

c/o Anjum Design 435 Stratford Road Shirley B66 1RW	<b>Proposed change of use to 8 bed, 8 person HMO (house in multiple occupation).</b> 12 Gibson Drive Smethwick B66 1RW
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**Date Valid Application Received** 4 March 2019

**1. Recommendations**

Approval is recommended subject to the following conditions:-

- i) Implementation of parking layout; and
- ii) Installation of covered cycle storage area.

**2. Observations**

At your last Committee, members resolved to visit the site.

This application had originally been brought to your Committee because the application has received four objections.

The application relates to an end-of-terrace dwellinghouse on the south-eastern side of Gibson Drive. The property sits within a modern housing development which was built around the turn of the century.

The application is for the conversion of the existing five/six bedroom property into an eight bedroom HMO. This would include the reconfiguration of the interior layout and the conversion of the existing garage. The ground floor would include three bedrooms and a laundry room. The first floor would include a fourth bedroom and a substantial communal area of over 35sqm incorporating a lounge, dining area and kitchen. The second floor would include four further bedrooms. Each bedroom would have a private en-suite shower room.

## **Publicity**

The application was publicised by neighbour notification letters with four responses being received. These responses were predominantly focussed on parking congestion issues. Other concerns were loss of privacy, pedestrian safety, and over development.

## **Response to Objections**

The initial plans provided showed four off-street parking spaces, with one to the front and three to the rear of the property. This arrangement was questioned regarding how the rear spaces could be utilised without crossing over neighbours' land, as identified from Land Registry searches. This concern was shared by the Head of Highways who concurred that the proposed parking spaces were not usable. The Head of Highways commented that four suitable off-street parking spaces were needed.

Amended plans were submitted on 16 May 2019 which showed a different red line boundary with three parking spaces to the front of the property and one parking space to the side. The front garden area would be re-landscaped with a dedicated pedestrian footpath providing access to the front of the neighbouring properties.

There is no evidence that any loss of privacy would result from this proposal.

Currently there is parking congestion in this neighbourhood during peak times. The proposed layout to the front would rationalise the parking arrangement and would, in my opinion, help to alleviate some of this congestion.

In terms of over development, there would be no enlargement of the dwelling and only minor external alterations. The proposal is to create eight, single bedrooms so would house a maximum of eight occupants. The existing five/six bedroom house could reasonably be expected to accommodate a family of eight.

## **Statutory Consultee Responses**

### **Private Sector Housing**

Private Sector Housing raised objections based on fire precaution works, sound, ventilation, emergency lighting and licencing. None of these are material planning considerations and are controlled by Building Regulations and licencing. They also commented that refuse storage areas are not shown. This is incorrect. The location of waste bins was clearly shown to the side of the property on the initial plan, and relocated to the rear of the property on the amended plan.

### **Transportation Planning**

Transportation Planning requested a covered cycle storage area.

### **Planning Policy**

Planning Policy had no concerns.

### **Highways**

Highways objected to the initial plans on the basis of two of the parking spaces being inaccessible. This issue was addressed in the amended plans.

### **West Midlands Police**

West Midlands Police objected to the application. This objection was based on an assumption that the owners could run the HMO poorly and there would be a consequential increase in fear of crime. They correctly point out that fear of crime is referred to in the NPPF as a material planning consideration. However, consideration should also be given to guidance from recent decisions by the Planning Inspectorate. A recent appeal against the refusal of permission for a number of HMOs on Bearwood Road was allowed. The refusals were partly attributable to West Midlands Police concerns about fear of crime. On issues of parking and crime, the Inspector commented:

*'... there is no substantive evidence to suggest that the proposals would lead to a significant increase in on-street parking in the*

*vicinity of the sites. Even if parking were to significantly increase, despite the concerns raised by the police, there is no evidence that such an increase in parking would result in an actual or perceived increase in car crime.'*

And:

*'... there is no substantive evidence that the proposed HMOs would attract or be likely to be occupied by persons more likely to commit crimes or to carry out anti-social behaviour.'*

In the case of the current application, no evidence has been provided to demonstrate that an increased fear of crime would occur as a result of this proposal. Indeed, none of the neighbours who responded listed fear of crime in their concerns.

This appeal decision led to a subsequent claim for costs.

### **Conclusions**

This proposed HMO would provide good quality accommodation for eight adults. The rooms sizes would exceed housing standards and a particularly large amount of communal space would be provided.

The off-street parking provision would be sufficient.

There is no evidence that the proposal would increase crime or fear of crime.

There are no policy impediments to this proposal.

Therefore, conditional approval is recommended.

### **3. Relevant History**

DC/98/34284      The construction of 156 new dwellings, roads, sewers and associated works and new public open space.

DD/96/32443      Residential development (outline consent).

**4. Central Government Guidance**

National Planning Policy Framework promotes sustainable development

**5. Development Plan Policy**

BCCS: ENV3 – Design Quality

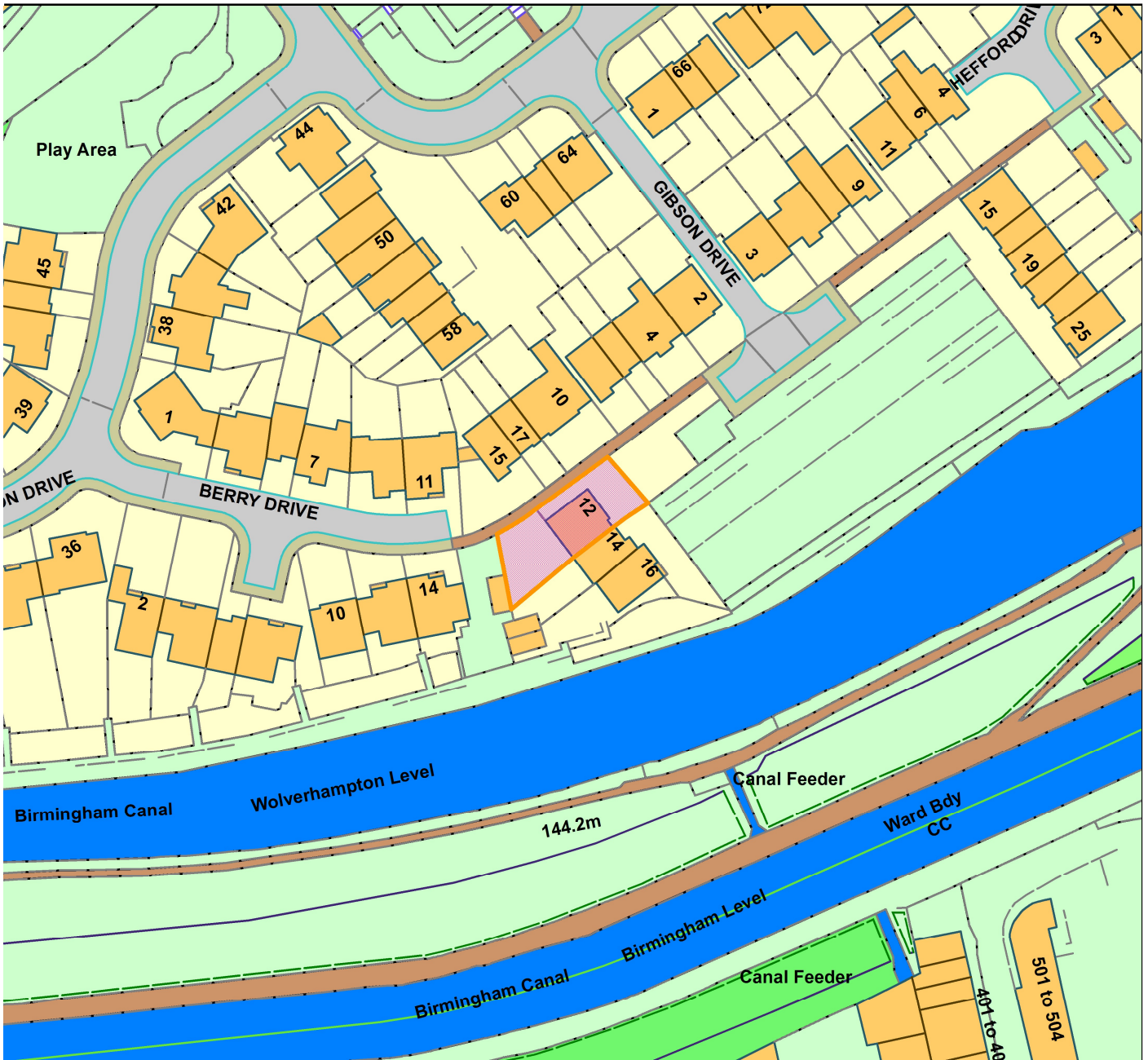
SADD: SAD EOS9 – Urban Design Principles

**6. Contact Officer**

Mr David Paine  
0121 569 4865  
david\_paine@sandwell.gov.uk

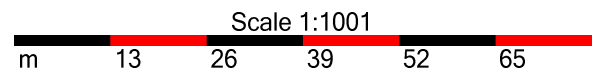
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DC/19/62842  
12 Gibson Drive



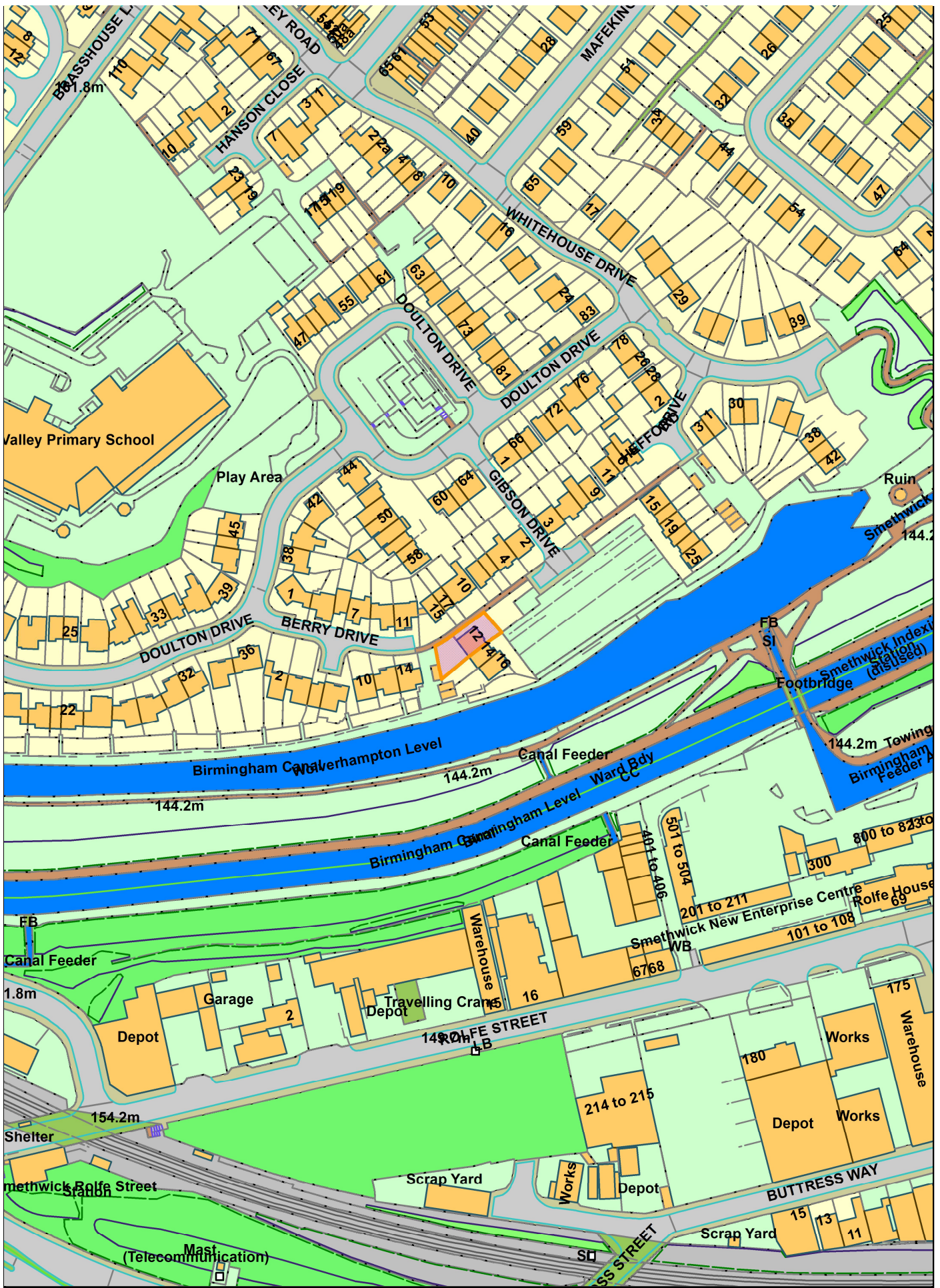
**Legend**

Scale 1:1001



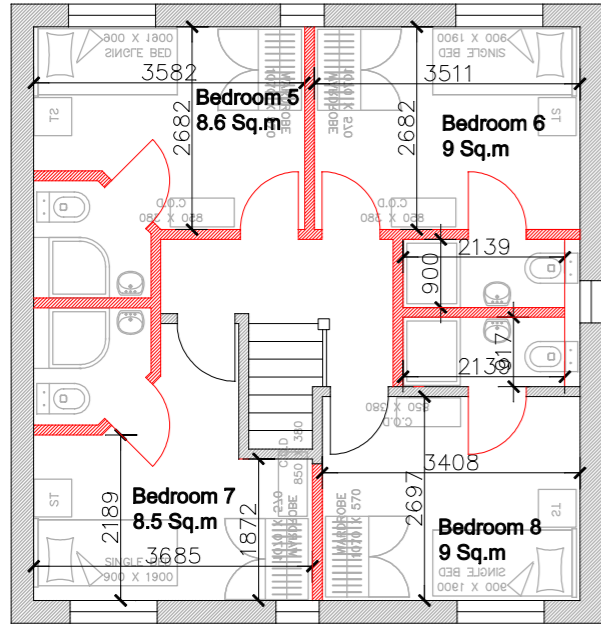
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Department	Not Set
Comments	Not Set
Date	22 May 2019
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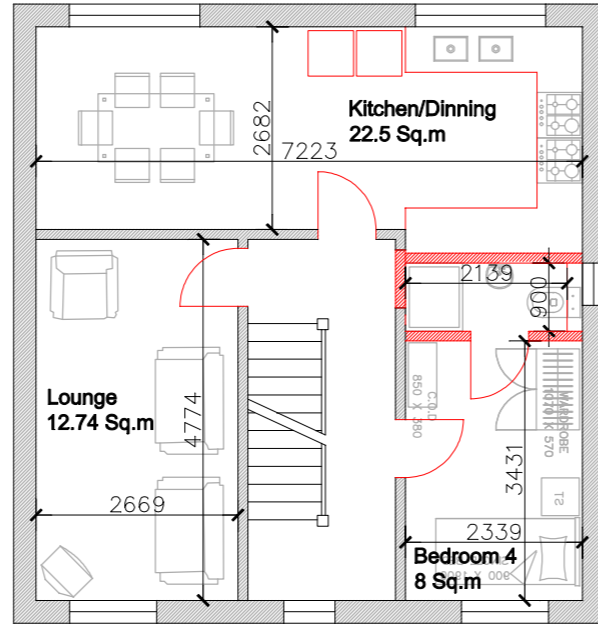


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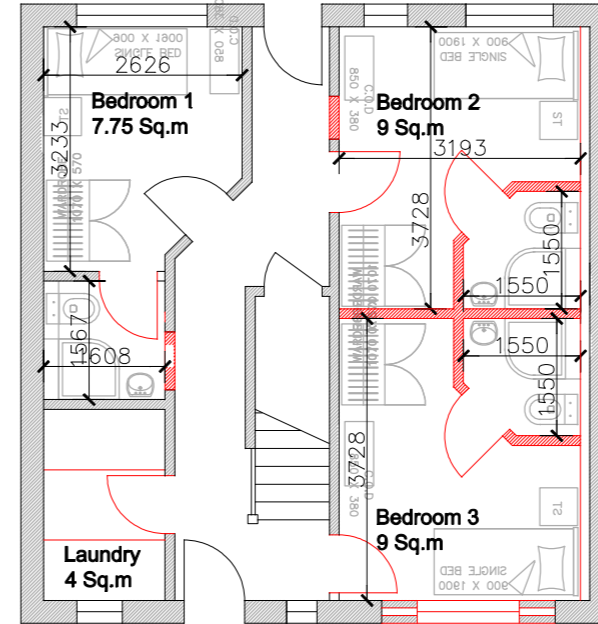




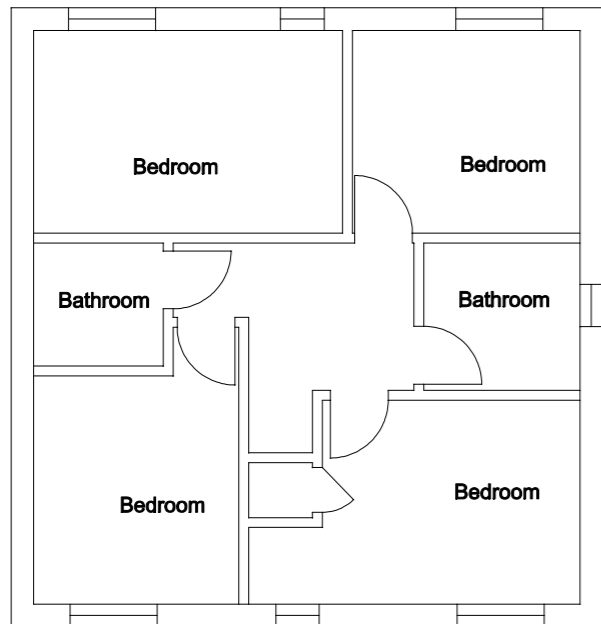
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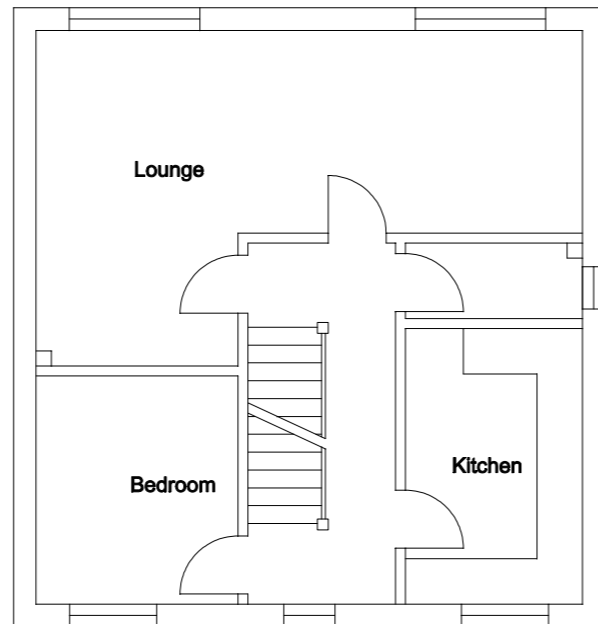
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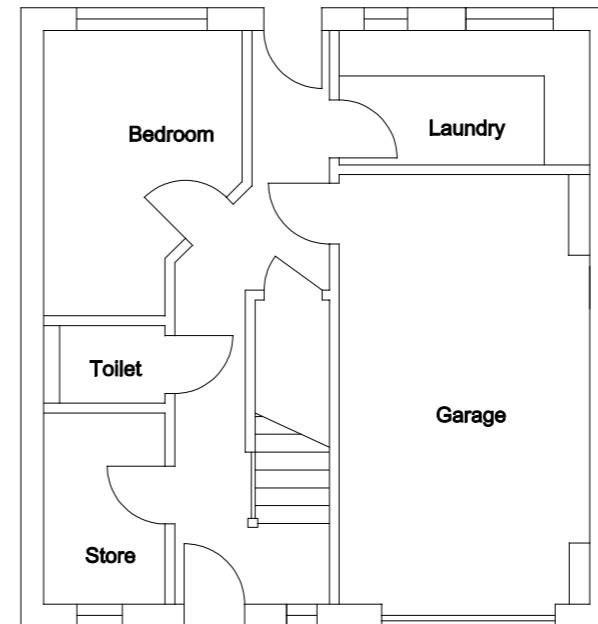
Ground Floor  
Scale 1:100



Second Floor  
Scale 1:100



First Floor  
Scale 1:100



Ground Floor  
Scale 1:100

Rev	Description	Date	chkd
			
Anjum Design Limited, 435 Stratford Road Shirley, Solihull B90 4AA TEL: 0121 364 7650 E: info@anjumdesign.co.uk			
Project: 12 Gibson Drive, Smethwick B66 1RW 8 Bedrooms HMO Conversion			
Scale:	Drawn by:	Date:	Status:
As shown @ A3		Feb 2019	Planning
Title: Existing & Proposed FloorPlans			
Drg. No. PL02			Rev:





Proposed Front Elevation  
Scale 1:100

Existing garage door replace with infill brick wall and upvc window matching existing

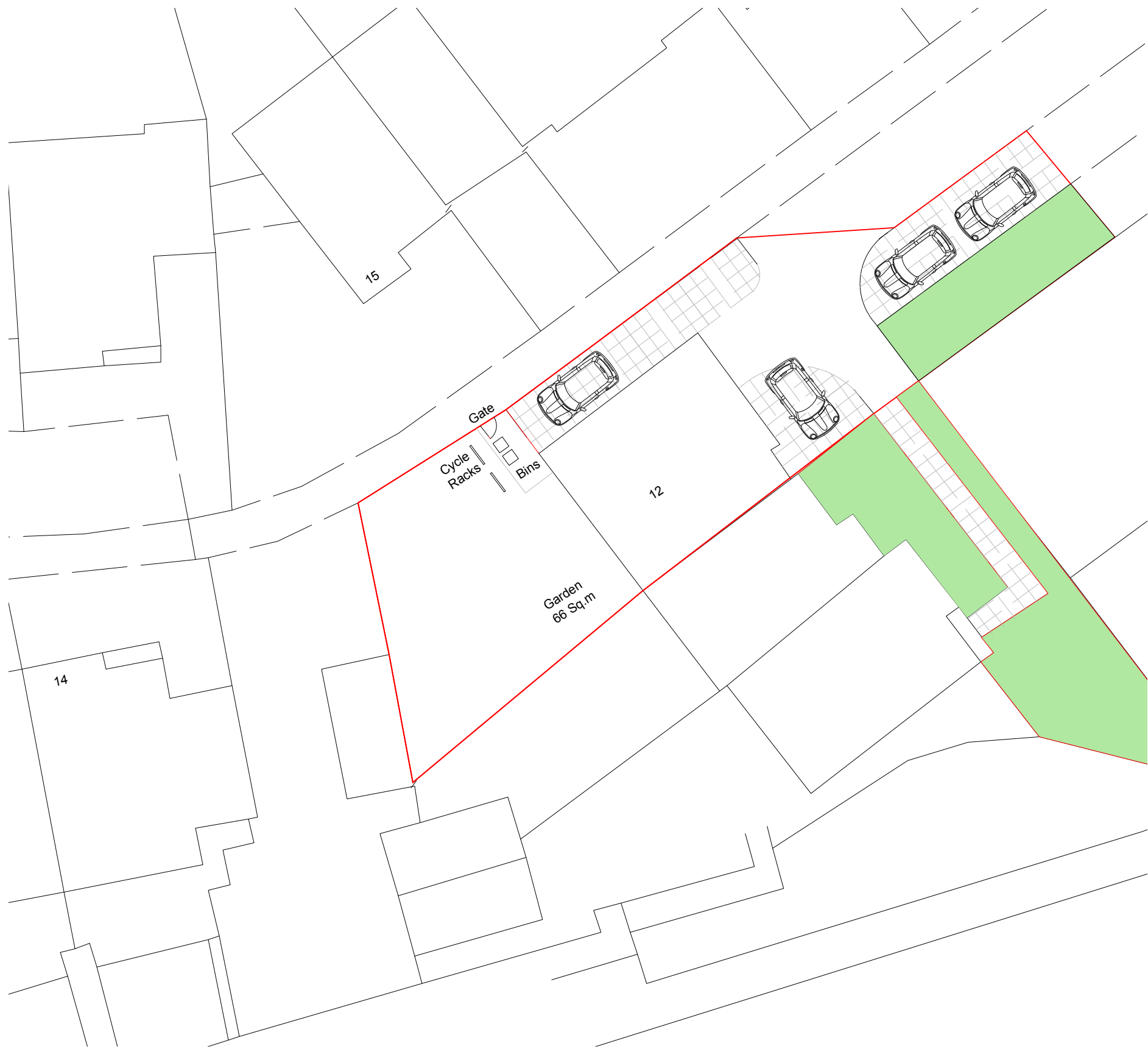


Existing Front Elevation  
Scale 1:100

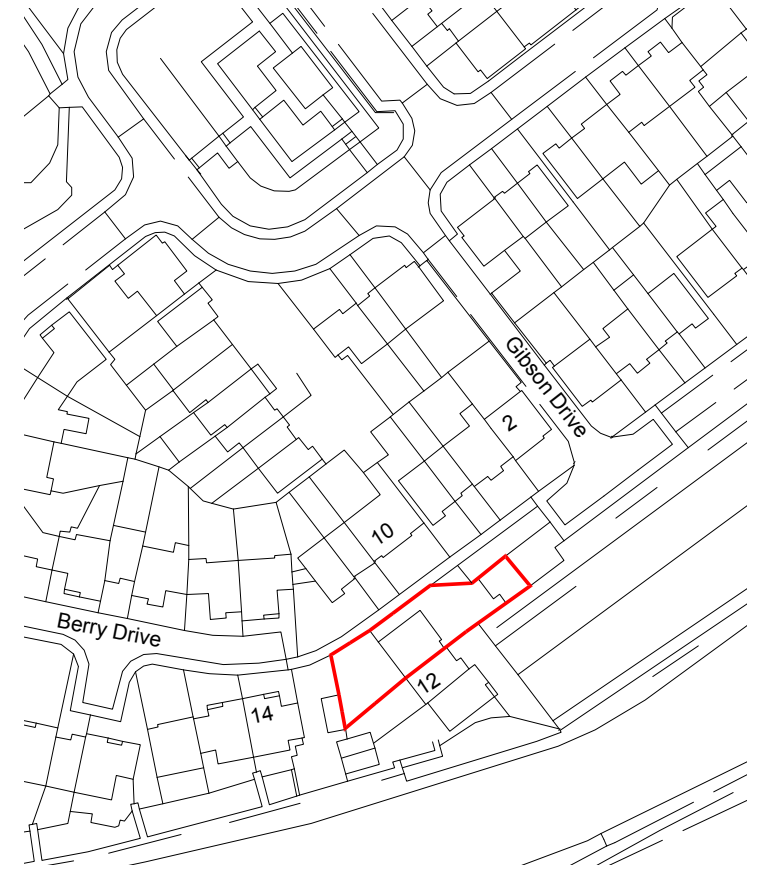


SCALE BAR 1:100


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Project: 12 Gibson Drive, Smethwick B66 1RW 8 Bedrooms HMO Conversion			
Scale:	Drawn by:	Date:	Status:
As shown @ A3		Mar 2019	Planning
Title: Existing & Proposed Elevations			
Drg. No.			Rev:
PL03			



Site Plan  
 Scale 1:200



Location Plan  
 Scale 1:1250  
 North

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Scale:	Drawn by:	Date:	Status:
As shown @ A3		Feb 2019	Planning
Title: Location Plan and Site Plan			
Drg. No.			Rev:
PL01			C