



Planning Committee

Report of Head of Planning and Building Control on 07 October 2021

Plans List Item Number: 10

Reason for bringing to committee

Called in by Councillor Pedley due to the requirement for Planning Committee judgement

Application Details

Location: 184, THORNHILL ROAD, STREETLY, SUTTON COLDFIELD, B74 2EH

Proposal: 2NO. TWO STOREY REAR EXTENSIONS WITH FLAT ROOFS; GROUND FLOOR REAR SIDE EXTENSION; RE-MODELLING OF EXISTING ROOF WITH REPLACEMENT FRONT GABLE, TO CREATE EXTENDED FIRST FLOOR ACCOMMODATION AND REPLACEMENT OF FRONT ROUNDED BAYS WITH SQUARE BAYS. PLUS NEW FRONT BOUNDARY WALL WITH RAILINGS AND GATE AND EXTENDED DROP KERB ACCESS.

Application Number: 21/0873

Case Officer: Rebecca Rowley

Applicant: Mr and Mrs Nimesh and Beena Parmar

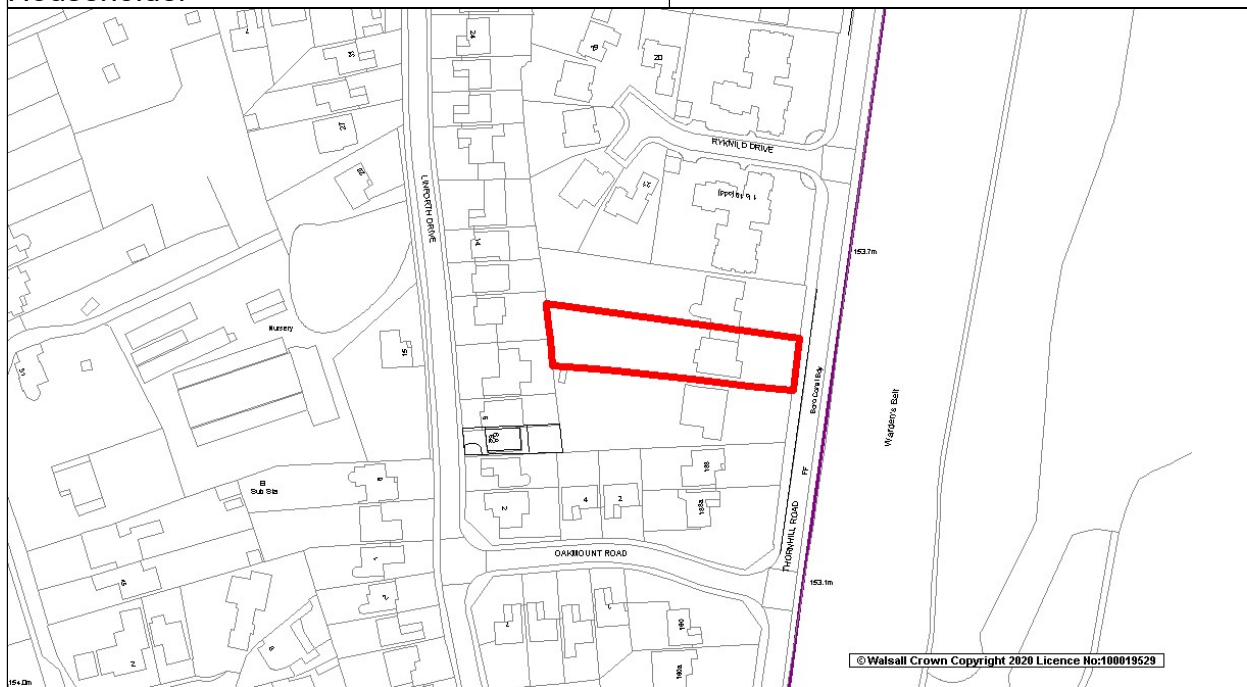
Ward: Streetly

Agent: The General Architecture Company

Expired Date: 03-Aug-2021

Application Type: Full Application: Householder

Time Extension Expiry: 17-Sep-2021



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Recommendation:

Refuse Planning Permission

Proposal

This application seeks permission for the following extensions to a detached dormer bungalow:

Roof Extension

The roof space would be extended to create 4 first floor bedrooms and a bathroom. The front of the roof would be extended to create a front gable and a box dormer. The existing chimney would be removed.

- Roof ridge height 6.3m
- Main roof eaves height: 3.3m
- Width of roof ridge: 9.7m (existing is 4.9m)
- Width of Roof at the eaves: 12.8m (existing is 11.8m)

Bedroom windows would be included in the front gable and front box dormer

Front Gable Extension

The existing front hipped projection would be extended from 5.8m to 7.1m in width and would incorporate a new enclosed porch. The depth would be retained as existing

- Gable Ridge Height: 6.3m
- Gable Eaves Height: 4m

Two Storey Stepped Rear Extension

The rear elevation would be extended by 1m in depth from the elevation adjacent to no. 186 and by 1.8m in depth from the elevation adjacent to no. 182. A two storey box bay would be included on the rear elevation on the side nearest to no. 186. An additional two storey projection would be included on the side of the rear elevation nearest to no. 182, which would project a further 5.1m in depth beyond the extended rear elevation on this side. It would be a solid extension on the ground floor with a partially enclosed rooftop balcony on the first floor. The first floor would be enclosed on the northern side and across the flat roof. It would have timber screening enclosing the south side elevation. The rear elevation at the first floor would be open with what appears to be a glazed screen to a height of 1m edging the rear of the rooftop.

Front Bay Window Alterations

The existing front bay windows would be replaced with box bay windows at the same depth and as existing. The left hand bay would be increased in width from 2.6m to 2.7m and the right hand side bay would be reduced in width from 2.6m to 2.4m

Front Boundary Wall

A 0.6m high rendered boundary wall, with 1.2m high pillars with metal slatted panels between the pillars is proposed, spanning 11m across the front boundary.

On the left hand side would be a 5m wide automated metal gate. Which would be set back 5.5m from the front boundary. The supporting pillars on either side of the gate would be set back 5m from the front boundary. The applicant also seeks permission to extend the width of the dropped kerb at the point of the entrance onto the driveway.

Site and Surroundings

The application site contains a 6 bedroom detached dormer bungalow, situated within a street scene comprising of detached bungalows and two storey houses of varied size, predominantly of traditional design, including modern interpretation of the local vernacular, and differing facing materials. It is located in the centre of a row of 3 bungalows of similar age and relatively simple but traditional appearance. Both adjacent neighbouring bungalows have been extended.

The existing dwelling has a subservient front hipped roof projection which has a small box dormer and there is a larger gable hooded dormer set back up the main front roof slope. Facing materials are brickwork and clay roof tiles and it has front bay windows and a chimney above the left hand side elevation. There is an attached side garage with a flat roof. It is set back around 19.5m from the front boundary with the highway. The front boundary has a dwarf wall with a low hedge. The access is on the left hand side of the frontage and there is sufficient parking availability for 3 vehicles on the hard surfaced area of the driveway.

The dwelling faces a stretch of woodland on the opposite side of Thornhill Road along the periphery of Sutton Park.

The adjacent dwelling to the northern side is a detached bungalow no. 182 Thornhill Road. The attached left hand side garage of this dwelling is constructed up to the boundary so it adjoins the attached right hand side garage at the application site. The principal elevation is in alignment with the application dwelling. The rear elevation is in approximate alignment adjacent to the boundary but has a rear conservatory which projects around 4.5m deeper than the main part of the rear elevation at the application site.

The adjacent dwelling to the southern side is a dormer bungalow no. 186 Thornhill Road with a separation distance of around 4.5m between the buildings. The principal elevation is set back around 3.5m behind the projecting section of the front elevation at the application dwelling and the rear elevation is approximately 3m deeper than the rear of the application dwelling.

To the rear of the dwelling is a 49m long garden which borders the rear boundary of houses on Linforth Drive. Mature trees partially obscure mutual views across the rear boundary.

Relevant Planning History

At Application Site

- 20/1269 - Proposed alterations to bay windows on front and rear elevations with new front porch, double storey rear extension, removal of chimney, new replacement flat roof to accommodate loft conversion at first floor level with new front and rear facing dormer extensions, including balcony at rear and side facing roof lights. With new boundary wall and automated gate in new positions, 1.2m high total, with widened dropped kerb for access – withdrawn 02/03/2021
- 03/0399/FL/H4 - Increase in roof height to form loft conversion, with dormer windows to front and rear – GSC on 30/05/2003

182 Thornhill Road

BC47511P - Conversion of Garage to Habitable Room including W.C. – GSC on 24/10/1996

186 Thornhill Road

BC20426P - Erection of Gable Porches – GSC on 20/08/1987

BC50305P - Domestic extension & loft conversion to include a new bedroom and bathrooms with front dormer window and rear balcony – GSC on 29/09/1997

BC52473P - Domestic extension and loft conversion to include new bathroom and bedroom and gable above garage. (Amendment to permission BC50305P) – Refused on 23/04/1998

BC56063P - Domestic extension and loft conversion to include new bathroom and bedroom – GSC on 06/10/1998

BC61759P - Single storey side extension, front garage extension – GSC on 14/09/2000

182-186 Thornhill Road

07/2613/FL/E6 - Demolition of 182-186 Thornhill Road and erection of 3 no. 5 bed and 5 no. 4 bed detached houses – Withdrawn on 29/01/2008

08/0421/FL - Demolition of 182-186 Thornhill Road and erection of 7 no.5 bedroom detached dwelling houses – Refused on 01/05/2008

Relevant Policies

National Planning Policy Framework (NPPF)

www.gov.uk/guidance/national-planning-policy-framework

The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a *"presumption in favour of sustainable development"*.

Key provisions of the NPPF relevant in this case

- **NPPF 4 – Decision Making**
- **NPPF 12 – Achieving well-designed places**
- **NPPF 15 – Conserving and enhancing the natural environment**

On **planning conditions** the NPPF (para 56) says:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

On **decision-making** the NPPF sets out the view that local planning authorities should approach decisions in a positive and creative way. They should use the full range of

planning tools available and work proactively with applications to secure developments that will improve the economic, social and environmental conditions of the area. Pre-application engagement is encouraged.

National Planning Policy Guidance

On **material planning consideration** the NPPG confirms- planning is concerned with land use in the public interest, so that the protection of purely private interests... could not be material considerations

Reducing Inequalities

The Equality Act 2010 (the '2010 Act') sets out 9 protected characteristics which should be taken into account in all decision making. The **characteristics** that are protected by the Equality Act 2010 are

- age
- disability
- gender reassignment
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Of these protected characteristics, disability and age are perhaps where planning and development have the most impact.

In addition, the 2010 Act imposes a Public Sector Equality Duty "PSED" on public bodies to have due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality and to foster good relations. This includes removing or minimising disadvantages, taking steps to meet needs and encouraging participation in public life.

Section 149(6) of the 2010 Act confirms that compliance with the duties may involve treating some people more favourably than others. The word favourably does not mean 'preferentially'. For example, where a difference in ground levels exists, it may be perfectly sensible to install some steps. However, this would discriminate against those unable to climb steps due to a protected characteristic. We therefore look upon those with a disability more favourably, in that we take into account their circumstances more than those of a person without such a protected characteristic and we think about a ramp instead. They are not treated preferentially, because the ramp does not give them an advantage; it merely puts them on a level playing field with someone without the protected characteristic. As such the decision makers should consider the needs of those with protected characteristics in each circumstance in order to ensure they are not disadvantaged by a scheme or proposal.

Development Plan

www.go.walsall.gov.uk/planning_policy

Saved Policies of Walsall Unitary Development Plan

- GP2: Environmental Protection
- ENV18: Existing Woodlands, Trees and Hedgerows
- ENV23: Nature Conservation and New Development
- ENV32: Design and Development Proposals
- T13: Parking Provision for Cars, Cycles and Taxis

Black Country Core Strategy

- CSP4: Place Making
- ENV1: Nature Conservation
- ENV2: Historic Character and Local Distinctiveness
- ENV3: Design Quality

Site Allocation Document

- EN1: Natural Environment Protection, Management and Enhancement

Supplementary Planning Document

Conserving Walsall's Natural Environment

Development with the potential to affect species, habitats or earth heritage features

- NE1 – Impact Assessment
- NE2 – Protected and Important Species
- NE3 – Long Term Management of Mitigation and Compensatory Measures

Survey standards

- NE4 – Survey Standards

The natural environment and new development

- NE5 – Habitat Creation and Enhancement Measures
- NE6 – Compensatory Provision

Designing Walsall

- DW3 Character
- Appendix D

Consultation Replies

Birmingham City Council

No response received

Drainage

No response received

Ecology Officer

No response received

Local Highways Authority

Support subject to a condition to ensure appropriate installation of the extended dropped kerb. Advisory notes for the applicant have been included.

Representations

None received

Determining Issues

- Design of Extension and Character of Area
- Amenity of Nearby Residents
- Protected Species
- Parking and Highway Safety

Assessment of the Proposal

Design of Extension and Character of Area

The extensions at the rear of the property reflect a modern design but would be of limited visibility from the public vantage point and are considered would not therefore result in significant harm to the character of the application dwelling or the street scene. There would be no extensions at the sides of the dwelling which would bring the dwelling closer to neighbouring properties and existing separation distances would be retained. The roof would however be extended 1m towards no. 182 Thornhill Road as described below. A minimum separation distance of 2.3m would be retained from the roof to the side boundary, increasing in distance upwards with the slope of the roof, which is considered sufficient separation to limit the potential for additional terracing effect between these two bungalows. These elements of the proposal are considered acceptable for the reasons set out.

However, the proposed roof extensions and alterations to the front elevation are considered would significantly alter the character of the dwelling within the street scene. Whilst the roof ridge height would be retained as existing, the roof ridge width would be increased from 4.9m to 9.7m and the width of the eaves across the front elevation would be increased from 11.8m to 12.8m. The flat roof attached side garage would be retained but the main roof would be extended by 1m across this flat roof. This increase would significantly alter the pitch of the hipped roof compared to the existing pitch.

The existing subservient hipped roof projection on the front elevation would be replaced by a projecting front gable with the ridge height the same as the main roof ridge. The eaves of this gable would sit 0.7m above the eaves of the main roof. Whilst it is acknowledged that the eaves of the existing hipped roof projection are not in alignment with the eaves of the existing main roof, they currently sit below the main eaves and so increase subservience of the front projecting feature. The proposed gable projection with elevated eaves and a roof ridge in alignment with the main roof is considered would be an overbearing addition to the original dwelling which would not be sympathetic to the design of the adjacent bungalows which have retained their traditional character when viewed from the front, despite extensions having been added. Furthermore, the introduction of large box-type extensions would be visible in the street scene and would provide a jarring impact with the main roof of the proposal and the surrounding properties. This proposal represents poor design which fails to reflect the character of the area.

The eaves of the gable dormer would disrupt the roof slope on the left hand side of the principal elevation, creating an elevation on this side that would be 0.7m higher than the front elevation on the opposite side of the dwelling. This would result in a further imbalance across the front elevation.

The existing gable hooded dormer above the front elevation which is set up the roof slope by 1.9m from the eaves would be replaced by a box dormer which would extend

upwards from the eaves without any set back up the roof slope. The existing ground floor bay windows would be replaced with square bays and the box dormer would sit in alignment above the right hand side box bay creating the appearance of a two storey front flat roof projection.

Whilst it is acknowledged that there are varying designs of properties in the wider street scene, they all retain traditional forms of design. This current proposal is considered to be contrived, the overall proportions un-balanced and a resulting un-sympathetic introduction of design features not present or reflective of the locality.

The proposed front boundary wall and gates would replace an existing dwarf wall and hedge which is of a similar height as the proposed boundary treatment. A low brick wall with pillars and metal railings can be observed surrounding the apartments that are located nearby at the junction of Thornhill Road with Ryknild Drive. The neighbouring property at no. 186 also has metal gates which are set back from the front boundary in a similar position to this proposal, so it is considered that the proposed boundary wall, railings and gates would be consistent with the street scene along this stretch of Thornhill Road.

Proposed facing materials are rendering, timber cladding and man-made slate roof tiles. The colours and textures have not been specified. Whilst it is acknowledged that these materials could deviate significantly from the traditional brickwork, white rendering and red clay roof tiles of the existing dwelling and contrast with the traditional materials of the adjacent bungalows, the facing materials could have been altered in this way using permitted development rights which would have a similar impact.

On balance, it is considered that the combination of the dominant front gable elevation and the box dormer sited directly above the ground floor box bay window, in conjunction with the differing eaves height creates an imbalance across the front elevation and the jarring impact of the box roof extension and main roof pitch would create an awkward appearance which fails to respect the character and appearance of the application dwelling and to the wider area to the detriment of the visual amenity of the street scene. The development would therefore be contrary to the National Planning Policy Framework; the Black Country Core Strategy policies ENV2 and ENV3 and Walsall's Unitary Development Plan, in particular policies GP2, and ENV32, and the Supplementary Planning Document Designing Walsall DW3.

Amenity of Nearby Residents

There would be no increase in depth at the front elevation with the exception of a small porch extension that would infill a section of the front elevation between the existing front projection and the remainder of the front elevation.

The extensions to the roof above the existing dwelling would not project beyond any front or rear neighbouring window. The two storey rear extension would project around 6m beyond the rear elevation of no. 182 that is immediately adjacent to the shared boundary but this elevation is a narrow recessed section of the rear elevation behind the garage that contains 1 external door and no windows. The 2 storey rear extension would be shallower than the main part of the rear elevation of no. 182. It would project around 1m deeper than the rear elevation of no. 186 but given the 11.2m separation from the nearest part of the side elevation to the dwelling at no. 186 is considered would be of limited visibility. There is a side facing dormer window at no. 186 which looks onto the southern side roof slope of the application dwelling. Whilst it is acknowledged that the alteration to the pitch of the roof that would be visible from this window, it is

considered that the outlook would not be dissimilar to the existing outlook and therefore the impact on this window would be acceptable.

It is considered that the proposed extensions would have limited impact on outlook or light availability of any neighbouring occupant.

Proposed front windows and ground floor rear windows are considered would have a similar impact as existing front and rear windows. The first floor rear master bedroom would be created within the extended roof space and span into the first floor of the two storey rear extension. This area at the rear would have floor to ceiling glazing across the rear elevation and the side elevation facing towards no. 186 Thornhill Road. It is acknowledged that this introduces a potential new outlook from the first floor of the property towards neighbouring gardens. However, the outlook from the rear glazing would be mainly onto the occupants own garden and the 45-degree line of view from this window would be onto a section of the garden at no. 182 that is significantly beyond the rear elevation, so is considered would have limited additional impact on their privacy above and beyond the existing situation. The glazed panel facing towards no 186 Thornhill Road would have timber panelling which would limit clear views towards no. 186 and protect the privacy of occupants of the application dwelling by limiting views into this room. Any outlook from this glazing would be towards the rear elevation of no. 186 and the separation distance of 11.2m from this side elevation to the shared boundary with no. 186 would limit potential for views across the boundary onto the rear patio at the neighbouring property. This section of the boundary is currently lined with mature trees which would obscure mutual views in any case.

3no. rooflights are included in southern side roof slope. These would be of some visibility from the side dormer window at no 186 and in the event that permission were granted a condition should be included that they be obscurely glazed to protect the privacy of occupants, especially as they would serve a bathroom and an en-suite bathroom.

One guest bedroom is proposed on the ground floor with a side facing window looking on the brick side elevation of no. 186 Thornhill Road with a separation distance to the side boundary wall of around 1.7m. It is acknowledged that the outlook from this room would be poor and light availability would be limited. However, it would be one of 5 proposed bedrooms in the property, the other 4 of which would have good quality outlook and light availability. As the negative impact of this window would only be to the occupants of the application dwelling who are choosing to sacrifice the amenity of one room for the benefit of the additional floor space that would be gained and there are multiple other habitable rooms available that would provide a quality level of amenity, is considered that this alone would not cause sufficient harm to the amenity of the occupants of the house to warrant a refusal reason in this case.

It is considered that this proposal would sufficiently meet the amenity requirements of saved UDP policy GP2.

Protected Species

The site falls within an area of known bat activity and there are neighbouring lines of mature gardens, which raises the risk of bat presence. In this case, as the application proposes alterations to the roof, if bats are present in the house disturbance and destruction to their roost would occur.

Consequently, in accordance with NPPF 15 and Conserving Walsall's Natural Environment SPD, NE1 and Annex 1A, a bat survey report in support of this proposal

was provided, which found no evidence of bat in the roof space and a likely absence of roosting bats within the building, with no further recommendations. In the event of permission being granted for this application a bat condition should be included to protect any members of this species that could potentially be present in the roof space of this dwelling during the completion of any works to the roof.

Parking

In accordance with the requirements of saved UDP policy T13, a 5 bedroom dwelling requires a minimum of 3 off road vehicular parking spaces. There is sufficient space on the frontage of the site to accommodate at least 3 vehicles.

The setback of the proposed gates from the highway would protect driver and pedestrian safety when vehicles are exiting the driveway onto the highway

The Local Highway Authority have expressed their support for this scheme subject to the inclusion of a condition to ensure that the appropriate width is retained for the proposed dropped kerb extension.

Conclusions and Reasons for Decision

The key material planning considerations, neighbour comments and consultee responses have been weighed in assessing the planning application and it is considered that whilst the proposed extensions would not cause any significant harm to the amenity of neighbouring occupants when using their homes or gardens, nor harm protected species or highway safety subject to the use of planning conditions, the proposed development would not integrate well with the locality and would result in significant adverse impacts on the character and appearance of the application site and the area contrary to the aims and objectives of the National Planning Policy Framework, BCCS policies CSP4, ENV2 and ENV3, saved UDP policies GP2 and ENV32 and the SPD Designing Walsall Policy DW3.

Taking into account the above factors, it is considered that the application should be recommended for refusal

Positive and Proactive Working with the Applicant

Officers have spoken with the applicant's agent and in response to concerns raised regarding the design of the front elevation, specifically in relation to the varying eaves heights and the addition of a box dormer as well as the original proposed facing materials. Two sets of amended plans have been submitted. Despite some amendments being made following concerns raised by the LPA's, in this instance, the amendments provided do not go far enough to enable support of this scheme.

Recommendation

Refuse

Reasons for Refusal

The proposed development is unacceptable for the following reasons:

- The elevated eaves height of the proposed front gable would create an imbalance in the height of the eaves and elevations across the front of the dwelling;

- The large front box dormer with no separation distance from the eaves, in conjunction with the square bay at the ground floor beneath would create the appearance of a two storey front projection with a flat roof that would be an incongruous addition to this row of dwellings.
- The combination of the extended front gable and box dormers would be an overbearing addition to this bungalow that has a relatively simple, traditional appearance.
- The proposal fails to respect the character and appearance of the existing dwelling and the area.

The development would therefore be contrary to the requirements of the National Planning Policy Framework; the Black Country Core Strategy policies ENV2 and ENV3 and Walsall's Unitary Development Plan, in particular policies GP2, and ENV32, and the Supplementary Planning Document Designing Walsall DW3.

Notes for Applicant

None

END OF OFFICERS REPORT