

PLANNING APPLICATION NUMBER: P14/0461

Type of approval sought	Full Planning Permission
Ward	Halesowen North
Applicant	Mr Mario Zarelli
Location:	WORKSHOP REAR OF 2, BELGRAVE ROAD, HALESOWEN, B62 9HA
Proposal	DEMOLITION OF EXISTING WORKSHOP AND ERECTION OF NEW WORKSHOP FOR CAR REPAIRS AND SPARES (RETROSPECTIVE) (RESUBMISSION OF WITHDRAWN PLANNING APPLICATION P13/1392)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site is located to the northern side of Belgrave Road near to the Local Centre of Shell Corner. Belgrave Road predominantly comprises of terraced residential properties. These terraced properties benefit from long, albeit narrow plots. The terraced properties are set back from the highway and benefit from small frontages demarcated by low level brick walls.
2. The application site relates to a parcel of land located to the rear of the end of terraced property of No. 2 Belgrave Road. No. 2 Belgrave Road, historically related to a ground floor shop (A1 Use) with accommodation over; however, the property was been converted into 2 No. apartments (Nos. 2a / 2b Belgrave Road) in circa 2005. These apartments remain in the same ownership as the application site.
3. The parcel of land located to the rear of No. 2 Belgrave Road historically related to a private garden area serving this property; however, the parcel of land has been occupied by a commercial structure in use as a garage 'Motor Car Spares and Repairs' for a number of years and is afforded a lawful Sui Generis Use. Vehicular access to the site is via the western flank elevation of No. 2a / 2b Belgrave Road which leads to a small area of concrete hardstanding to the frontage of the garage.

4. Bounding the application property to the east is the mid terraced property of No. 3 Belgrave Road, whilst bounding the application site to the west is located No. 1 Belgrave Road, which comprises a large plot with walled garden area. Bounding the application site to the rear is No. 122 Nimmings Lane, a commercial property with modern infill extensions comprising of 'Bill Samson Carpets and Flooring'.

PROPOSAL

5. The application seeks planning permission for the part retention of a recently constructed steel framed garage workshop finished in dark green profiled steel sheeting. The scheme also proposes remedial works to modify the design of the garage workshop to reduce its size.
6. The existing workshop has been constructed without the benefit of planning permission and currently adopts a pitched roof over but as part of this planning application remedial work is proposed to the symmetrical roof to allow for asymmetrical alterations to the eastern roof plane (adjacent to No.3 Belgrave Road) to allow for it to be lowered.
7. The workshop has replaced a previous structure that occupied a larger footprint on the site but had similar dimensions.
8. The workshop adopts an irregular footprint measuring 7.6 metres in width and 13.7 metres in depth along the shared boundary with No. 1 Belgrave Road, to the west and 15.1 metres in depth along the shared boundary with No. 3 Belgrave Road to the east.
9. The workshop is set in 0.5 metres from the shared boundary with No. 3 Belgrave Road and 0.7 metres from the shared boundary with No. 1 Belgrave Road (the previous structure extended the full width of the plot). The rear elevation of the workshop would abut and form part of the shared boundary with No. 122 Nimmings Lane.

10. The workshop would measure 4.0 metres in height to the eaves along the shared boundary with No. 1 Belgrave Road and 2.9 metres in height to the eaves along the shared boundary with No. 3 Belgrave Road. The workshop would measure 4.55 metres in height to the ridge.
11. The workshop is afforded roller shutters to the front elevation and a uPVC door and window. The remainder of the elevations are blank. The steel framed garage workshop would be finished in dark green profiled steel sheeting following remedial works.
12. The scheme also proposes the introduction of 0.6 metre high trellis to be installed along the length of the 2.3 metres high facing brick boundary wall with No. 3 Belgrave Road.

HISTORY

13. Application Site (including No. 2a / 2b Belgrave Road)

APPLICATION	PROPOSAL	DECISION	DATE
HN/66/18	Full planning permission for a covered yard	Approved	01 March 1966
HB/69/108	Full planning permission for a car port	Approved with Conditions	21 March 1969
86/50597	Full planning permission for the erection of a storeroom	Approved with Conditions	03 June 1986
P05/0188	Full planning permission for a change of use of ground floor shop (A1 Use) to 1 No. one bedroom flat to include demolition of existing single storey rear extension and various elevational changes	Approved with Conditions	11 March 2005
P13/1392	Full planning permission for the demolition of existing workshop and erection of a new workshop for car repairs and spares (retrospective)	Withdrawn	20 February 2014

14. The planning application submitted under planning reference P13/1392 was withdrawn following the request of the Local Planning Authority to allow further work to satisfy concerns with regard to design and residential amenity issues.

PUBLIC CONSULTATION

15. The application was advertised by way of neighbour notification letters being sent to the occupiers of seven properties within close proximity to the site and by the display of a site notice. The final period for comment expires on 28 April 2014.
16. To date, in response to the public consultation exercise, a representation has been received from a local resident expressing concern to;
- Although the structure will be slightly altered it still remains the same height in the centre and will still continue to block sunlight to the rear garden;
 - The building has been brought forward and now towers over the adjacent patio area of the rear garden;
 - The garage has only been brought back into use over the last twelve / eighteen months. It is alleged that the owner has been working from his other business premises previously;
 - The structure runs the whole length of the adjacent rear garden and is very unsightly;
 - The original building could not be seen from the rear garden and was brick built and reasonably sound proof. The new structure is made from corrugated metal material and looks and sounds like a factory has been built in the adjacent garden and within close proximity to my home.
 - The structure is not in keeping with any of the adjoining properties or buildings within the area.
 - It is considered that the updated plans have not resolved or provided any solutions to initial concerns and objections raised. The adjacent property would still be left without sunlight, a very unsightly building in view of the garden and noise that carries on throughout the day into the evenings and over the weekends.

17. Should any further written representations be received following the public consultation exercise then they shall be reported as a pre-committee note.

OTHER CONSULTATION

18. Head of Environmental Health and Trading Standards: No objection subject to conditions relating to sound attenuation, hours of operation of the premises and hours to control deliveries and dispatches from the premises in order to protect nearby residents.
19. Group Engineer Highways: Normally such a proposal in a residential area would not be supported but it is recognised that the lawful use has been established at the site over a number of years. In this instance no objection is therefore raised.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

- The National Planning Policy Framework
- Technical Guidance to the National Planning Policy Framework
- Circular 11/95 – The Use Conditions in Planning Conditions

Black Country Core Strategy (2011)

- TRAN2 Managing Transport Impacts of New Development
- ENV2 Local Character and Distinctiveness
- ENV3 Design Quality

Saved Unitary Development Plan (2005)

- DD1 Urban Design
- DD4 Development in Residential Areas
- EP7 Noise Pollution

ASSESSMENT

20. Key Issues

- Principle
- Design
- Neighbour Amenity
- Access and Parking

Principle

21. The site is classed as previously developed land (urban brownfield land) as recognised in the definition set out in Annex 2 (Glossary) of the National Planning Policy Framework (NPPF) 'Previously developed land'. Paragraph 17 of the NPPF (indent 8) ...*'encourages the effective use of previously developed land by reusing land that has been previously developed (brownfield land)'...*
22. The 'brownfield' site is located within a sustainable location, near to the Local Centre of Shell Corner which is served by a number of nearby public services and commercial premises. The site is also situated within a residential area.
23. The lawful use of the 'brownfield' site has long been established as a garage workshop use (Sui Generis) and as such the use of the site is not being considered as part of this retrospective planning application; however, the existing structure with proposed remedial works is.
24. The proposed design should have regard to the form and layout of surrounding development whilst not having a detrimental impact upon surrounding residential amenity.

Design

25. Policies ENV2 (Historic Character and Local Distinctiveness) and ENV3 (Design Quality) of the Black Country Core Strategy (BCCS) requires that all development demonstrates a clear understanding of historic character and local distinctiveness.

26. Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan seek to ensure that new development applies principles of good urban design making a positive contribution to the character and appearance of the area, ensuring that the scale, nature and intensity of use of the proposed development would be in keeping with the surrounding area and that the proposed development would not result in a detrimental effect upon highway safety.
27. The site, for a number of years has been used as a garage workshop and was, until very recently, occupied by a substantial timber and block work structure with a Belfast curved roof over. That structure occupied a larger footprint than the existing structure on site; however, the applicant has advised that the structure was in a poor state of repair and considered to be at the end of its serviceable life due to stability concerns with cracked blockwork and rotten roof timbers. As a consequence, the applicant decided that the best way forward was to replace the existing structure, piecemeal, while still being able to operate as a business.
28. A steel frame was therefore constructed through and over the timber and blockwork building, allowing it to be taken down from inside. This steel frame building finished in dark green profiled steel sheeting is now, in part, subject to this retrospective planning application as the applicant failed to apply for the requisite planning permission, citing that works stemmed from repair and maintenance of the existing structure on site.
29. As part of this application, remedial works are also proposed to modify the design of the garage workshop through the realignment of the eastern roof plane to lower the roof line and form an asymmetrical roof to allow for a reduction in both the scale and massing of the structure along the boundary with No.3 Belgrave Road.
30. Whilst the setting and commercial design of the structure is out of character with the prevailing residential character of the area, consideration and material weighting have to be given to the previous built form occupying the site. The new structure (as proposed) represents a narrower structure by virtue of it being set in from the side boundaries (0.7 metres from the side boundary with No. 1 Belgrave Road and 0.5

metres from the side boundary with No. 3 Belgrave Road), comparable to the original structure which abutted both side boundaries. The rear boundary wall of the site forms the rear elevation of the structure and utilises the former rear elevation of the previous structure.

31. The submitted drawing accompanying the planning application annotates that the structure is approximately 0.85 metres higher to the ridge than the previous structure, whilst the eastern roof plane would be a comparable height to the height of the original height of the curved roof along the boundary with No.3 Belgrave Road. The structure as now proposed is considered to be no more obtrusive in the streetscene than the previous building occupying the site and whilst in the main, given the 'backland' position the structure is afforded, the structure would remain screened from views within the wider streetscene. It is therefore considered that, on balance, the scheme would cause no demonstrable harm to the streetscene or character of the area and would accord with the aspirations of Policies ENV2 (Local Character and Distinctiveness) and ENV3 (Design Quality) of the BCCS and Saved Policy DD1 (Urban Design) of the Dudley Unitary Development Plan.

Neighbour Amenity

32. Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan (UDP) applies in the consideration of development proposals within residential areas. Saved Policy DD4 seeks to ensure that development would not adversely impact upon residential amenity.
33. During the site inspection, it was apparent that the development impacts upon the adjoining property of No. 3 Belgrave Road and the residential amenity afforded to the occupiers of that property in terms of outlook and daylight; however, it should be considered that a wider structure has been present at the rear of No. 3 Belgrave Road for a number of years and of a comparable scale and mass to the structure subject to this planning application.

34. During the site inspection it was also noted that the scale and massing of the structure, projecting some 1.8 metres above the shared 2.3 metre high boundary wall has a detrimental impact upon residential amenity for No. 3 Belgrave Road despite now being set in 0.5 metres from this boundary; however, to mitigate this impact, the scale and mass of the structure is to be reduced along this shared boundary to a comparable height of the previous structure. In addition, a 0.6metre high timber trellis is also proposed to be position on top of the full length of the boundary wall with No. 3 Belgrave Road to provide further screening of the structure. This trellis would be positioned level with the eaves height of the structure. It is therefore considered that the reduced scale and mass would improve both outlook and daylight for the occupier of this property comparable to the existing unauthorised built form and in a similar arrangement to the previous structure present on site.
35. During the public consultation process, concerns were also raised with regard to noise arising from the use and structure; however, it is considered through conditions, adequate noise attenuation would be achieved to ensure residential amenity would not be compromised. It is therefore considered that given the historic use and the previous built form of the site, that the development as proposed under this application would have no greater impact upon residential amenity.

Access and Parking

36. The access and parking arrangements would remain unaltered and therefore the scheme would have no adverse impact upon highway safety as a result of the development. The scheme as proposed would be in accordance with Policy TRAN2 (Managing Transport Impacts of New Developments) of the BCCS.

CONCLUSION

37. Given the historic use and previous built form present on the backland site, combined with the proposed remedial works to further reduce the scale and mass of the structure and improve its relationship with the surrounding residential properties, it is considered that, on balance, the scheme is considered to cause no substantial demonstrable harm to neighbouring properties and there would be no adverse effect

on the street scene or the character of the area. The proposal is therefore considered compliant with the relevant planning policies and guidance.

RECOMMENDATION

38. It is recommended that the application be APPROVED subject to conditions.

Approval Statement

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

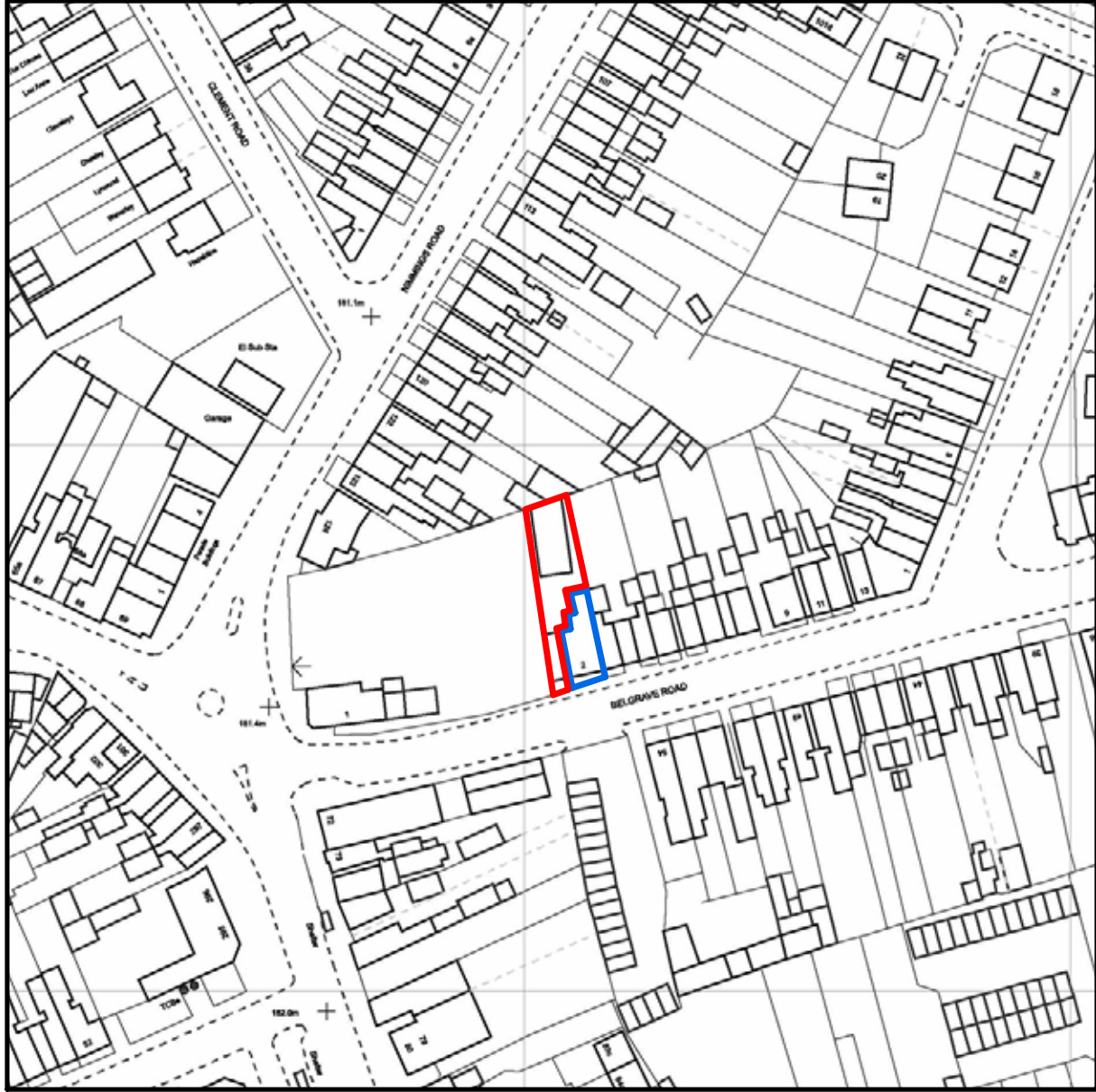
The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

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.

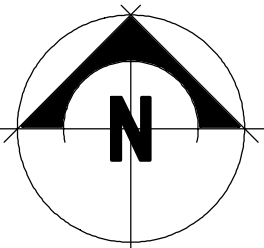
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Conditions and/or reasons:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 'GD1321/02', 'GD1321/04 Revision B', 'GD1321/01' and 'GD1321/03
2. The approved building shall be constructed to provide sound attenuation against internally generated noise of not less than 35 dB averaged over the frequency range of 100-3150Hz. The approved works shall be retained for the life of the development unless agreed in writing with the Local Planning Authority.
3. The building hereby approved shall not be used for the purpose of business activities before the hours of 08:00 nor after 18:00 Monday to Saturday and not at all Sundays and Public Holidays.
4. No deliveries or despatches shall be made to or from the site, and no delivery or despatch vehicles shall enter or leave the site (whether laden or unladen), before the hours of 08:00 nor after 18:00 Monday to Saturday, or at all on Sundays and Public Holidays.
5. Within 3 months from the date of this permission the elevational and roof alterations shall be constructed in strict accordance with Drawing No. GD1321/04 Revision B and shall be maintained and retained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
6. Within 3 months from the date of this permission, 0.6 metre high timber trellis shall be installed along the entire length of the rear shared boundary wall with No. 3 Belgrave Road and in strict accordance with Drawing No. GD1321/04 Revision B. The timber trellis shall be maintained and retained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.



LOCATION PLAN Scale 1:1250



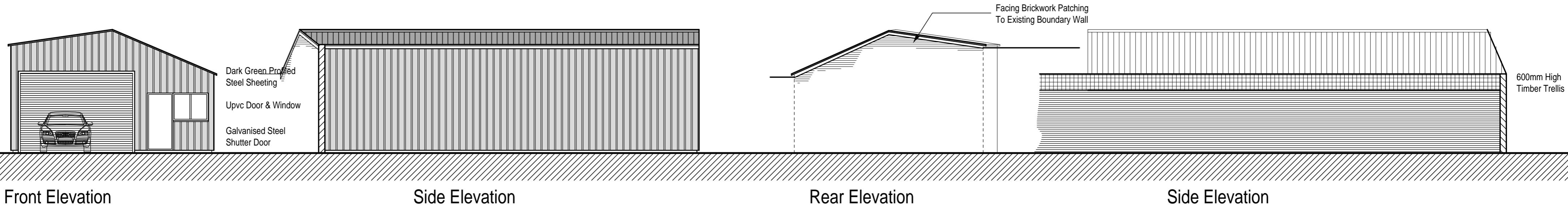
GD *Designs*
Architectural Services

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Tel 0121 602 6233
Mob 07939 436557

client **MR MARIO ZARELLI** drawing **LOCATION PLAN**

date **OCT 2013**
scale **1:1250**
drawing no **GD1321/02**

contract **MOTORCAR SPARES & REPAIRS**
REAR OF 2, BELGRAVE ROAD, HALESOWEN, B62 9HA

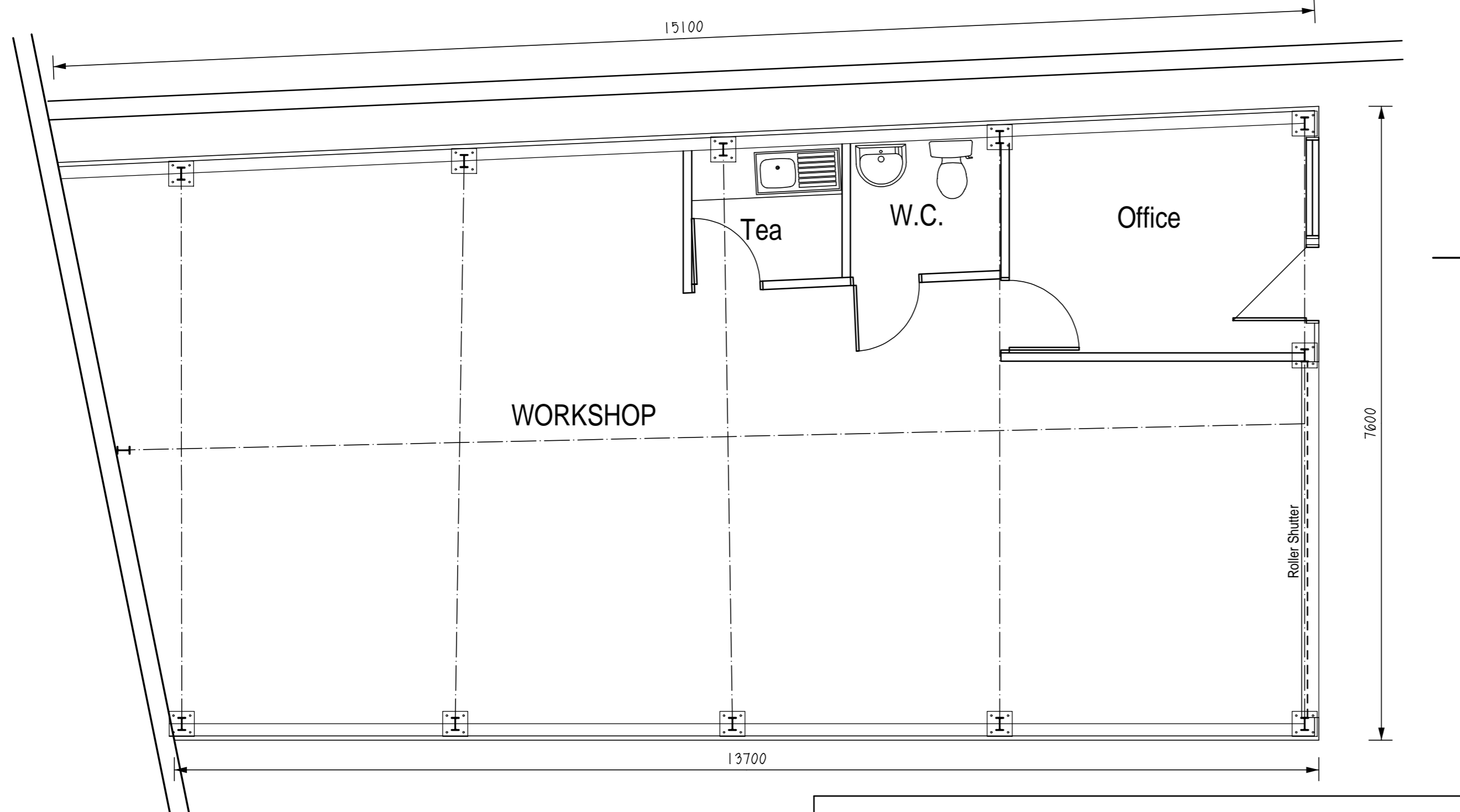


Front Elevation

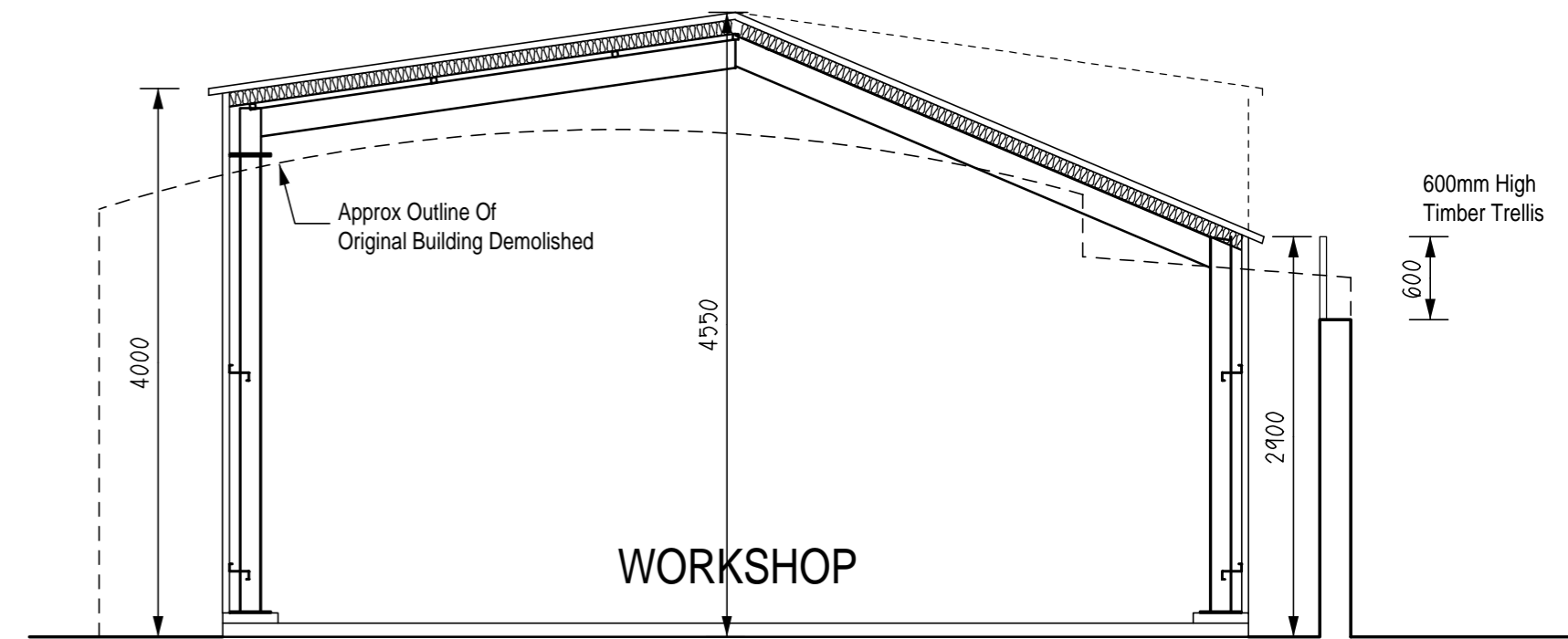
Side Elevation

Rear Elevation

Side Elevation



PROPOSED PLAN



Proposed Cross Section

YARD

REV.	DATE	DESCRIPTION	BY
B	07/01/14	EAVES HEIGHT REDUCED FURTHER FOLLOWING PLANNERS COMMENTS	GCD
A	02/01/14	EAVES HEIGHT REDUCED & TRELLIS ADDED TO BOUNDARY WALL	GCD

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contract
MOTORCAR SPARES & REPAIRS
REAR OF 2, BELGRAVE ROAD,
HALESOWEN. B62 9HA

drawing
PROPOSED REMEDIAL WORKS

client
MR MARIO ZARELLI

scale
1:50/1:100@A2

date
DEC 2013

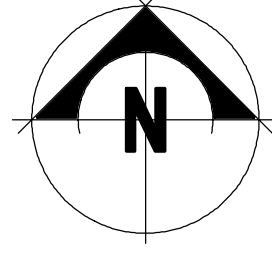
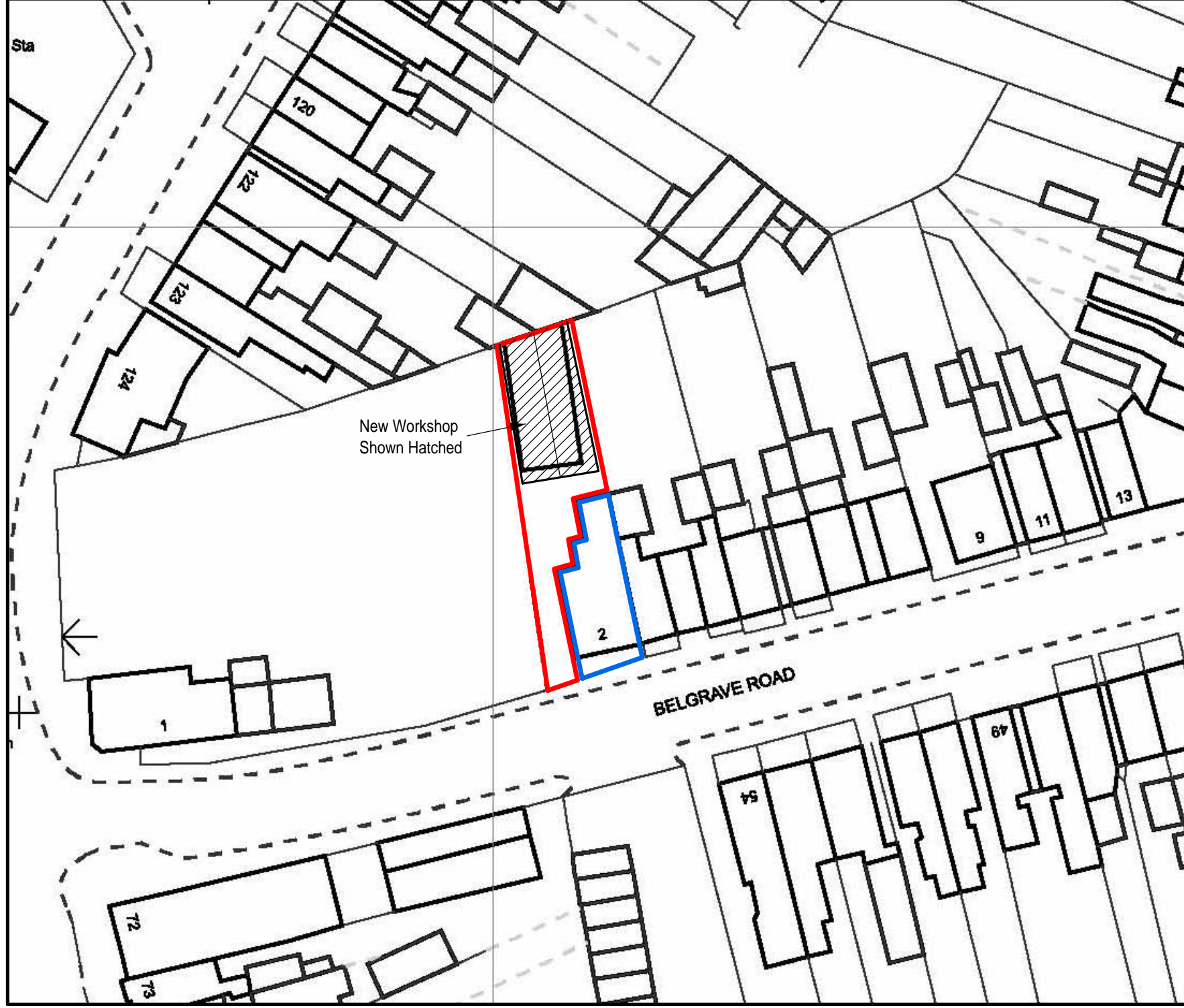
drawing no
GD1321/04 B

rev
B

plot
T.M.S
10/10/14
D.A.T.C
26/04/2014

drawn by
GCD

cad lines



BLOCK PLAN Scale 1:500

GD *Designs*
Architectural Services

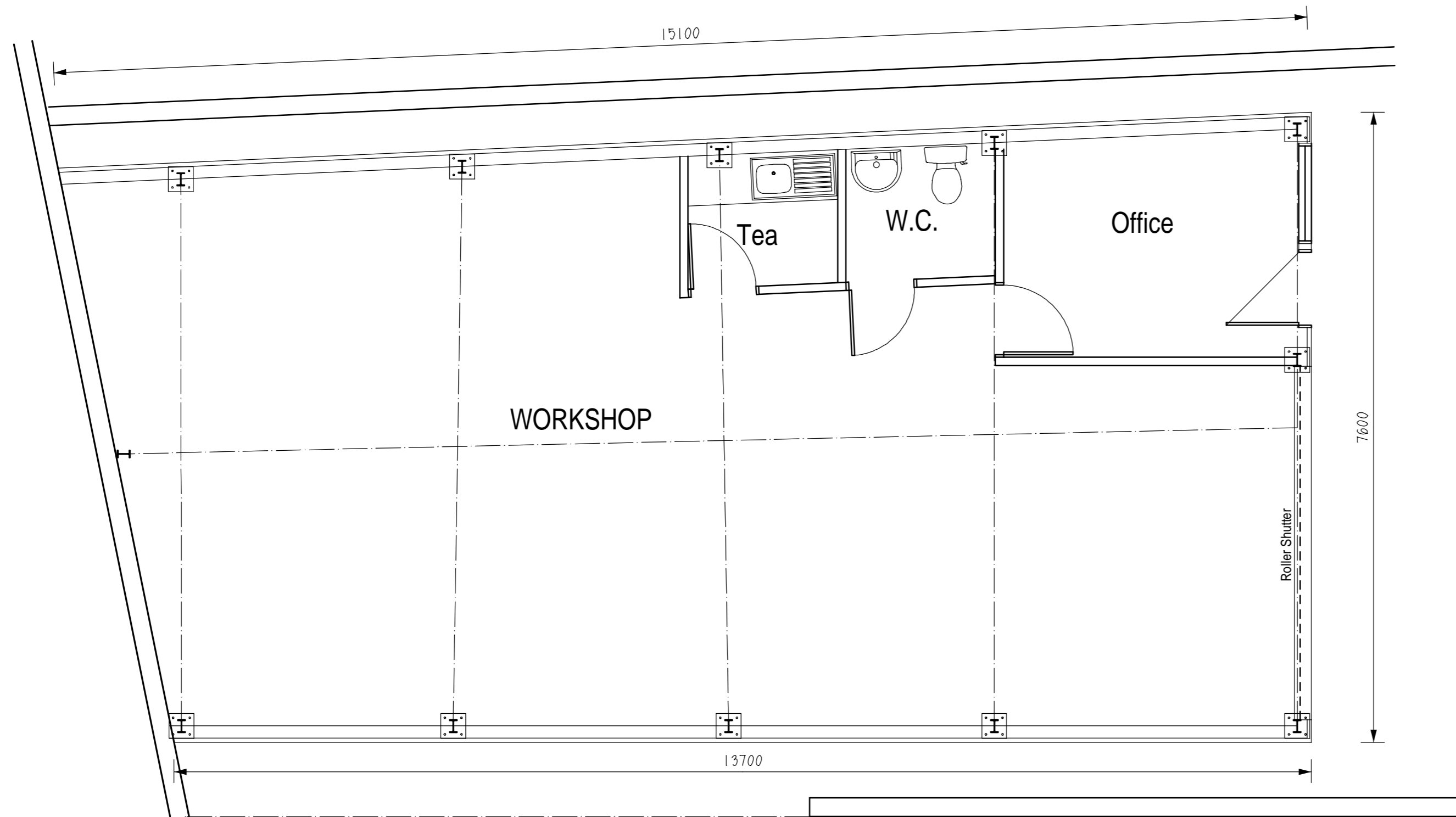
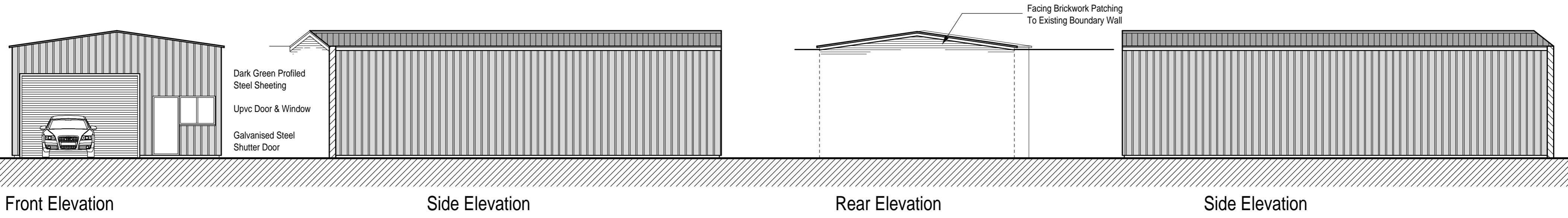
49, The Crescent,
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client MR MARIO ZARELLI drawing BLOCK PLAN

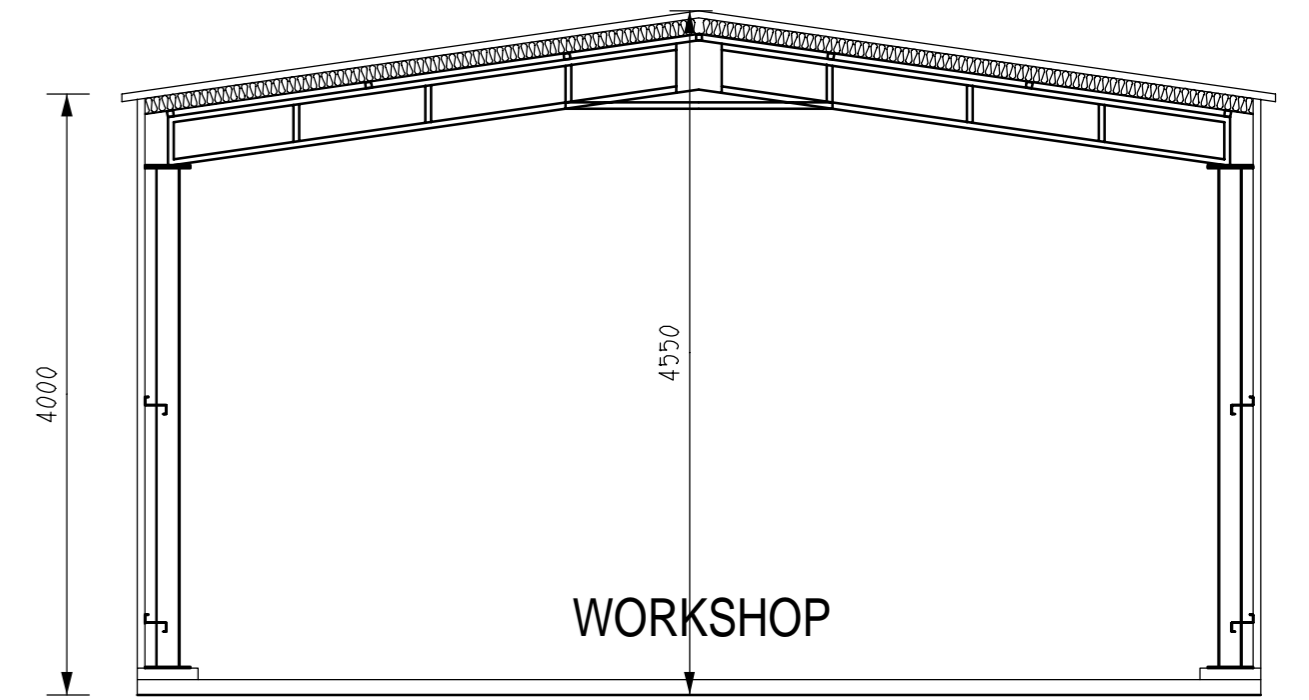
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contract MOTORCAR SPARES & REPAIRS drawing no GD1321/03

REAR OF 2, BELGRAVE ROAD, HALESOWEN, B62 9HA



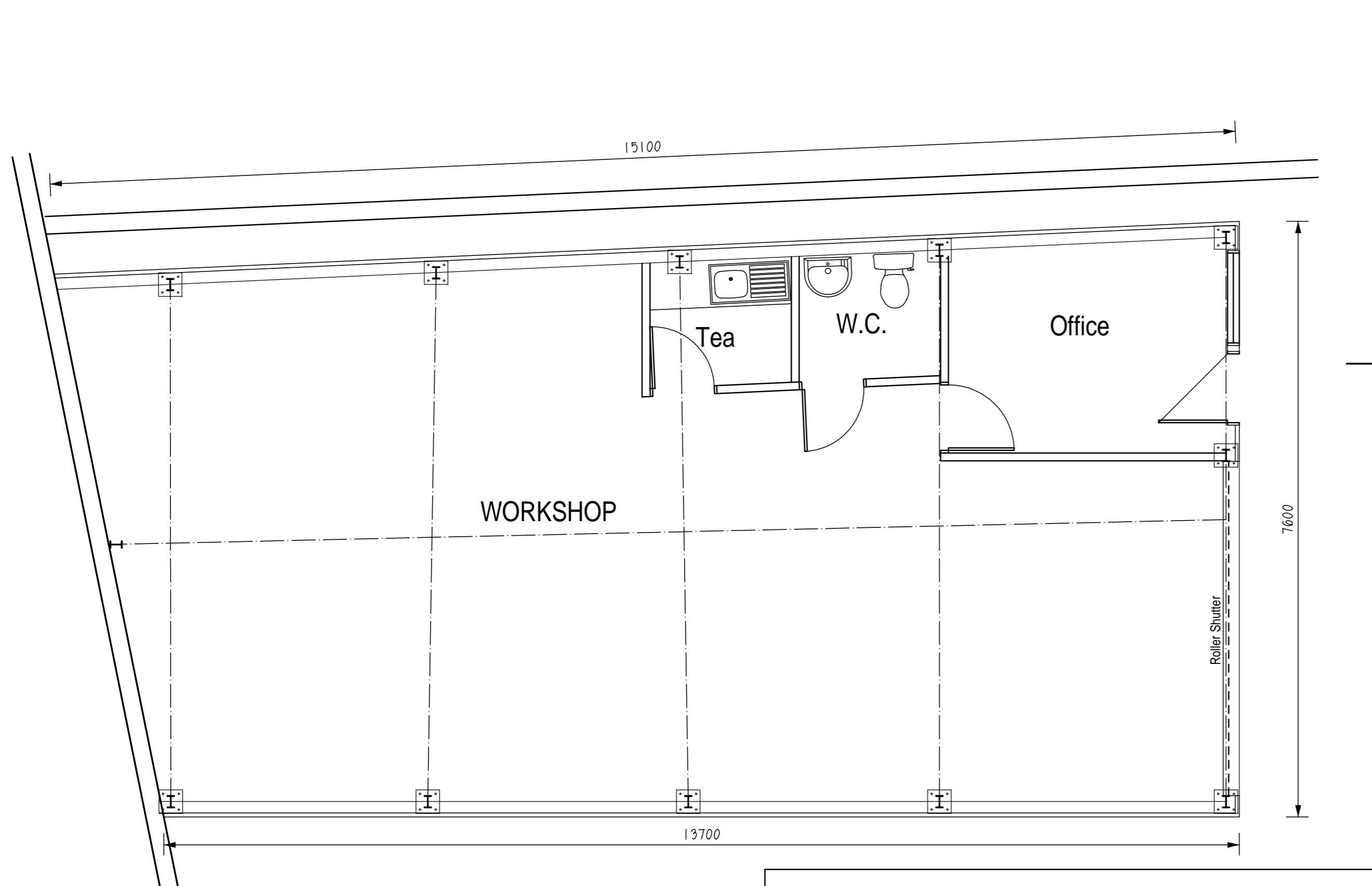
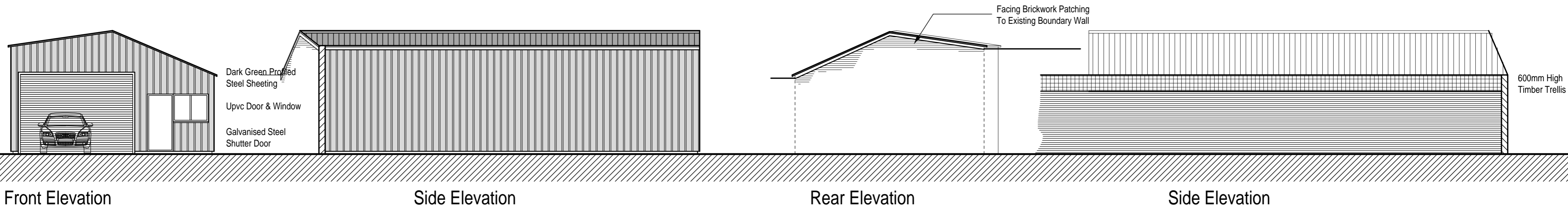
AS BUILT PLAN



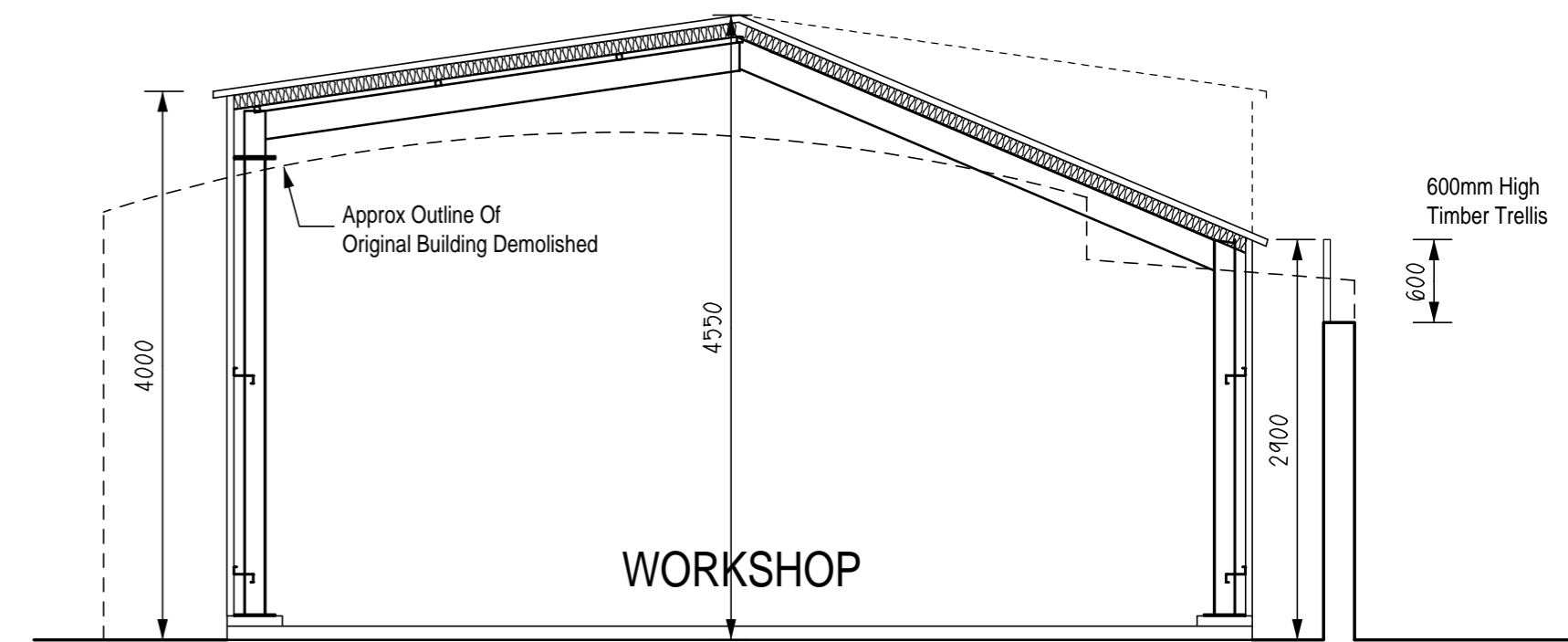
As Built Cross Section

YARD

REV	DATE	DESCRIPTION	BY
<p>GD Designs Architectural Services</p> <p>49, The Crescent, Cradley Heath, West Midlands. B64 7JS Tel 0121 602 6233 Mob 07939 436557</p>			
<p>contract MOTORCAR SPARES & REPAIRS REAR OF 2, BELGRAVE ROAD, HALESOWEN. B62 9HA</p>			
<p>drawing AS BUILT PLANS & ELEVATIONS</p>			
<p>client MR MARIO ZARELLI</p>			
scale	date	rev	drawn by
1:50	SEPT 2013		GCD
drawing no	plot	cad lines	
GDI321/01	16-SEP-13	10/10/2013	



AS BUILT PLAN



As Built Cross Section

REV.	DATE	DESCRIPTION	BY
B	07/01/14	EAVES HEIGHT REDUCED FURTHER FOLLOWING PLANNERS COMMENTS	GCD
A	02/01/14	EAVES HEIGHT REDUCED & TRELLIS ADDED TO BOUNDARY WALL	GCD

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contract
 MOTORCAR SPARES & REPAIRS
 REAR OF 2, BELGRAVE ROAD,
 HALESOWEN. B62 9HA

drawing
 PROPOSED REMEDIAL WORKS

client
 MR MARIO ZARELLI

scale
 1:50/1:100@A2 DEC 2013

drawing no
 GD1321/04 B

date
 DEC 2013

rev
 plot

drawn by
 GCD

cad lines

T.L.M.S.
 742 E 17
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 01/01/2014