


## REPORT TO PLANNING COMMITTEE

11<sup>th</sup> March 2020

<b>Application Reference</b>	DC/19/63440
<b>Application Received</b>	9 <sup>th</sup> September 2019
<b>Application Description</b>	Proposed change of use to part of ground floor to create a self-contained flat on the ground floor with HMO on first floor and second floors, together with associated parking.
<b>Application Address</b>	10 - 12 Park Hill Wednesbury WS10 0PL
<b>Applicant</b>	Mr Balachandran Thiyagrajah
<b>Ward</b>	Friar Park
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s)</b>	Mrs Christine Phillips 0121 569 4040 christine_phillips@sandwell.gov.uk

### **RECOMMENDATION**

That planning permission is granted subject to: -

- (i) The approval of external materials;
- (ii) Provision and retention of parking;
- (iii) Refuse storage enclosure details, implementation and retention of approved details; and
- (iv) Provision of secure cycle storage.

### **1. BACKGROUND**

- 1.1 At your last meeting Committee resolved to visit the site.
- 1.2 This application is being reported to your Planning Committee because it has generated several objections and is recommended for approval.

## **2. SUMMARY OF KEY CONSIDERATIONS**

- 2.1 The site is unallocated in the adopted development plans.
- 2.2 The material planning considerations which are relevant to this application are: -

Government policy (NPPF)  
Policies in the adopted development plans BCCS and SAD  
Planning history  
Living space standards  
Overlooking/loss of privacy  
Parking, highway safety and traffic generation.  
Noise and disturbance

## **3. THE APPLICATION SITE**

- 3.1 The application refers to an existing retail convenience store with living accommodation on the south side of Park Hill close to the junction with Woden Road East, in a residential area.
- 3.2 The application building comprises of a two and a half storey property combining retail and residential use. The residential element is one dwelling (9 bedrooms). The existing ground floor has a shop and storage areas together with a lounge, dining room and kitchen for the dwelling. The first floor has 6 bedrooms (4 with en-suites) and a family bathroom. The loft contains 3 bedrooms and a bathroom. There is a hard-surfaced yard (81.5sq.m) at the rear with a detached garden room and store. At the front of the property there is a forecourt parking area.

## **4. PLANNING HISTORY**

- 4.1 The property has been substantially extended in the past to maximise the floor space of what was originally two semi-detached properties.

- 4.2 Relevant planning applications are as follows: -

- |     |             |  |   |
|-----|-------------|--|---|
| 4.3 | DC/15/58184 | Proposed door and window to existing shop front elevation and veranda to the rear for storage. | Approved<br>26/6/15                         |
|     | DC/13/56272 | Proposed revision to DC/12/54776<br>To increase size of rear dormer                            | Refused<br>24/10/13<br>Appeal<br>Dismissed. |
|     | DC/12/55146 | Proposed conservatory, and new shed.   | Approved                                    |

DC/12/54776	Retention of rear dormer window (revisions to planning approval DC/09/51689)	Refused 07/06/12 Appeal Allowed 18/12/12
DC/12/54714	Variation of condition 1 of DC/09/51689 - Proposed flat roofed garage/store, and a higher eaves height to allow appropriate internal access.	Approved 27/7/12
DC/09/51689	Proposed ground floor extension, First floor extension with loft Conversion.	Approved 05/07/10

## 5. APPLICATION DETAILS

- 5.1 The existing ground floor dining, kitchen and lounge would be converted to a 1-bed flat (88sq.m). When the application was originally submitted it was proposed to convert part of the existing ground floor storage area into a hairdressing salon. However, during the processing of the application this has been deleted from the proposal as has a small single-storey extension along the boundary with number 8 Park Hill.
- 5.2 The first and second floors would be converted into an 8 bedroomed HMO, accessed off a separate entrance at the front of the building. There would be shared lounge and kitchen facilities. Each of the rooms would be single occupancy and range in size between 10 and 18sq.m. No other external alterations to the building are proposed.
- 5.3 Parking for 4 cars would be provided on the forecourt along with enclosed refuse storage areas.

## 6. PUBLICITY

- 6.1 The application has been publicised by neighbour notification. I have received 6 objections from nearby residents.

### 6.2 Objections

Objections have been received on the following grounds: -

- (i) Concern about the proposed hairdressing salon and increased parking problems from staff, residents and customers;
- (ii) There are too many salons already in the area;
- (iii) Concern about the type of clientele living in the HMO;
- (iv) Loss of privacy from additional residents overlooking nearby gardens and houses;
- (v) Increased noise;
- (vi) Increased refuse and dust;

### 6.3 Responses to objections

I respond to the objector's comments in turn;

- (i) The originally proposed hairdressing salon has been deleted from the proposal to reduce demands on parking. Highways has no further objections.
- (ii) The fact that there are several salons in the area is not a material reason to refuse a planning application. The salon element of this proposal has been deleted.
- (iii) The local planning authority has no control over the prospective occupants of the HMO. West Midlands Police has raised no objections. Furthermore, private sector housing would control the premises via the licencing of the HMO.
- (iv) It could be argued that the property would be more intensively used than currently because individuals would reside in the property rather than a single family. However, the overall number of bedrooms would remain the same at 9. Therefore, it is not considered that nearby properties would be overlooked any more than they are at present.
- (v) Given that the proposed salon has been deleted and that the development would be in residential use, I do not consider that there would be an appreciable noise impact.
- (vi) Refuse storage is proposed as part of the planning submission and can be controlled by planning conditions. I do not consider that this proposal would generate any dust. Environmental Health has raised no objection in this regard.

### 6.4 Support

No comments have been received which support the application.

## 7. STATUTORY CONSULTATION

- 7.1 The Coal Authority – No objections. The originally proposed extension to the building has been deleted from the scheme.

- 7.2 Highways – No objections following the deletion of the proposed hairdressing salon from the proposal.
- 7.3 Environmental Health (Air Quality) - No objections.
- 7.4 Private Sector Housing – No objections but point out that the HMO would require Building Regulations Approval. Comments have been forwarded to the applicant as this would be dealt with under separate legislation.
- 7.5 West Midlands Police – No objections subject to secured by design measures being employed. The advice has been forwarded to the applicant.
- 7.6 Public Health – No objections subject to secure cycle storage for the HMO occupants.

## **8. GOVERNMENT GUIDANCE/NATIONAL PLANNING POLICY**

- 8.1 National Planning Policy Framework promotes sustainable development but states that that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

## **9. LOCAL PLANNING POLICY**

- 9.1 The following policies of the Council's Local Plan are relevant:-

BCCS policy ENV3  
SADD policy SADEOS9  
Sandwell's Supplementary Revised Residential Design Guide (HMO Annex)

- 9.2 ENV3 and SAD EOS9 refers to well designed schemes that provide quality living environments. In the main the layout is considered to be acceptable, subject to conditions relating parking layout, refuse storage and secure cycle storage.
- 9.3 The application site is unallocated in the adopted development plan. The provision of a HMO is therefore considered in accordance with adopted supplementary guidance set out in paragraph 9.1 above. The internal space standards and provisions set out in the HMO Annex (minimum 10sq.m for a single occupancy room with separate shared kitchen facilities) have been met by the applicant in this case.

## **10. MATERIAL CONSIDERATIONS**

- 10.1 The material considerations relating to Government policy (NPPF) and proposals with the local plan have been referred to above in Sections 8

and 9. With regard to the other considerations these are highlighted below:

## **10.2 Planning history**

There is extensive planning history relating to the site and the property has been extended significantly. The current proposal has been amended following original submission to reduce the intensity of the proposal (deletion of the salon and of the small extension).

## **10.3 Living space standards**

Minimum internal living space standards have been met (paragraph 9.2 above).

## **10.4 Overlooking/loss of privacy**

Refer to paragraph 6.3 (iv) above. No issues arising.

## **10.5 Parking, highway safety and traffic generation**

The proposed parking provision is deemed appropriate following the deletion of the hair salon from the proposal resulting in no objections from Highways.

## **10.6 Noise and disturbance**

Refer to paragraph 6.3 (vi) above. No issues arising.

## **11. IMPLICATIONS FOR SANDWELL'S VISION**

11.1 The proposal supports Ambitions 7, 8 and 10 of the Sandwell Vision 2030: -

11.2 Ambition 7 – We now have many new homes to meet a full range of housing needs in attractive neighbourhoods and close to key transport routes

11.3 Ambition 8 – Our distinctive towns and neighbourhoods are successful centres of community life, leisure and entertainment where people increasingly choose to bring up their families.

11.4 Ambition 10 – Sandwell has a national reputation for getting things done, where all local partners are focussed on what really matters in people's lives and communities.

## **12. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

12.1 The proposal is policy compliant and there are no other unsatisfactory material considerations to warrant refusal of the application.

## **13. STRATEGIC RESOURCE IMPLICATIONS**

13.1 When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.

## **14. LEGAL AND GOVERNANCE CONSIDERATIONS**

14.1 This application is submitted under the Town and Country Planning Act 1990.

## **15. EQUALITY IMPACT ASSESSMENT**

15.1 There are no equalities issues arising from this proposal and therefore an equality impact assessment has not been carried out.

## **16. DATA PROTECTION IMPACT ASSESSMENT**

16.1 The planning application and accompanying documentation is a public document.

## **17. CRIME AND DISORDER AND RISK ASSESSMENT**

17.1 Objections have been received regarding the clientele of the proposed HMO. West Midlands Police has raised no objections.

## **18. SUSTAINABILITY OF PROPOSALS**

18.1 Refer to the national planning framework (8) and local plan policies (9) and material considerations (10).

## **19. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

19.1 Refer to the summary of the report (12).

## **20. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

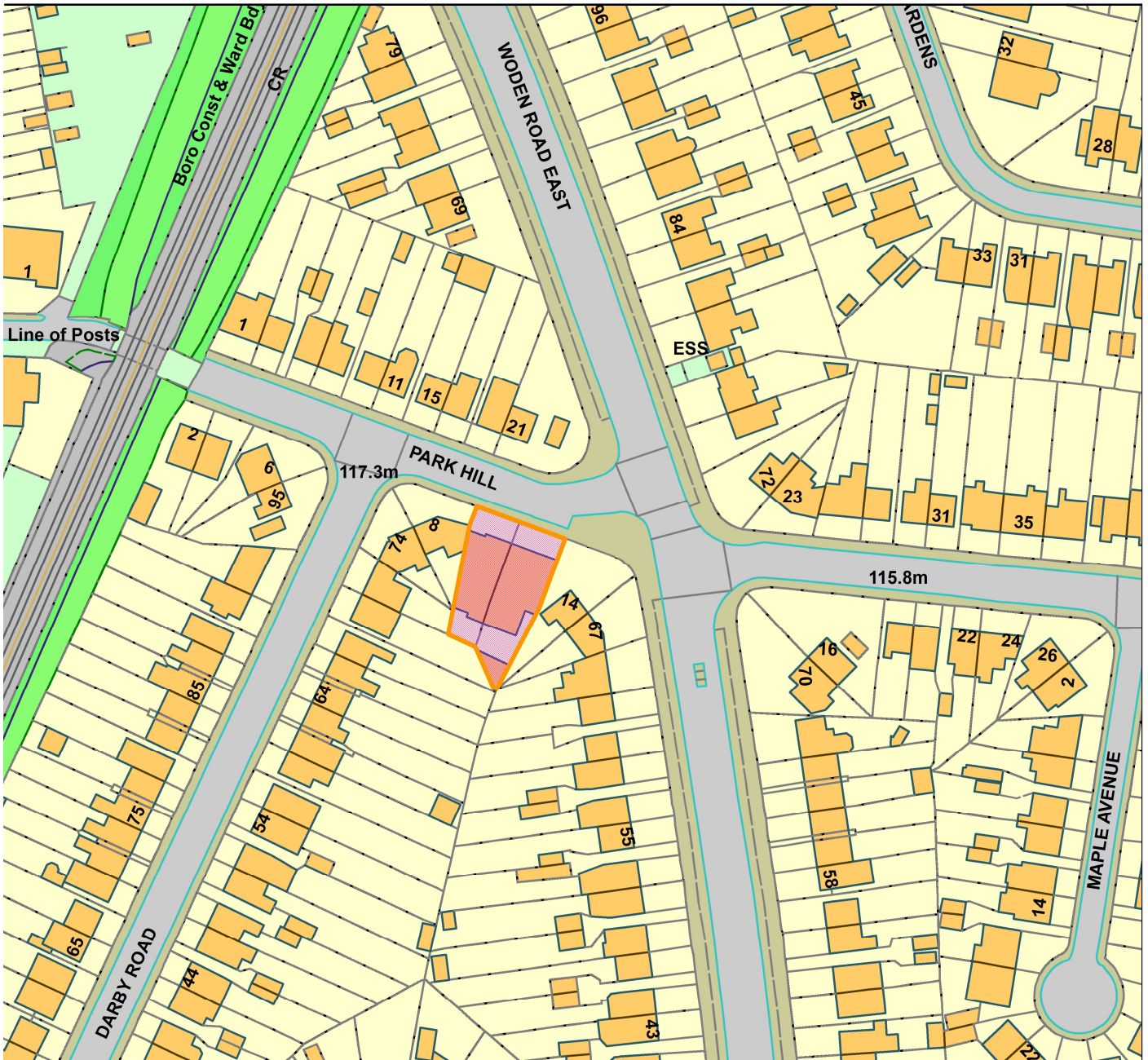
20.1 There will be no impact.

**21. APPENDICES:**

Site Plan  
Context Plan  
Plan No. 2155/S1 & 2155/P10 RevB

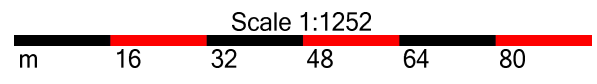


DC/19/63440  
10 - 12 Park Hill, Wednesbury, WS10 0PL



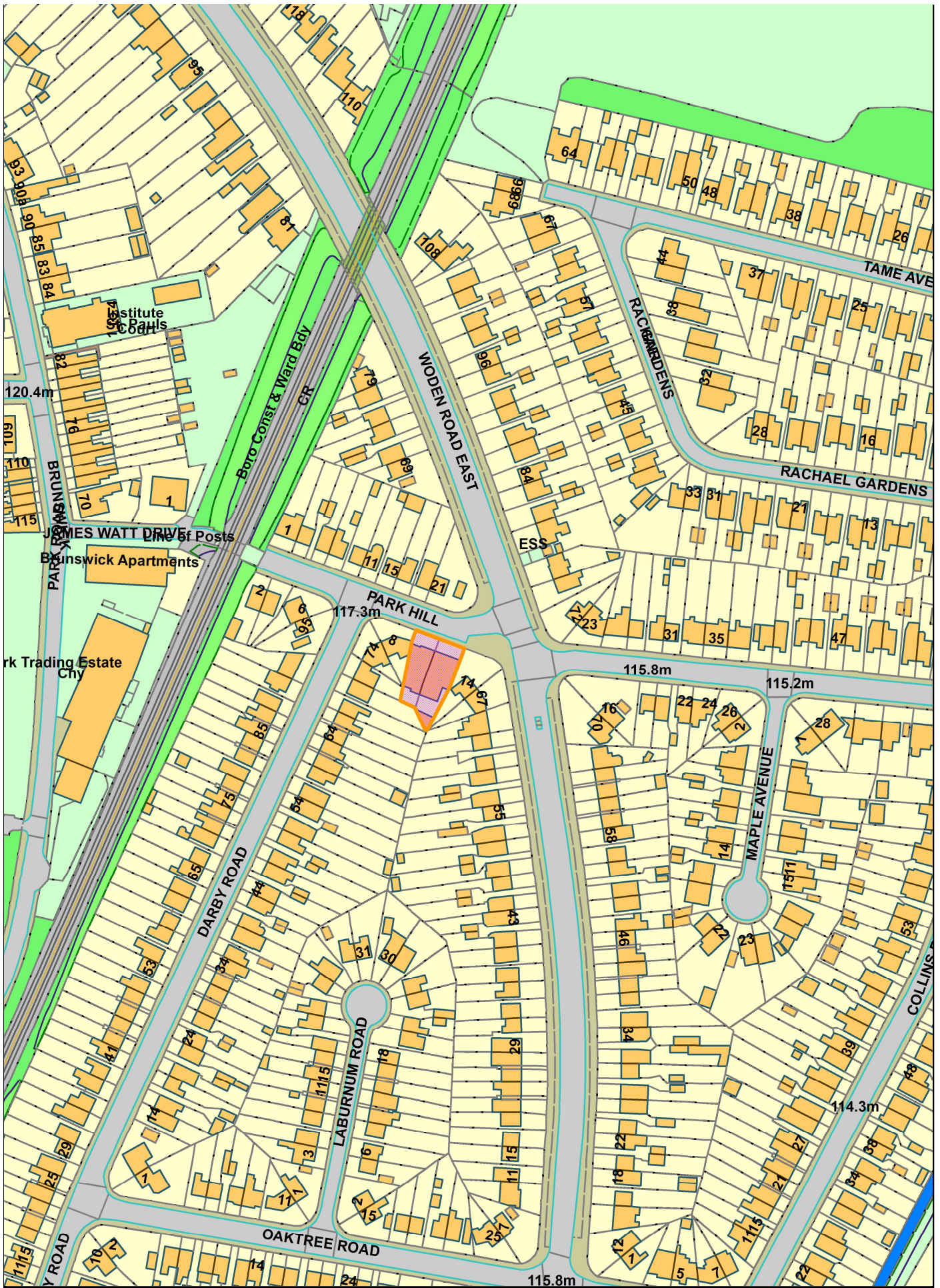
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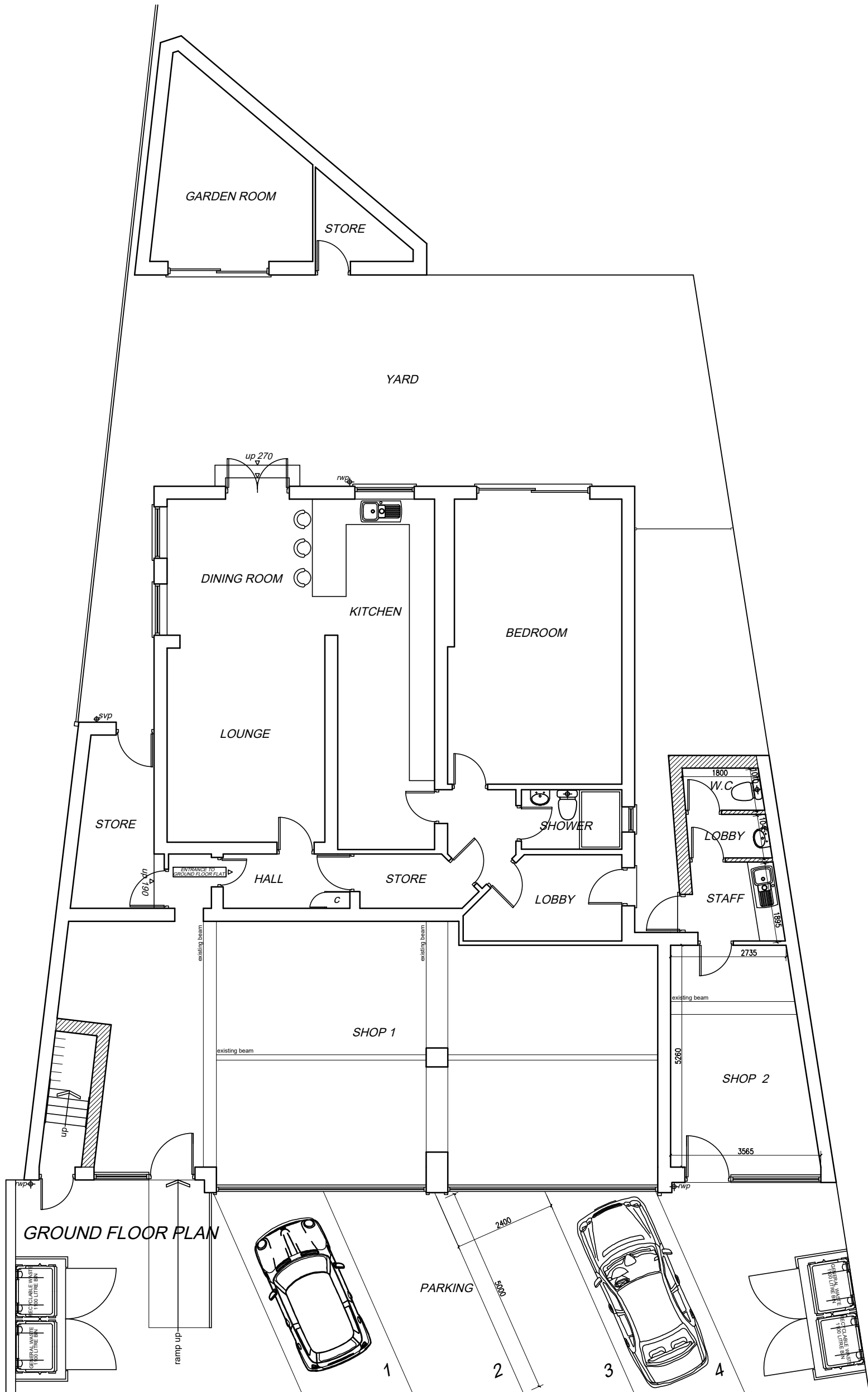
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<b>Department</b>	Not Set
<b>Comments</b>	
<b>Date</b>	29 January 2020
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GROUND FLOOR PLAN

FOOTPATH

○ LAMP POST

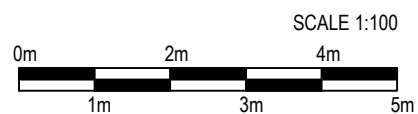
existing drop curb

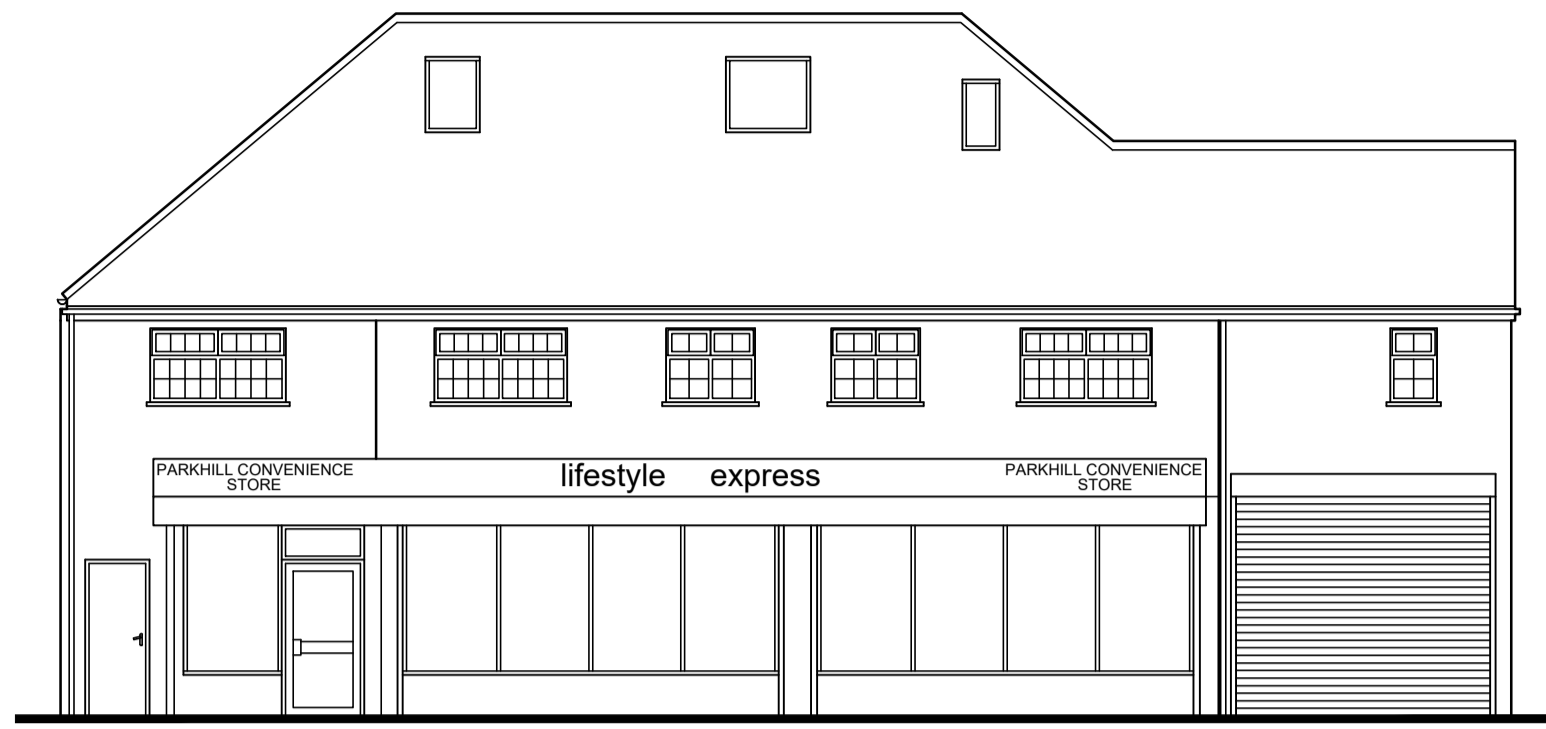
proposed drop curb

existing drop curb

PARK HILL

# SITE PLAN SCALE 1:100

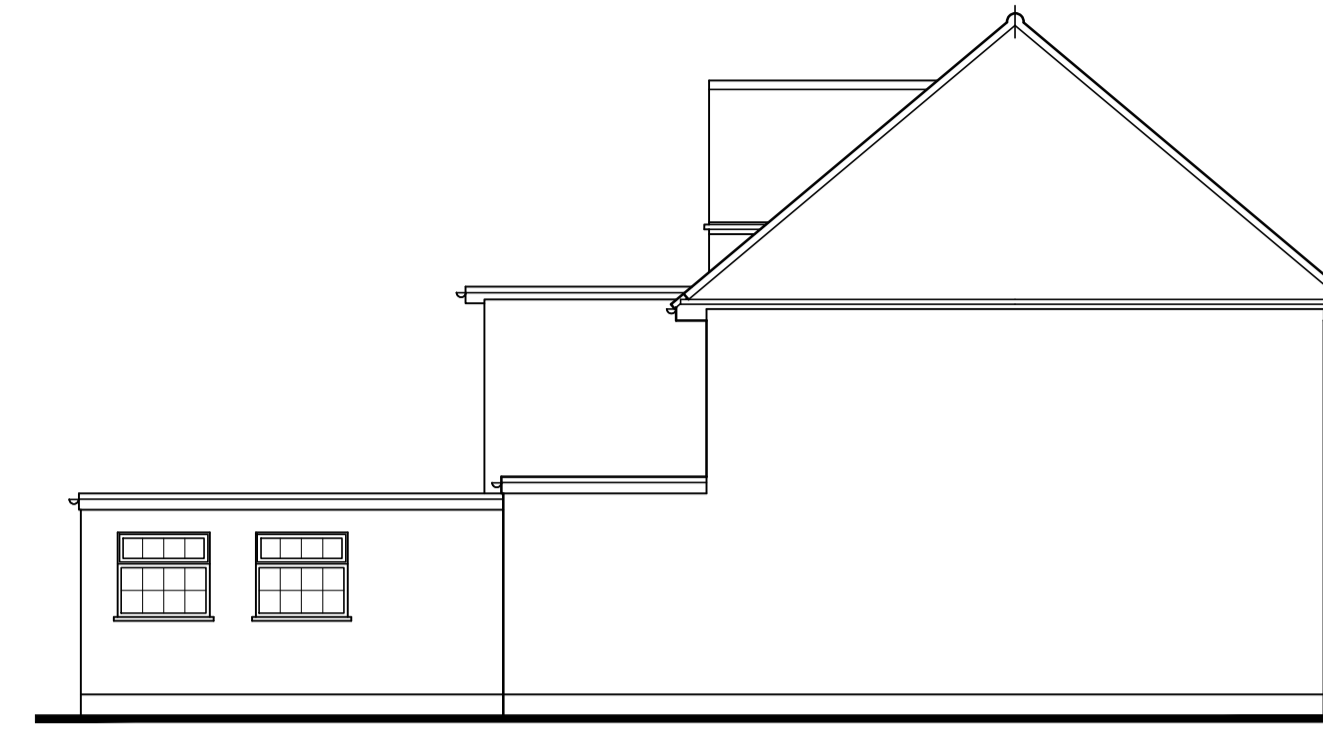




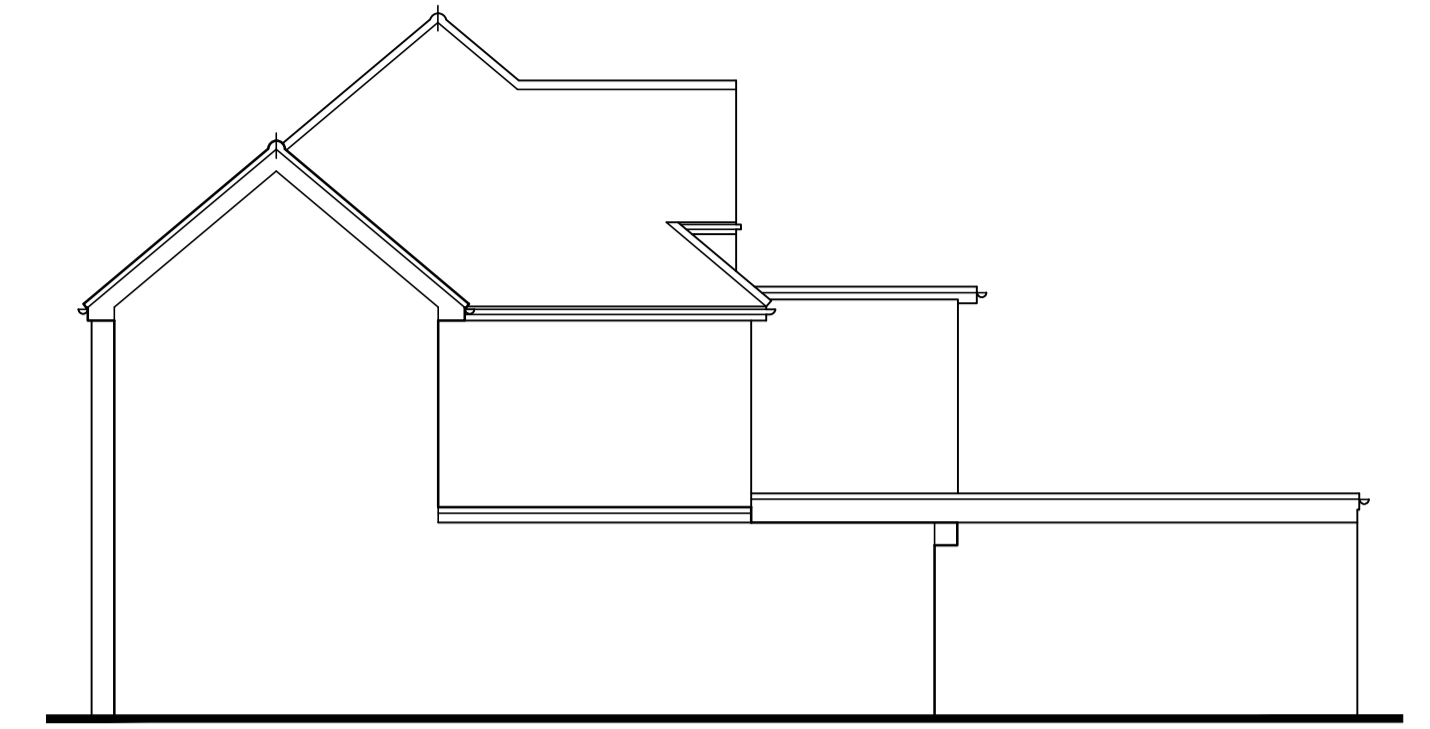
FRONT ELEVATION



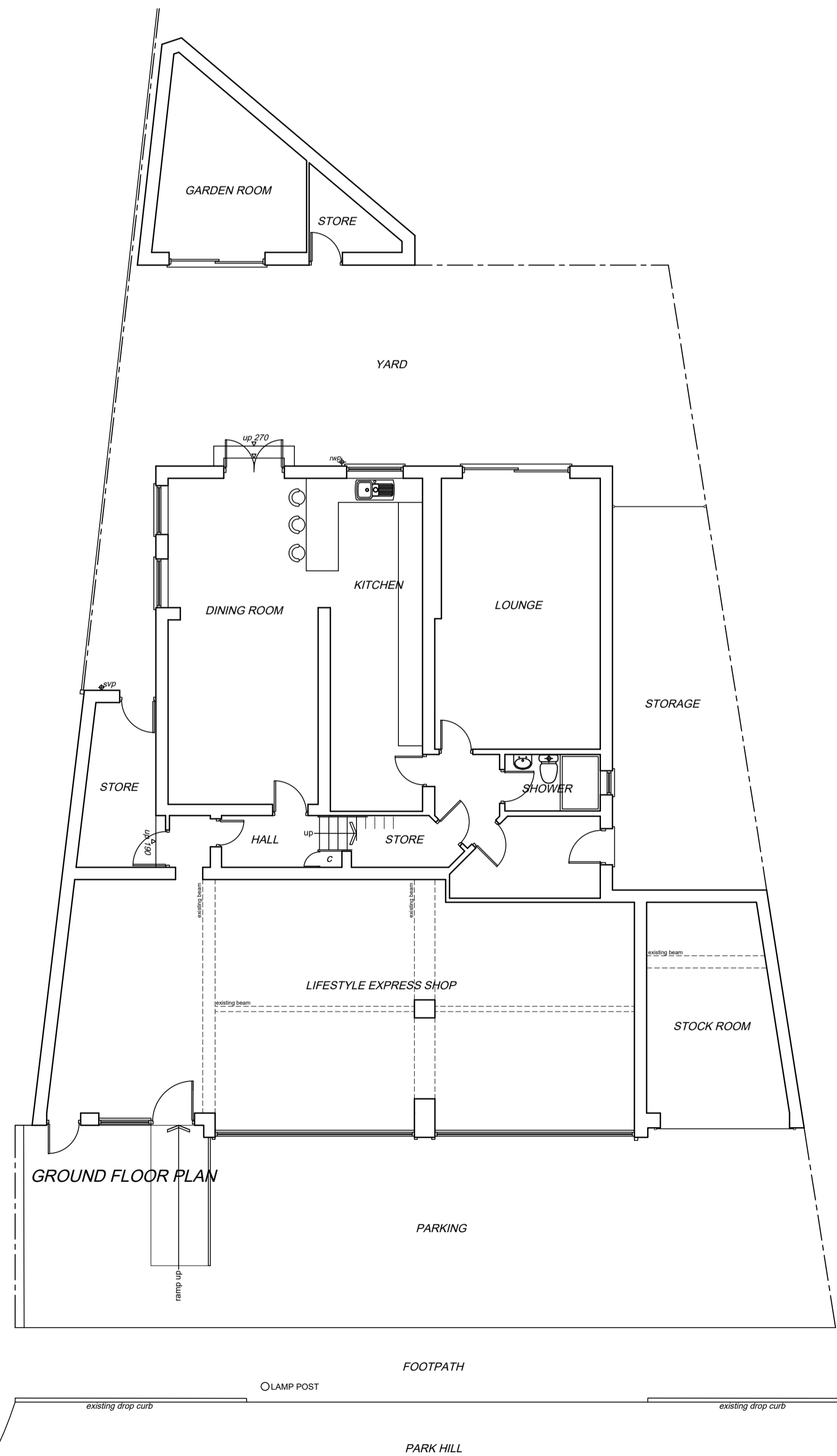
REAR ELEVATION



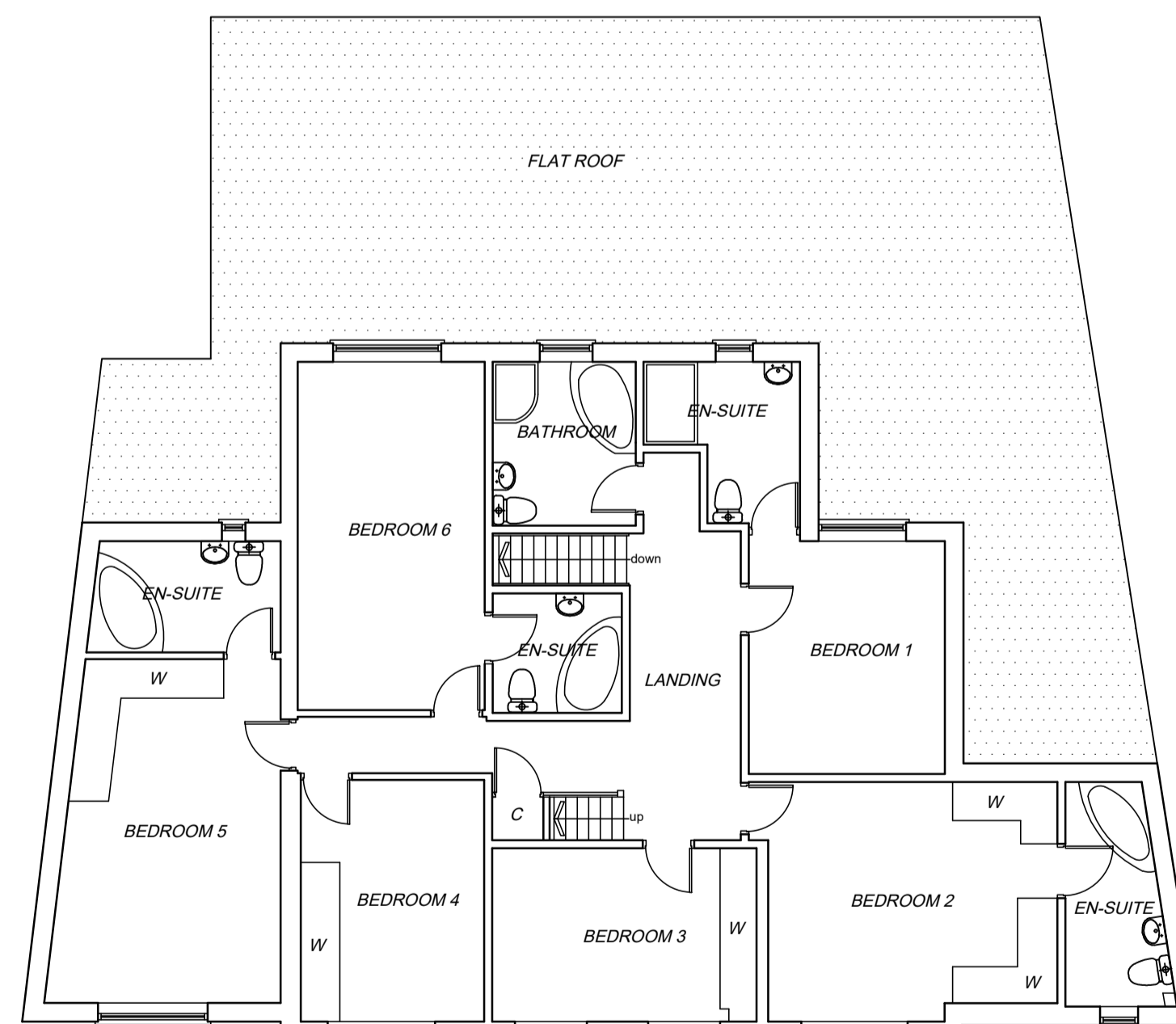
SIDE ELEVATION



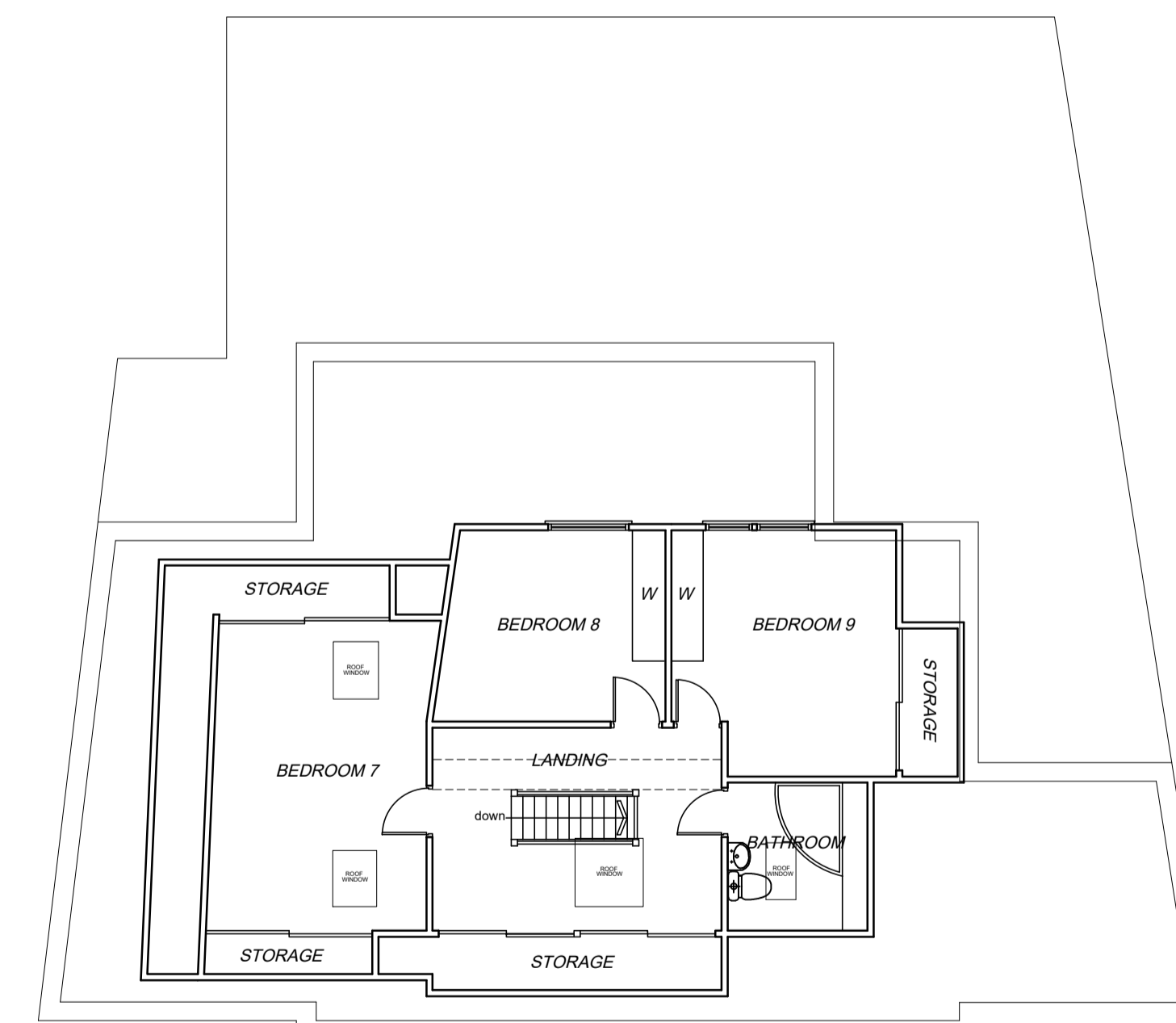
SIDE ELEVATION



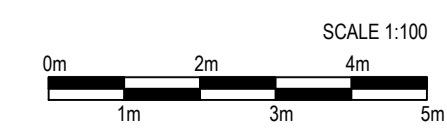
GROUND FLOOR PLAN




FIRST FLOOR PLAN



SECOND FLOOR PLAN



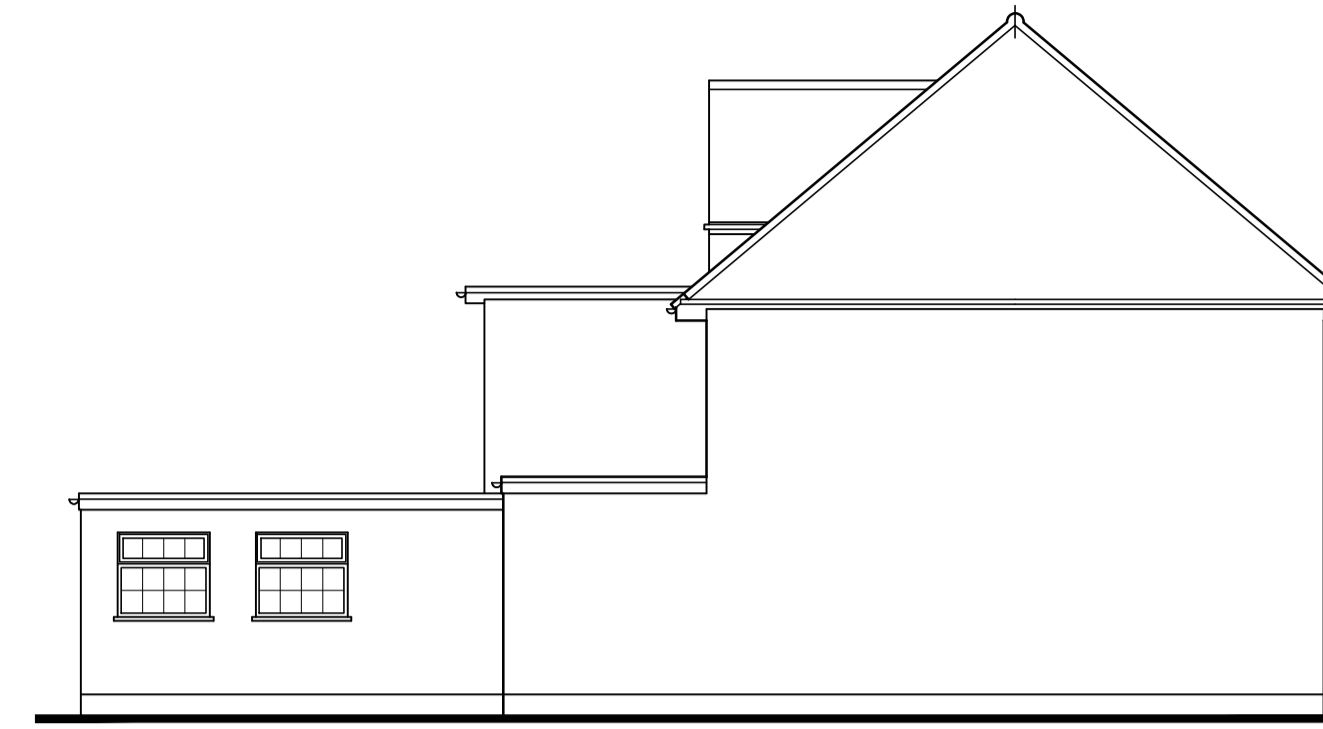
REV	DRAWN	DATE
 <b>Sdb architecture</b> DESIGN, PLANNING & PROJECT MANAGEMENT 20 Bridgnorth Road, Wombourne, Staffs, WV5 0AA Tel: 01902 894517 Mob: 07864454194 Email: peter@sevendesignbuild.com		
PROJECT		
PROPOSED GROUND FLOOR SALON & HMO ON FIRST AND SECOND FLOORS PARK HILL CONVENIENCE STORE, 10-12 PARK HILL, WEDNESBURY, WS10 0PL		
CLIENT		
MR BALACHANDRAN THIYAGARAJAH		
DRAWING		
SURVEY		
DRAWN	CHECKED	APPROVED
CAD	SCALE 1/100@A1	DATE 12.06.19
DRAWING No:	2155/S1	
		REV



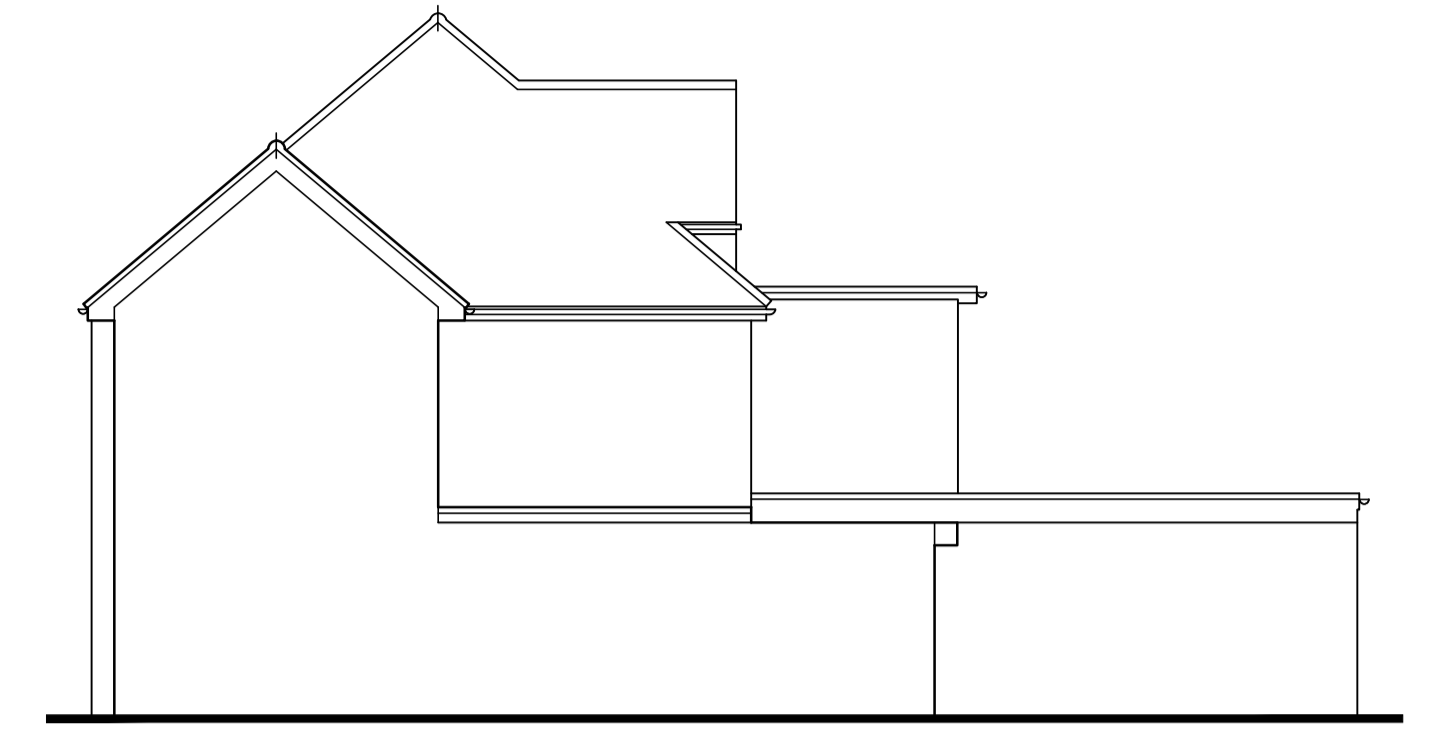
FRONT ELEVATION



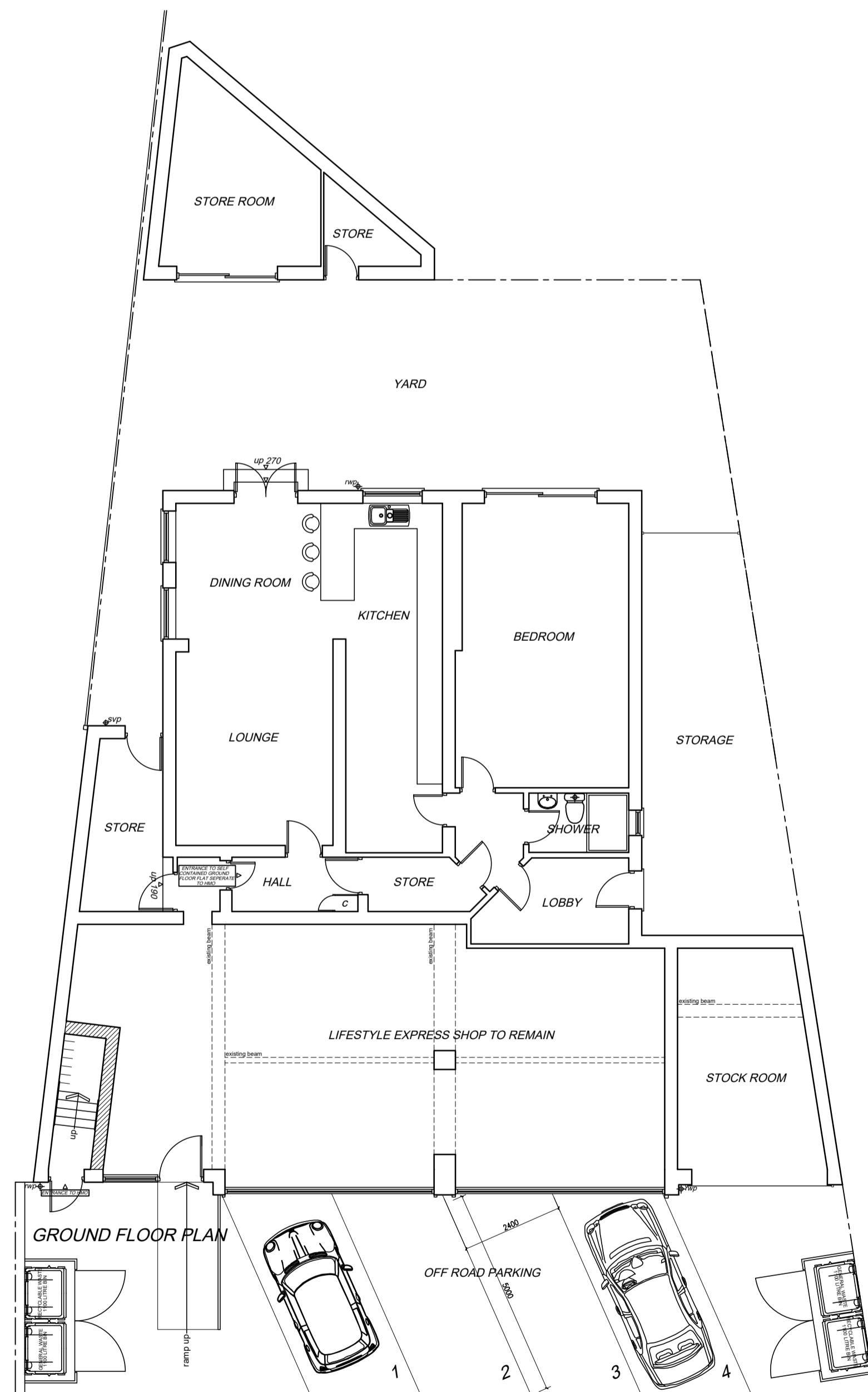
REAR ELEVATION



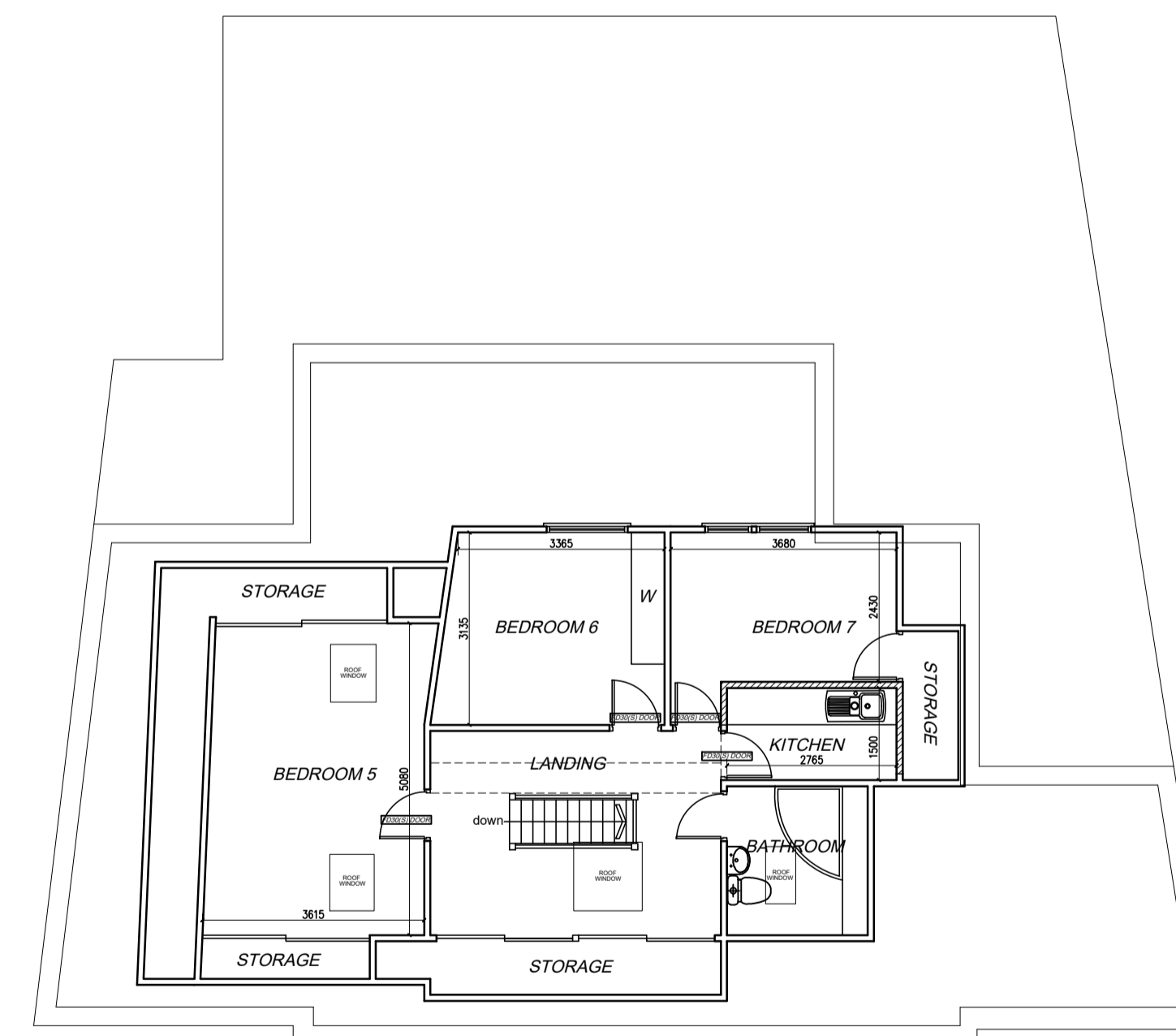
SIDE ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN



SECOND FLOOR PLAN

**FLOOR AREAS:**

FLOOR	ROOM	AREA (sq.m)
GROUND FLOOR	SHOP 1	88.10 sq.m
	FLAT	99.80 sq.m
HMO FIRST FLOOR	BEDROOM 1	11.00 sq.m
	BEDROOM 2	17.44 sq.m
	BEDROOM 3	12.23 sq.m
	BEDROOM 4	18.31 sq.m
	KITCHEN	11.90 sq.m
	LOUNGE	12.30 sq.m
	UTILITY	5.60 sq.m
HMO SECOND FLOOR	BEDROOM 5	18.00 sq.m
	BEDROOM 6	11.30 sq.m
	BEDROOM 7	9.53 sq.m
	KITCHEN	4.14 sq.m

**Notes for the Client and Contractor:**

**sdb Architecture**  
 (Seven Design Build) take no responsibility for checking any building works on site.  
 The contractor must check and verify all building and site dimensions, levels, a drain/sewer and IC locations.  
 The contractor must check that they are working from the latest drawing revisions.  
 Prior to commencement of the work on site, the client must ensure that Planning Approval where necessary has been obtained and has not expired.  
 Planning Conditions ( listed on planning approval) which are required to be discharged prior to commencement of work are to be dealt with otherwise the planning approval could be lost and a fresh application required.  
 Where the building is listed then the Local Authority Conservation officer must be informed of the commencement of the works, and kept fully informed of progress.  
 Facing materials must be approved by the Local Planning Authority ie facing bricks, roof tiles, window frames etc.  
 Written approval to the materials must be obtained from the Local Authority prior to commencement.  
**THE PARTY WALL ACT:**  
 It is a legal requirement (of the Party wall act) that home owners give the required notice to their neighbours when intending to build on or adjacent to the site boundary.  
**BUILDING REGULATIONS:**  
 The contractor must comply with the current Building Regulations whether specifically stated on this drawing or not. All necessary stage Building Inspections must be requested at the appropriate times. On completion, a Completion Certificate must be requested from building control, and supplied to the Building owner.

REV	DRAWN	DATE	Local authority amendments - GF Salon removed
B		12/11/19	

**Sdb architecture**  
 DESIGN, PLANNING & PROJECT MANAGEMENT  
 20 Bridgnorth Road, Wombourne, Staffs, WVS 0AA  
 Tel: 01902 894517 Mob: 07864454194 Email: peter@seven.designbuild.com

**PROJECT**  
 PROPOSED HMO  
 ON FIRST & SECOND FLOORS  
 PARK HILL CONVENIENCE STORE,  
 10-12 PARK HILL, WEDNESBURY, WS10 0PL

**CLIENT**  
 MR BALACHANDRAN THIYAGARAJAH

**DRAWING**  
 PLANNING DRAWING

DRAWN	CHECKED	APPROVED
CAD	SCALE 1/100@A1	DATE 12/06/19
DRAWING No:	2155/P10	
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