAL  
DESIGN & PLANNING  
SERVICES

7 MILL POOL CLOSE, WOMBOURNE,  
WOLVERHAMPTON, WVS 8HS.

TELEPHONE : 01902 893284  
EMAIL : michael.w.davies@talktalk.net

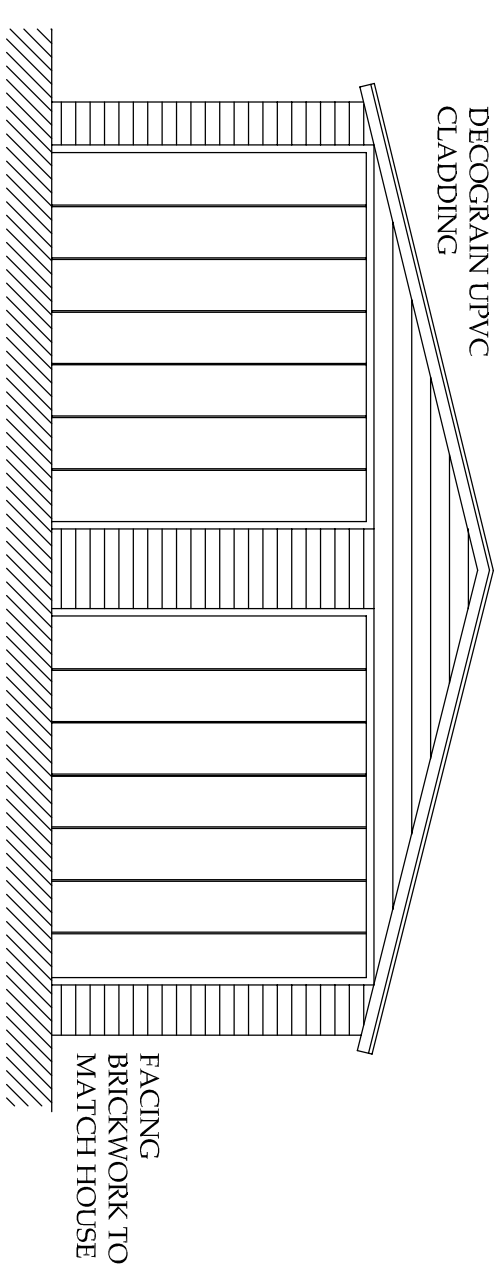


A4

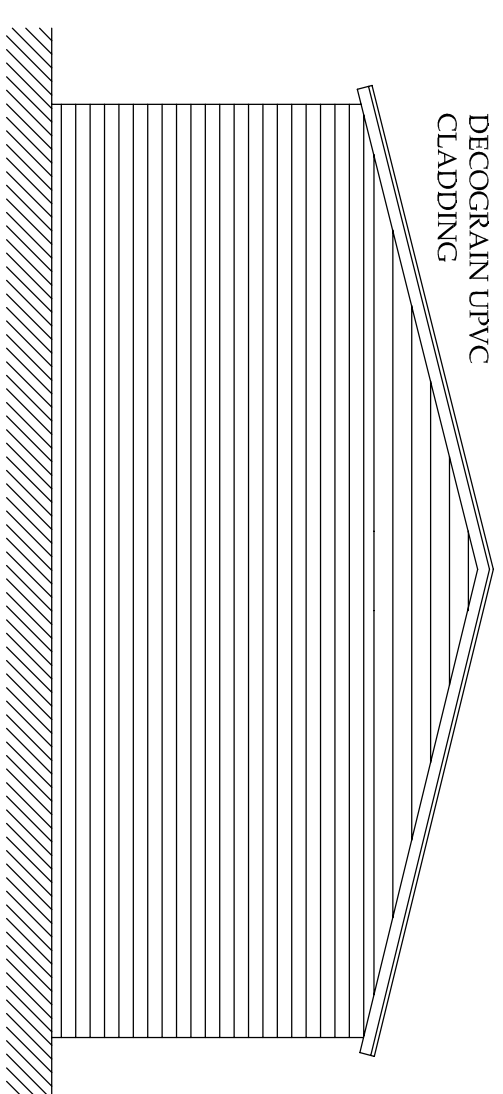
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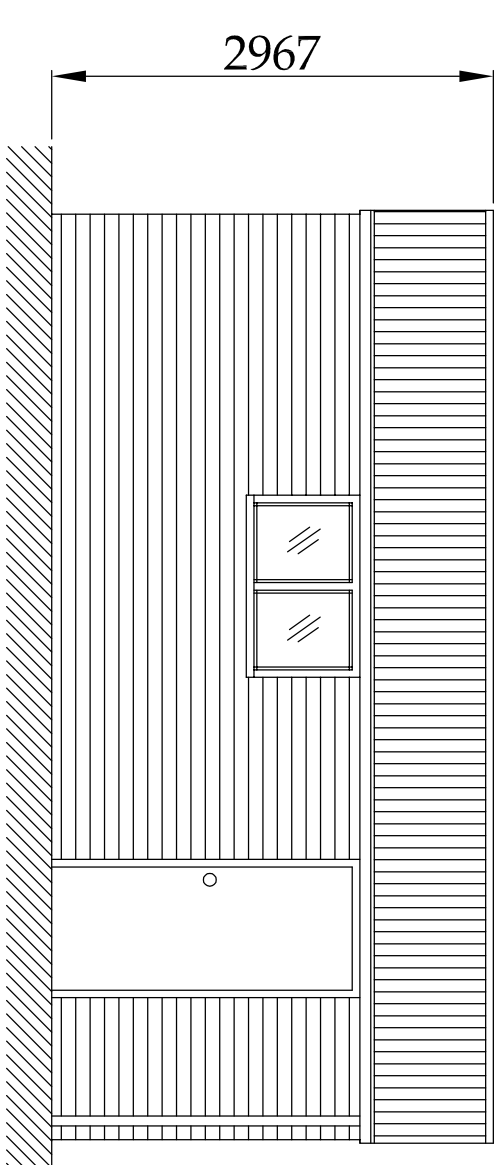




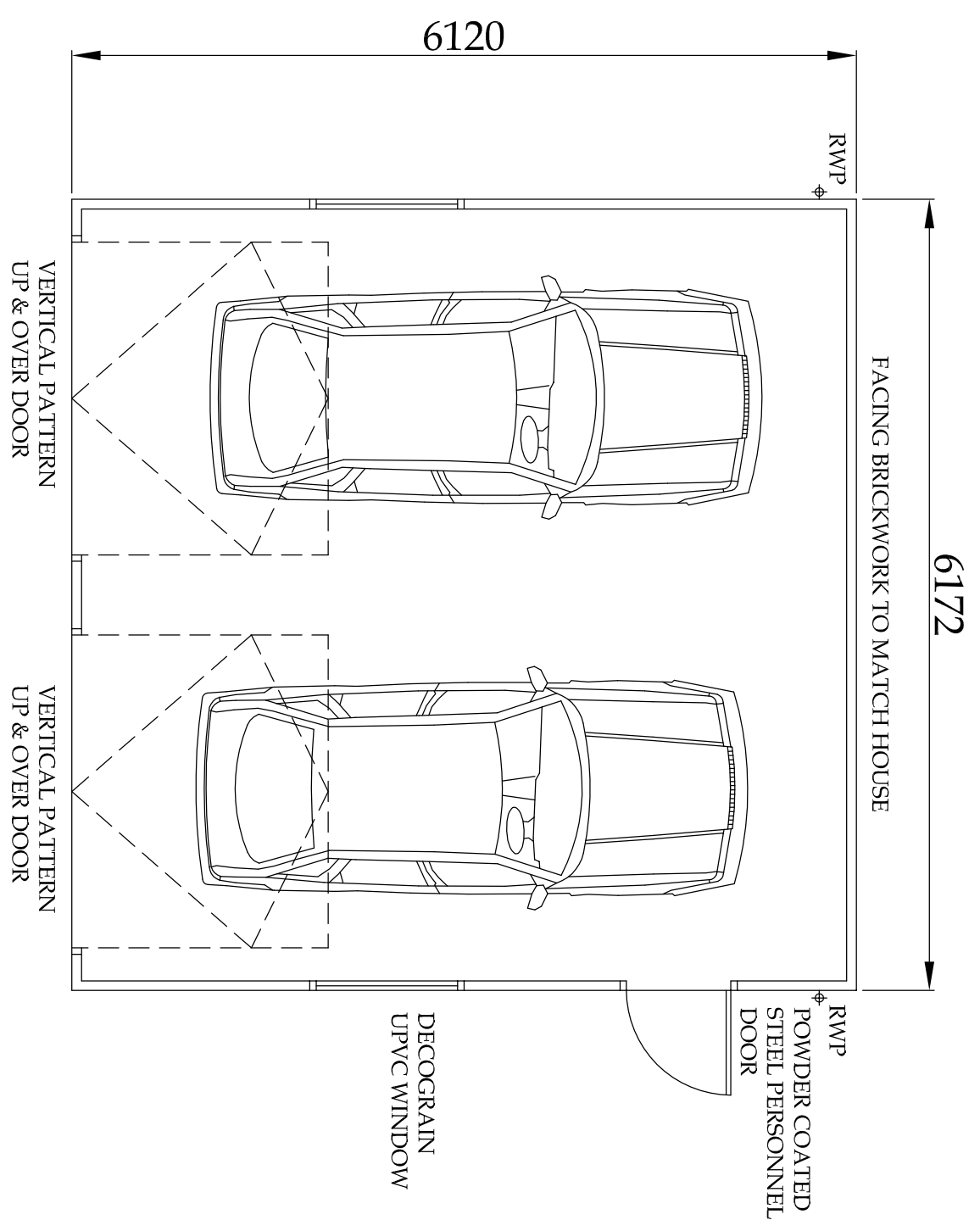
## FRONT ELEVATION



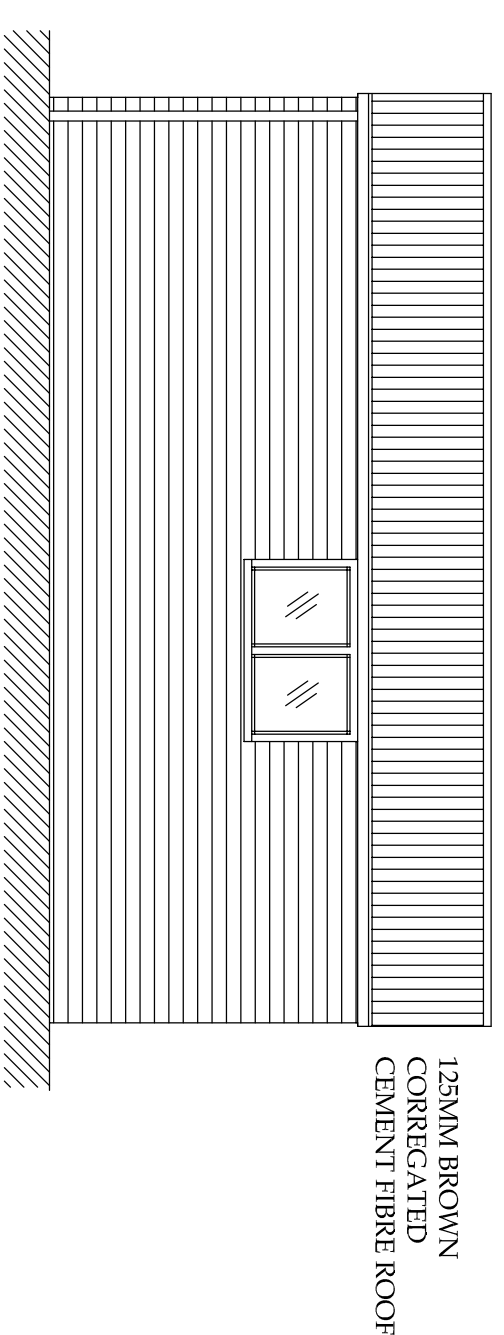
## REAR ELEVATION



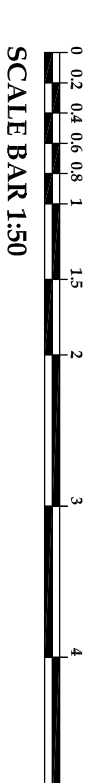
## RIGHT ELEVATION



# PLAN



## LEFT ELEVATION



A-9DEC14	CLADDING CHANGED TO BRICKWORK		
NOTE:	USE FIGURED DIMENSIONS ONLY + CHECK OTHERS ON SITE		
R E V I S I O N S			
<b>TITLE: DETACHED GARAGE</b> <b>233 WOLVERHAMPTON ROAD</b> <b>SEDGLEY</b>			
DATE:	5/10/14	DWG NO:	T/01/14
		SCALE:	1:50
<b>AGENT:</b> MICHAEL DAVIES MCJAT ARCHITECTURAL DESIGN & PLANNING SERVICES 7 MILL POOL, CLOSE, WOMBOURNE, WOLVERHAMPTON, WV5 8HS. TELEPHONE: 01902 893284			
FOR LPA APPROVAL PURPOSES ONLY			



**BLOCK PLAN**  
**233 WOLVERHAMPTON**  
**ROAD**  
**SEDGLEY**

**SCALE : 1:500**  
**DRG NO:500/1**  
**DATE : 18 AUG 2014**

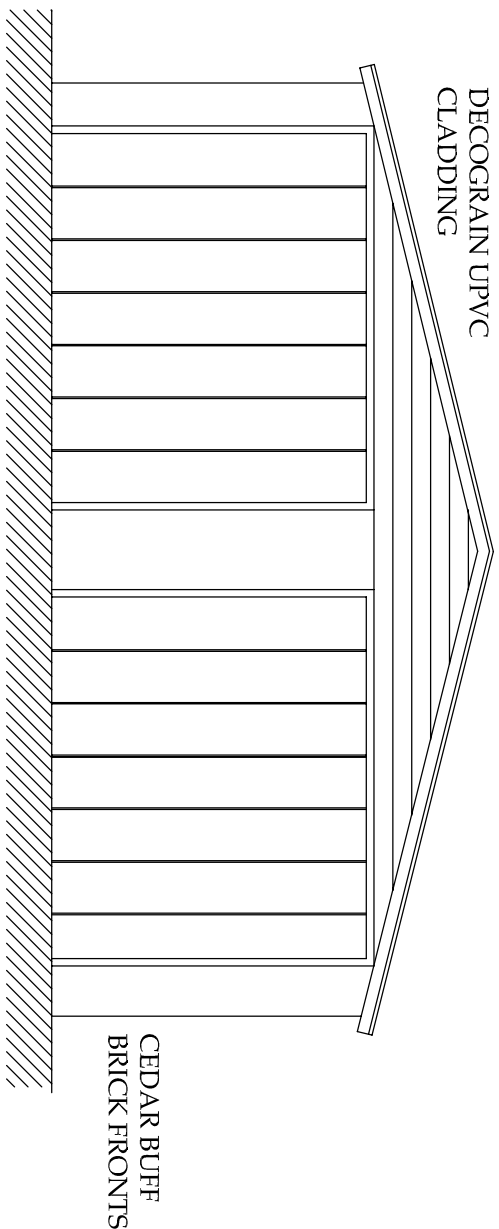
**MICHAEL DAVIES MCIAI**  
**ARCHITECTURAL**  
**DESIGN & PLANNING**  
**SERVICES**

**7 MILL POOL CLOSE, WOMBOURNE,**  
**WOLVERHAMPTON, WVS 8HS.**  
**TELEPHONE : 01902 893284**  
**EMAIL : michael.w.davies@talktalk.net**

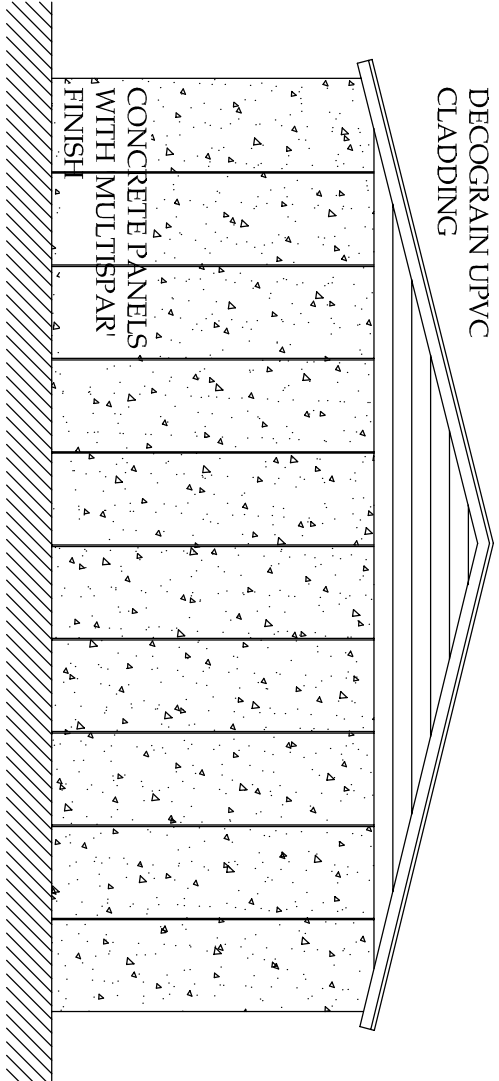


**A4**

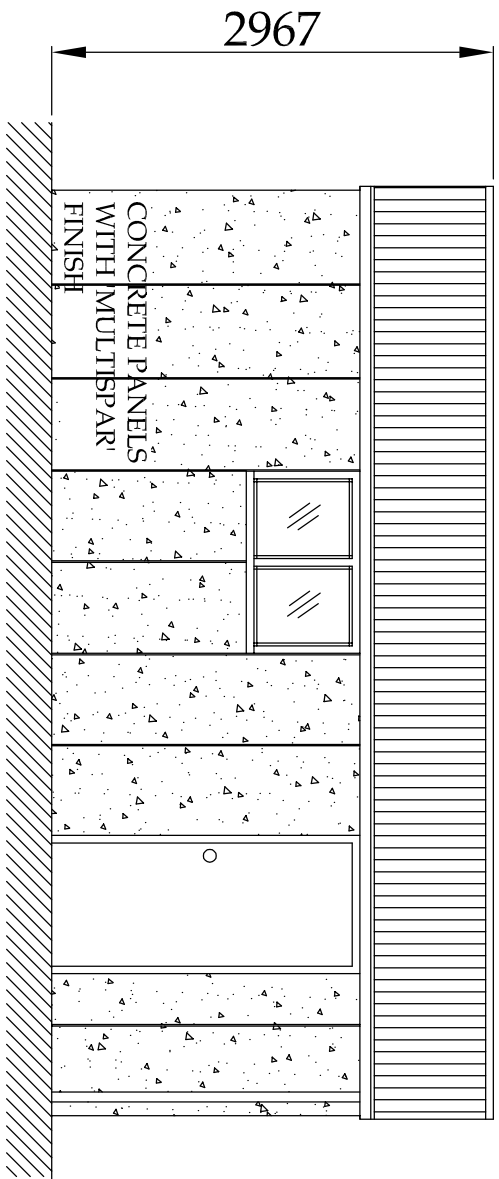
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**100020449**



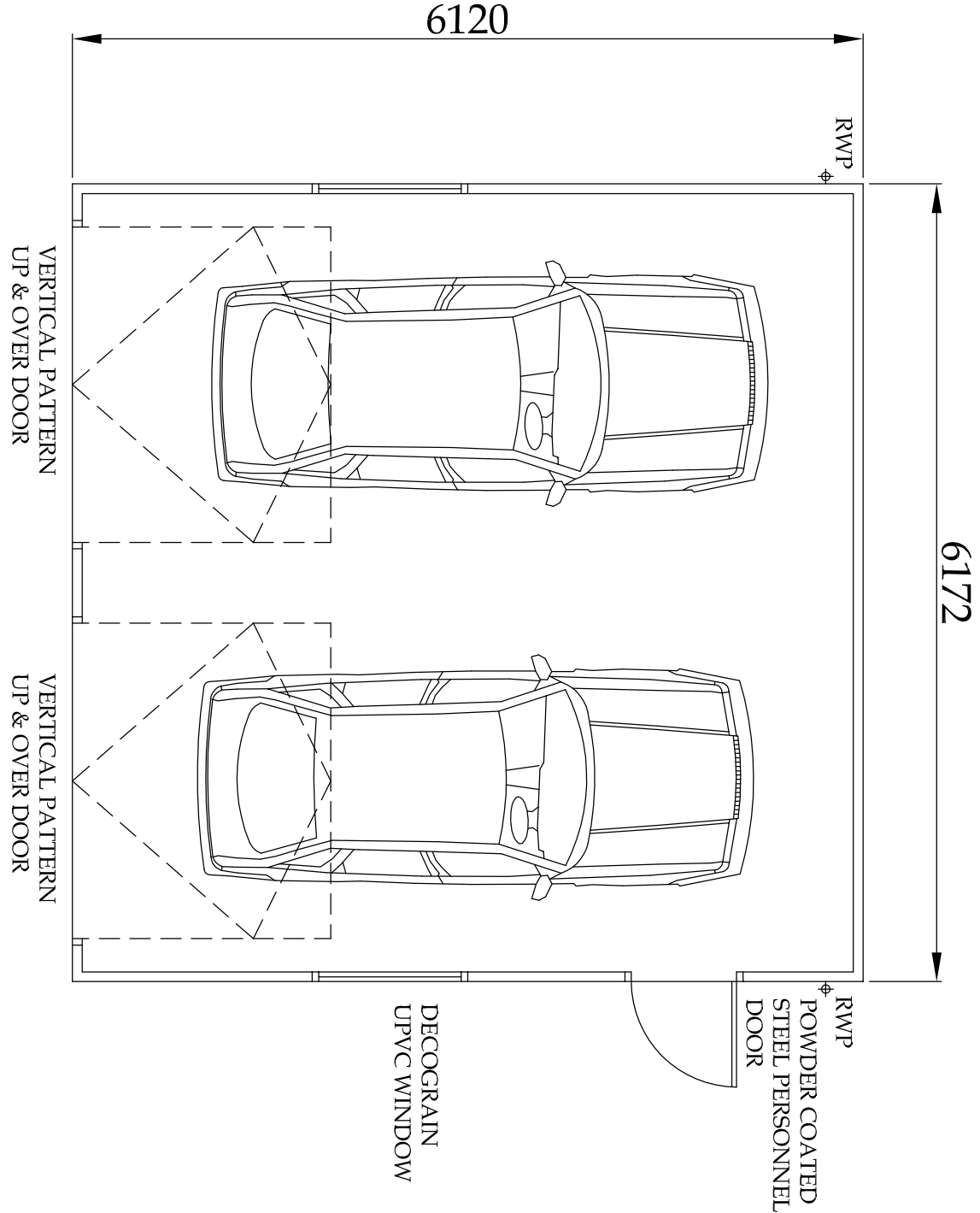
FRONT ELEVATION



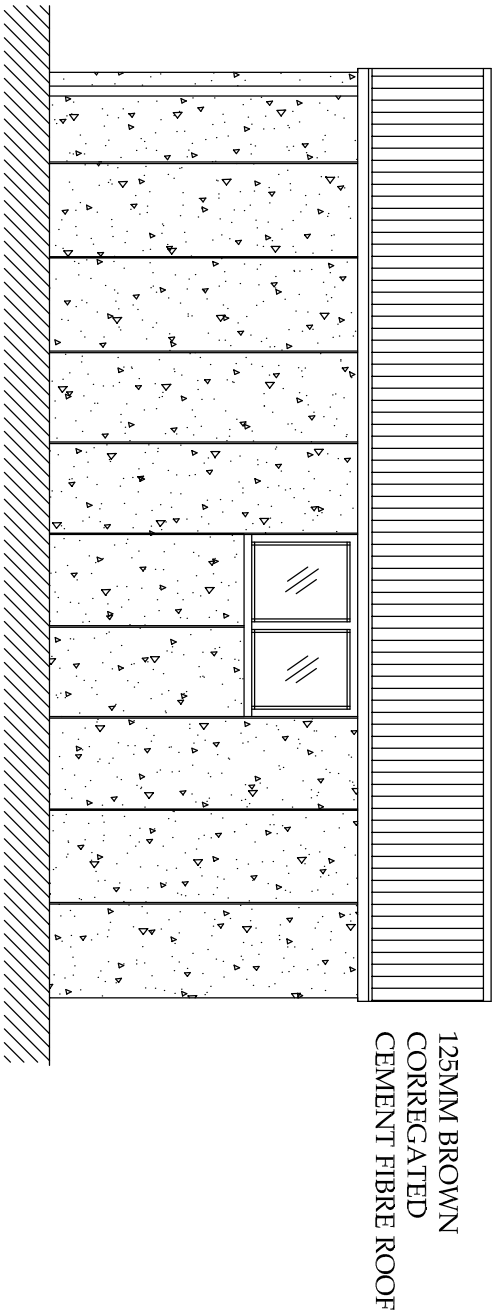
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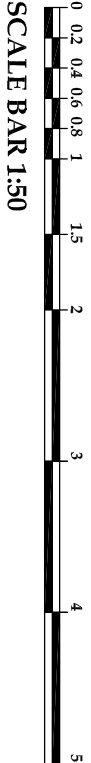
RIGHT ELEVATION



PLAN



LEFT ELEVATION



NOTE :	USE FIGURED DIMENSIONS ONLY + CHECK OTHERS ON SITE		
R E V I S I O N S			
TITLE : DETACHED GARAGE 233 WOLVERHAMPTON ROAD SEDCLEY			
DATE :	5/10/14	DRG NO :	T/01/14
		SCALE :	1:50
AGENT : MICHAEL DAVIES MCIAT ARCHITECTURAL DESIGN & PLANNING SERVICES 7 MILL POOL CLOSE, WOLVERHAMPTON, WV5 8HS. TELEPHONE : 01902 893284			
FOR LPA APPROVAL PURPOSES ONLY			