

PLANNING APPLICATION NUMBER:P14/1775

Type of approval sought	Full Planning Permission
Ward	Halesowen South
Applicant	Mr M. Dhaliwal
Location:	39, MANOR ABBEY ROAD, HALESOWEN, B62 0AG
Proposal	NEW FRONT PORCH AND CANOPY ROOF. ERECTION OF 1.8M BOUNDARY WALL TO SIDE ELEVATION. (PART RETROSPECTIVE)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site occupies a corner plot position on the southern side of the tree lined street of Manor Abbey Road, at the western corner of Raddens Road on the outskirts of Halesowen. Both Manor Abbey Road and Radden Road form part of a wider residential estate predominantly fronted by two storey, semi-detached properties of circa 1950's construction comprising of facing brick construction with two storey bay window detailing. The properties are surmounted with tiled hipped roofs over with the ridge of the roofs running from flank to flank. These properties are set back from the highway and benefit from driveways to the open frontages. Some of these properties have profited from alterations/extensions over time.
2. The application property is a semi-detached and set back from the respective highways of Manor Abbey Road and Raddens Road. The application property occupies an elevated position above the properties positioned to the rear and fronting Raddens Road as the topography of the wider area falls away to the south.
3. The application property has been substantially extended with a large two storey extension along its eastern side and projecting to the rear. Positioned off the frontage of this extension is a partially built canopy, which is subject to this part

retrospective application. The property has also benefited from additional accommodation within the roof space with skylights to the frontage and side and rear facing dormer windows. A single storey extension is also positioned to the rear whilst a large detached garage is located within the rear garden area with direct vehicular access onto Raddens Road.

4. The site is demarcated by a low level brick wall with railing inserts to the frontage, whilst positioned to the side/rear of the site is positioned a low level wall with a feather board timber fence over. Timber gates are positioned over the vehicular access serving the garage.
5. The application site is bound to the east by the adjoining semi-detached property of No. 37 Manor Abbey Road whilst positioned perpendicular to the application property and located at the rear of the site, to the south, is the semi-detached property of No. 2 Raddens Road.

PROPOSAL

6. The proposal seeks part retrospective consent for the erection of a pitched roof storm porch to the front elevation of the main dwelling house; with a projecting mono pitched roof canopy across the front elevation of the recently constructed two storey extension. The porch would project 1.25m metres to the frontage which would be along the building line with the projection of the front bay window, and would measure 2.2 metres in height to its eaves and 3.4 metres to the ridge. The canopy would project 2.0 metres to the frontage, over the existing bay window, and would measure 2.2 metres in height to its eaves and 3.3 metres in height at its highest part of the roof. The canopy would be supported by a brick pier at the western corner and the porch will be part brick, part glazed. The canopy has been partially constructed.
7. The scheme also relates to a proposed 1.8m high wall featuring a gate of similar height to be positioned perpendicular to the eastern flank elevation of the recently constructed two storey extension. Along the back edge of the footway along Radden Road, the current boundary treatment comprises a low level wall with a feather board timber fence measuring 1.8 metre in height. The proposed brick wall would

enclose the rear garden and be positioned at a right angle to this timber fence which will be retained.

8. Negotiations with the agent have resulted in a number of amendments being made to the proposed plans since the original submission. The initial plans proposed a 1.8m high brick wall to replace part of the timber fencing along the boundary with Raddens Road; a storm porch projecting by 2.1m from the front elevation and featuring 2 supporting brick piers and the canopy as has been constructed. These plans were unchanged from those submitted with application P13/1876 which was refused in February 2014. The reasons for refusal given were:

- a. *The site occupies a prominent corner plot position on the main through road of the residential estate and it is considered that the proposed boundary wall would form a hostile and defensive security measure which affects the wider perception of the generally open residential estate. Furthermore, the positioning of the wall, at the back edge of the footway would form a conspicuous, harsh feature in an otherwise open and green residential area. The boundary wall would therefore erode the visual amenity and openness of the area, which defines the established character of the estate and wider area. Therefore the proposed boundary wall is considered to be contrary to Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy and Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan, as well as the Design for Community Safety Supplementary Planning Guidance.*
- b. *The scale and design of the front porch and canopy roof are inappropriate additions for a dwelling of this type, being visually dominant and unsympathetic. Furthermore this conspicuous feature on a prominent corner plot, sits significantly forward of the established building line and is considered to be discordant and unsympathetic to the traditional character of the host property and wider street scene. Therefore the porch and canopy roof is considered to be contrary to Policy ENV2 (Historic Character and*

Local Distinctiveness) of the Black Country Core Strategy and Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan.

9. In order to enhance the scheme and to avoid a further refusal, the brick wall has been omitted from the current proposals and the current boundary treatment will be retained. Only a small section of wall will now be constructed perpendicular to the side elevation in order to enclose the rear garden. The front porch has been reduced in size from a projection of 2.1m to 1.25m and the 2 brick piers have been omitted. The canopy roof over the bay window has already been constructed and this will remain with the addition of the supporting pillar to the western corner.

HISTORY			
APPLICATION	PROPOSAL	DECISION	DATE
HB/54/65M01	Full planning permission for 22 houses (2 of 2 sites)	Approved with Conditions	03.03.1954
P05/0696	Outline planning permission for a detached house within the rear garden.	Refused	24.05.06
P11/1184	Full planning permission for a two storey side / rear and single storey rear extensions. Loft conversion with rear and side dormers. New detached rear garage (following demolition of existing)	Withdrawn	03.11.11
P11/1437	Full planning permission for a two storey side / rear and single storey rear extension. Loft conversion with side and rear dormers. Erection of double garage in rear garden (following demolition of existing garage and shed)(resubmission of withdrawn application P11/1184)	Approved with Conditions	13.03.13
P12/1610	Full planning permission for a two	Withdrawn	21.02.13

	storey side / rear and single storey rear extensions. Loft conversion with side and rear dormer.		
P13/0336	Full planning permission for PART A: Retrospective application for the erection of a two storey side / rear extension and single storey front and rear extensions and loft conversion with side and rear dormers. PART B: Retrospective application for the erection of a detached garage in garden (following demolition of existing garage and shed)	Part Approved / Part Refused (Appealed under reference APP/C4615/C/13/2204024 – split decision: Part Dismissed / Part Allowed)	14.05.2013 24.01.2014
P13/1876	New front porch and canopy roof. Erection of 1.8m boundary wall to side elevation.	Refused	13/02/14

10. The property has previously been the subject of enforcement investigations and in 2013 a Planning Enforcement Notice was served upon the owners. This notice related to unauthorised dormers which were added to its roof as part of a previously approved extension, and also to first floor side facing windows which had been installed without the necessary planning consent.
11. Following an unsuccessful appeal and the upholding by the Planning Inspectorate of the Notice, the owners made the necessary alterations to the roof and windows in order to overcome the planning harm which they had previously presented. At the time of writing therefore, the previous Planning Enforcement Notice has been complied with. However, the canopy which has been erected to the front of the dwelling is currently unauthorised and it is this issue which the current application seeks to resolve.

PUBLIC CONSULTATION

12. The application was advertised by way of neighbour notification letters being sent to the occupiers of nine properties within close proximity to the site. The final period for comment expired on 19 January 2015. In response to the consultation exercise, correspondence has been received from a local resident expressing the following concerns;

- *The mono pitch roof over the large bay window is unusual in an area characterised by bays that are either flat roofed or hipped.*
- *The excessive overhang, which occludes a large part of the bay and forms some sort of veranda is completely out of character.*
- *The extension to the porch sits forward of the established building line*
- *The proposed wall is out of character with the area and would not fit in with the 'openness and greenness' of the area. A hedge would be more appropriate and might help restore the front and side gardens that have been destroyed by the recent development at the site.*

OTHER CONSULTATION

13. None.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

- The National Planning Policy Framework
- Technical Guidance to the National Planning Policy Framework

Black Country Core Strategy (2011)

- ENV2 Historic Character and Local Distinctiveness

Saved Unitary Development Plan (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas

ASSESSMENT

14. The proposed development must be assessed with regard to its design and whether it would be compatible with the existing dwelling and the character of the area. The potential impact on the amenity of nearby neighbours must also be assessed. Parking provision will not be assessed as there are no additional habitable rooms being proposed as the proposals will result in the same amount of rooms at ground floor level.
15. The key issues are
 - Design and Visual Amenity
 - Neighbour Amenity

Design and Visual Amenity

16. Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan seeks to ensure that development would not adversely affect the character of the area or residential amenity. Policy DD4 also states that the scale, nature and intensity of the proposed development should be in keeping with the character of the area. This stance is reiterated by Saved Policy DD1 (Urban Design) of the Dudley Unitary Development Plan and also requires development to make a positive contribution to the character and appearance of an area and its surroundings.
17. Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy states that ...*'All new development should aim to protect and promote special qualities, historic character and local distinctiveness of the Black Country in order to help maintain its cultural indemnity and strong sense of place. Development proposals will be required to preserve and, where appropriate, enhance local character and those aspects of the historic environment together with their setting which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality'*...

18. Policy ENV2 also states that proposals which affect private and public lower density suburban mid 20th century should '*...sustain and reinforce..*'. their special character. The application site is located within a residential estate that was constructed in the 1950's and consists of semi detached dwellings. The estate is also defined by its open plan front and side gardens and other areas of open space, as well as tree lined streets. This provides the estate with a green spacious character particularly as the landscaping is now starting to mature.
19. The proposed 1.8 metre high brick wall would be positioned perpendicular between the side elevation of the property and the existing timber fencing forming the boundary along Raddens Road. The low level wall and railings to the front of the property and along the first part of the boundary with Raddens Road will not be affected by the proposals. Given that the new wall is to form an enclosure of the garden and it will not be forming part of the boundary treatment, it would not form a prominent or conspicuous feature and is unlikely to affect the visual amenity and street scene.
20. The initial plans submitted with the application showed a canopy and porch which was considered overly dominant and incompatible in scale with the dwelling and the wider street scene. The proposed porch has now been reduced in size to project in line with the existing bay window and the removal of the brick pillars either side of the porch will result in a less conspicuous feature which is more sympathetic to the character of the host property. Although deep, the retrospective canopy over the front facing bay window will not project further than the building line to be established by the new porch and when incorporated along with the porch, it will give a more balanced design to the frontage.
21. It is considered that the recent amendments made to the proposed plans will result in a development which is less discordant with the host dwelling and the visual amenity of the area. The proposed 1.8m wall will not affect the existing boundary treatment and is unlikely to severely affect the visual amenity of the area. Given the age and style of the property, including the recent extensions and additions, it is considered that the property does not display many features of architectural merit and the amendments made to the proposed porch and existing canopy are

considered to be more fitting in scale and character than those originally proposed. On balance it is therefore felt that the proposed development would not significantly detract from the host dwelling nor adversely affect the visual amenity of the area and would not be contrary to the relevant policy.

Residential Amenity

22. The proposed development would not harm the residential amenity of any of the occupiers of the neighbouring properties. There would be no demonstrable harm to adjoining occupiers in terms of light, outlook or privacy as a result of the proposal. There would therefore be no detrimental impact upon residential amenity as a result of the works and therefore it is consistent with the relevant policy.

CONCLUSION

23. The site occupies a prominent corner plot position on the main through road of the residential estate and it is considered that the proposed 1.8m wall would not affect the perception of the generally open residential estate given that it will be positioned at a right angle between the side elevation of the property and the existing boundary fence along Raddens Road. The proposed wall will not affect the existing boundary treatment to the front or side of the property. The scale and design of the front porch and canopy roof have been amended to be less dominant and more appropriate and sympathetic additions for a dwelling of this type. The additions to the front will not project further than the building line created by the projection of the bay windows and in this respect, the scheme is not contrary to the outlined policy above.

RECOMMENDATION

24. It is recommended that the application is 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 Note

The proposed development lies within an 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

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: [1213 1425 Rev D] dated 9th February 2015.
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.



Site Location Plan

scale
1:1250



39 Manor Abbey Road.

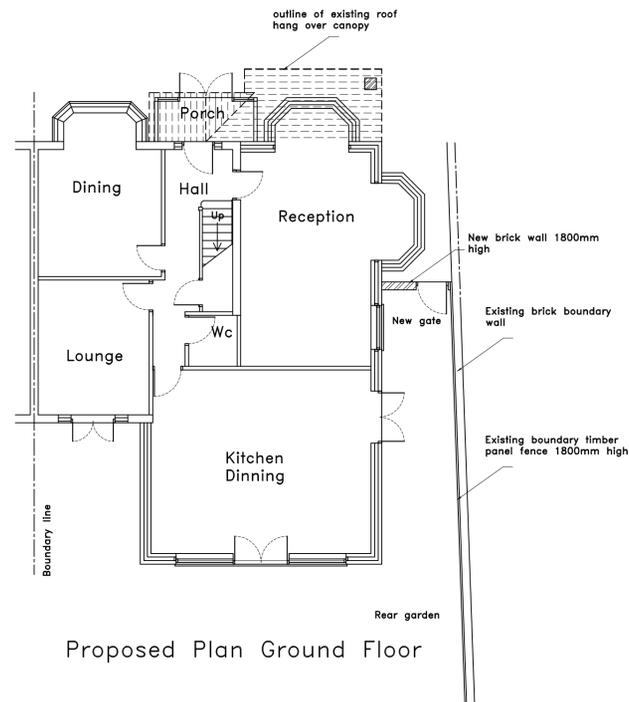
Halesowen.

West Mids

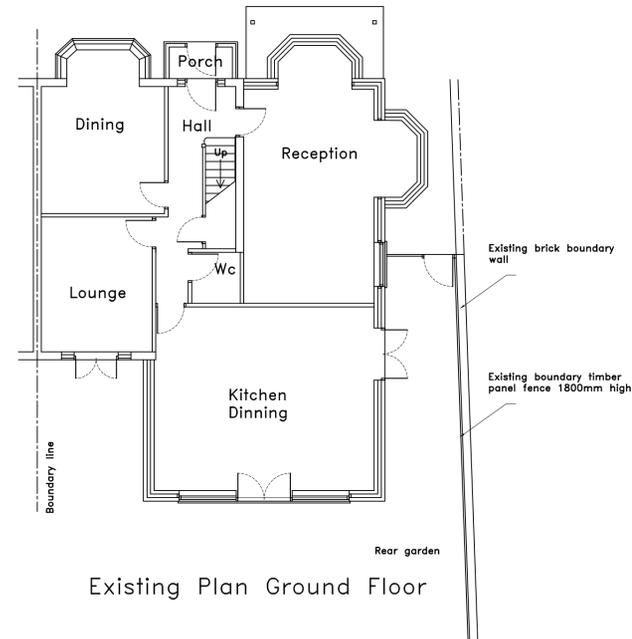
B62 0AG.

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SPECIFICATIONS
 GENERAL - The contractor must check all dimensions and details before beginning work or ordering materials and must ensure the stability of the new and existing structure during the course of the work. The contractor is also to ensure that all works are carried out in accordance with current Building Regulations. THESE DRAWINGS ARE PRODUCED TO OBTAIN PLANNING AND BUILDING REGULATIONS APPROVAL ONLY.



Proposed Plan Ground Floor



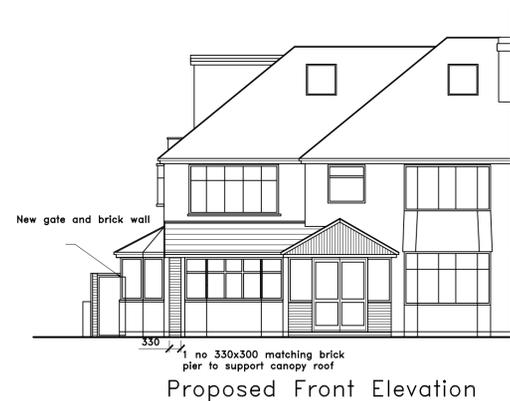
Existing Plan Ground Floor



Existing Front Elevation



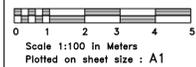
Existing Side Elevation



Proposed Front Elevation



Proposed Side Elevation



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Project: Proposed erection of Porch with canopy and altered side timber fence and gate at :-39 Manor Abbey Road Halesowen West Mids B62 0AG

Subject: Proposed Plans & Elevations

Client: Mr M Dhaliwal

Scales: 1:100 @A1 Application for: PP

Date: 09th Feb. 2015 Drawn: B S Atwal

Sheet No: 01 Job No: 1213-1425

Revisions: A B C D