



Appeal Decision

Site visit made on 23 October 2017

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15th November 2017

Appeal Ref: APP/G4620/W/17/3180048

145/147 Halesowen Road, Cradley Heath, Rowley Regis, West Midlands B64 6HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Bassam Zangana against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/17/60463, dated 13 March 2017, was refused by notice dated 31 May 2017.
 - The development proposed is a new 3 storey building comprising of 3 shop units with accommodation above.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located on the corner of Halesowen Road and Hill Passage. Halesowen Road is a busy high street comprising properties that are generally commercial and retail units on the ground floor with residential above. The design of properties varies and includes a mix of terrace rows and purpose built commercial units. Whilst the majority of properties are two-storey in height, there is a large three-storey apartment block on the opposite side of the road to the appeal site. Overall the area is characterised by the range of building styles and sizes.
4. By reason of its corner plot and position at the end of the high street, the appeal site is in a prominent location when entering the road off the nearby roundabout. The proposed building would have retail units on the ground floor and residential units on the upper floors. The height of the building would exceed that of the adjacent two-storey terrace row. However, it would not be as high as the apartment block opposite. Both the appeal building would be read in the same streetscene context and therefore the appeal building would not be out of scale with the surrounding development. I note the Council's comments that the setback position of the apartment block offsets its domineering impact. However, given the overall size of the building it is nevertheless the dominant feature on entering Halesowen Road. As the proposed building would be lower in height and considerably smaller in overall

mass, I do not consider that it would over dominant the apartment block or indeed the adjacent terrace row.

5. The roof of the building would be hipped, which would be in contrast with the prevailing pitched roof design throughout the street. However, the roof would respect its corner plot location and takes reference from other corner properties in the vicinity, including the apartment block and the building on the opposite side of the junction to that on Hill Passage.
6. The Council also raise concern regarding the window proportions and positioning. There is a lack of consistency between the windows in the property on the adjacent terrace row. Whilst the proposed windows would not match any of the windows in the terrace, I do not consider that the terrace windows make any significant positive contribution to the character or appearance of the area, unlike properties on the opposite side of the road which generally express symmetry and proportions that enhance the streetscene.
7. I note the concerns raised regarding the rear elevation and its prominence in views from Highgate Street. However, the fenestration in this elevation is well proportioned and symmetrical and I find no reason why it would have a detrimental effect on the character and appearance of the area.
8. Notwithstanding the above, the positioning of windows on the upper floors of the gable end of the property would be misaligned and would appear unduly squat. Consequently, this elevation would appear secondary to the front elevation, even though it would be more prominent in the streetscene on entering the road. The failure of this elevation to engage with the streetscene and reflect the prevailing symmetry and proportions of other properties in the vicinity would significantly detract from the character and appearance of the area.
9. I find therefore that the proposal would significantly harm the character and appearance of the area, contrary to Policy ENV3 of the Black County Core Strategy 2011, which states that high quality design is an essential element of place making and reflecting the distinctive character of the area. In addition, it would fail to comply with Policy SAD EOS9 of the Sandwell Metropolitan Borough Council Site Allocations and Delivery Development Plan Document 2012, which, amongst other things, states that the Council will reject poor designs and particular regard will be paid to how the development relates to the street.

Other Matters

10. The proposal also fails to address how refuse storage would be accommodated. However, I am satisfied that an adequately worded condition would ensure that such storage is provided without detriment to the character and appearance of the area.
11. I have also had regard to the appellant's assertion that the Council are referring to discussions regarding a previous scheme. However, I have considered the proposal on the basis of its individual merits and any previous scheme has not had a bearing on my decision.

Conclusion

12. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR