

# Report to Planning Committee

7<sup>th</sup> April 2021

<b>Application Reference</b>	DC/21/65144
<b>Application Received</b>	14 <sup>th</sup> January 2021
<b>Application Description</b>	Proposed first floor extensions and loft conversion including rear dormer to form 4 No. self-contained flats.
<b>Application Address</b>	The Sow and Pigs, 26 Hill Top, West Bromwich, B70 0PS.
<b>Applicant</b>	Mr Jagdeep Bagri, 3 Magadlene Road, Walsall, WS1 3TA
<b>Ward</b>	Wednesbury South.
<b>Contact Officer</b>	Name: Mr Anjan Dey Email: <a href="mailto:anjan_dey@sandwell.gov.uk">anjan_dey@sandwell.gov.uk</a>

## 1 Recommendations

1.1 That planning permission is granted subject to;


- (i) Submission of a 24 hour noise assessment to the local planning authority (LPA) and implementation/retention of approved details thereafter.
- (ii) External materials shall match those of the existing property unless otherwise agreed in writing by the LPA.



## 2 Reasons for Recommendations

2.1 The proposed extensions are appropriate in scale and design and would not cause harm to the amenities of neighbouring property by virtue of loss of privacy, outlook or light. The proposed extensions and conversion to create 4 flats would not be detrimental to highway safety.

3 How does this deliver objectives of the Corporate Plan?

	Quality homes in thriving neighbourhoods – The scheme assists with meeting the council housing targets and provides good quality homes
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## 4 Context

4.1 This application is being reported to your Planning Committee because it has generated 3 neighbour objections.

4.2 To assist members with site context, a link to Google Maps is provided below:

[The Sow and Pigs, 26 Hill Top, West Bromwich](#)

## 5 Key Considerations

5.1 The site is not allocated within the development plan.

5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)

Planning history (including appeal decisions)

Loss of light and/or outlook

Overlooking/loss of privacy

Access, highway safety, parking and servicing



## 6. The Application Site

6.1 The application relates to a drinking establishment (Sui Generis) namely the 'The Sow & Pigs' that is located on the eastern side of Hill Top, West Bromwich. The property is surrounded by residential properties and the wide area is characterised by residential and commercial properties.

## 7. Planning History

7.1 Planning approval was granted in July 2020 for a single storey side extension to the public house. The agent has advised that the consent has been implemented but the drinking establishment is currently closed due to national Covid restrictions.

7.2 Relevant planning applications are as follows:-

DC/20/64255	Proposed single storey extension with access ramp.	Grant Permission subject to matching external materials.03.07.2020.
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## 8. Application Details

8.1 Proposals are for first floor extensions including one above an existing single rear extension at the pub, as well as loft conversion, including a rear dormer, to create 4 no self-contained flats. Each of the flats would be studio flats, with the converted loft forming flat 4. Internal space of each flat is over 40 square metres.

8.2 Proposed dimensions are:

- i. 15.3m wide by 7.2m deep by 7.8m high to the height of the dual pitched roof. (First floor extension).
- ii. 7m deep by 8.1m wide by 7m to the height of the flat roof. (First floor extension).



iii. 9.1m wide by 2.9m deep by 2.6m high. (Rear dormer).

## 9. Publicity

9.1 The application has been publicised by neighbour notification letters with 12 neighbours being notified. Two neighbour objections from properties along Hill Top have been received, with the other from a property on Lakeside Road, that is to the rear of the site.

## 9.2 Objections

Objections have been received on the following grounds:

- i. Loss of privacy;
- ii. There is insufficient parking provision for the proposed flats;

Immaterial objections have been received relating to objector's personal health and previous damage to a rear boundary wall.

## 9.3 Responses to objections

I respond to the objector's comments in turn;

- (i) It is my view that the proposed extensions and conversion to flats would not result in any appreciable loss of privacy to neighbouring properties, particularly those at the rear. Separation distances between rear windowed elevations would be around 30 metres, which exceeds the 21 metres recommended in the Revised Residential Design SPD. Some rear gardens of properties along Lakeside would be overlooked but this does not warrant refusal. Furthermore, a roof terrace does not form part of the proposal; the agent has confirmed that a door shown at the rear of the flats closest to the western boundary is required for access to plant for maintenance purposes.
- (ii) Parking requirements are normally 1 space per flat but there is limited parking for patrons of the public house and additional



parking for occupiers. The agent has stated the site benefits from good public transport links – Black Lake metro stop is a short distance away. Furthermore, the proposal is for studio flats which suggests single occupancy and it is likely that residents may be users of public transport. This is supported by data provided in the submitted Transport Statement, although it is noted that this is historical data.

Highway have been consulted and have not objected to the proposal concurring with the agent’s reference to public transport links. Highways has also commented that 3 spaces would be available on the bays marked out on the street.

## 10. Consultee responses

### 10.1 Planning and Transportation Policy

Planning policy has confirmed that the proposal raises no issues and that the conversion to flats would contribute towards housing targets set out in Core Strategy policy HOU1: Delivering Sustainable growth. Consideration should also be given to Core Strategy policy ENV3: Design Quality and EOS9: Urban Design Principles of the Site Allocations and Delivery Plan Document.

### 10.2 Highways

Highways has no objections to the proposed parking arrangement. The agent has submitted a Transport Statement confirming details of sustainable transport links. Highways would prefer that the off-street parking spaces are allocated to residents initially and then allocated to the staff of the pub if residents do not own a vehicle. Highways add that this could be easily managed if the flats are for the rental market.



### 10.3 Public Health (Air Pollution & Noise)

They have commented that flats facing A4196 road are likely to be affected by noise from traffic as well as noise from plant at the public house. In view of this, they have suggested that a 24 hour noise assessment be undertaken and approved by the planning authority and any mitigation thereafter provided. This matter can be dealt with by way of condition.

## 11. National Planning Policy

11.1 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.

11.2 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In case of this application, Highway comments do not consider that the lack of on street parking would result in an unacceptable impact on highway safety or would have a severe cumulative impact.

## 12. Local Planning Policy

12.1 The following polices of the Council's Development Plan are relevant:-

ENV3: Design Quality

SAD EOS9: Urban Design Principles

Revised Residential Design Guide SPD

12.2 ENV3: Design Quality refers to each place in the Black Country being distinct and successful place making will depend on understanding and responding to the identity of each place with high quality design proposals.



12.3 SAD EOS9: Urban Design Principles states that the Council will reject poor quality designs, particularly those that are inappropriate within their locality or out of scale with their surroundings.

The proposed extensions and conversion to flats are considered to adhere to both of these policies (see section 10.1). The design is considered satisfactory and internal living space adheres to the Council's Residential Design SPD.

### 13. Material Considerations

13.1 The material considerations relating to Government Policy (NPPF) and proposals within the Development Plan have been referred to above in Sections 11 and 12. With regards to the other considerations these are highlighted below:

#### 13.2 Loss of light and/or outlook

It is considered that the extensions would not result in any appreciable loss of outlook to neighbouring dwellings. The extension would be stepped in away from the southern boundary considerably in order to minimise any impact on number 24a Hill Top particularly.

#### 13.3 Loss of privacy

It is also considered that the proposed extension and loft conversion to create flats would not result in any significant overlooking of neighbouring properties, and there would not be any significant overlooking of primary windows at the rear of neighbouring dwellings due to substantial interface distance.

#### 13.4 Access, highway safety, parking and servicing.

Highways raise no concerns with the lack of dedicated parking for proposed residents. The site benefits from good public transport links



with access to bus stops and nearby Metro stop (see section 10.2). A Transport Statement has been submitted to confirm this.

## 14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policy and there are no material planning considerations that would warrant refusal.

## 15 Implications

<b>Resources:</b>	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.
<b>Legal and Governance:</b>	This application is submitted under the Town and Country Planning Act 1990.
<b>Risk:</b>	None.
<b>Equality:</b>	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
<b>Health and Wellbeing:</b>	None.
<b>Social Value</b>	None.

## 16. Appendices

Site Plan

1000-103-104 Block & location plan.

1000-103-101 Existing plans

1000-103-102 Rev B. Proposed first floor & elevations.

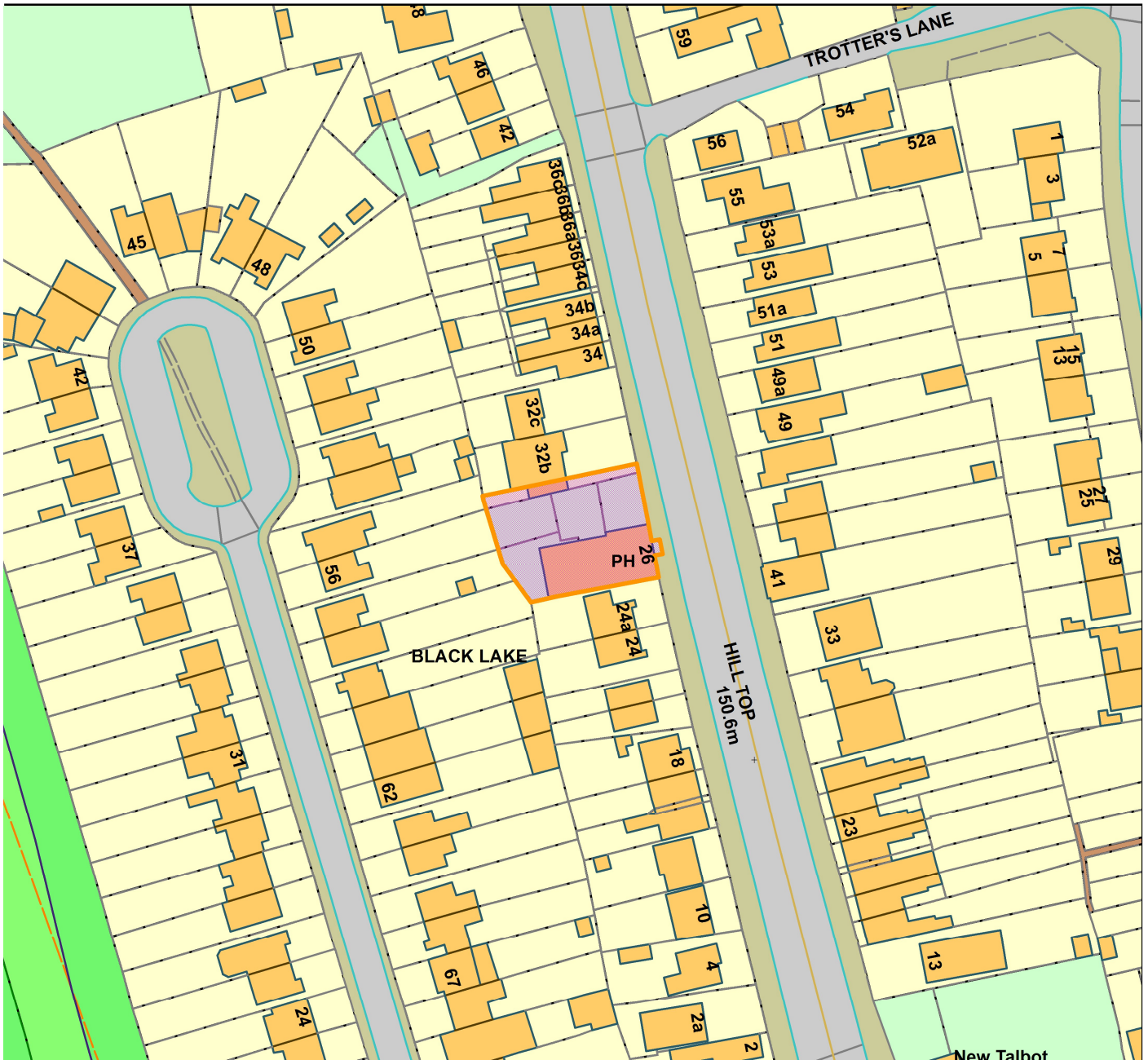
1000-103-103 Rev B. Proposed loft floor plan & rear dormer.





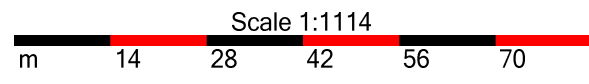
DC/21/65144

The Sow and pigs, 26 Hill top



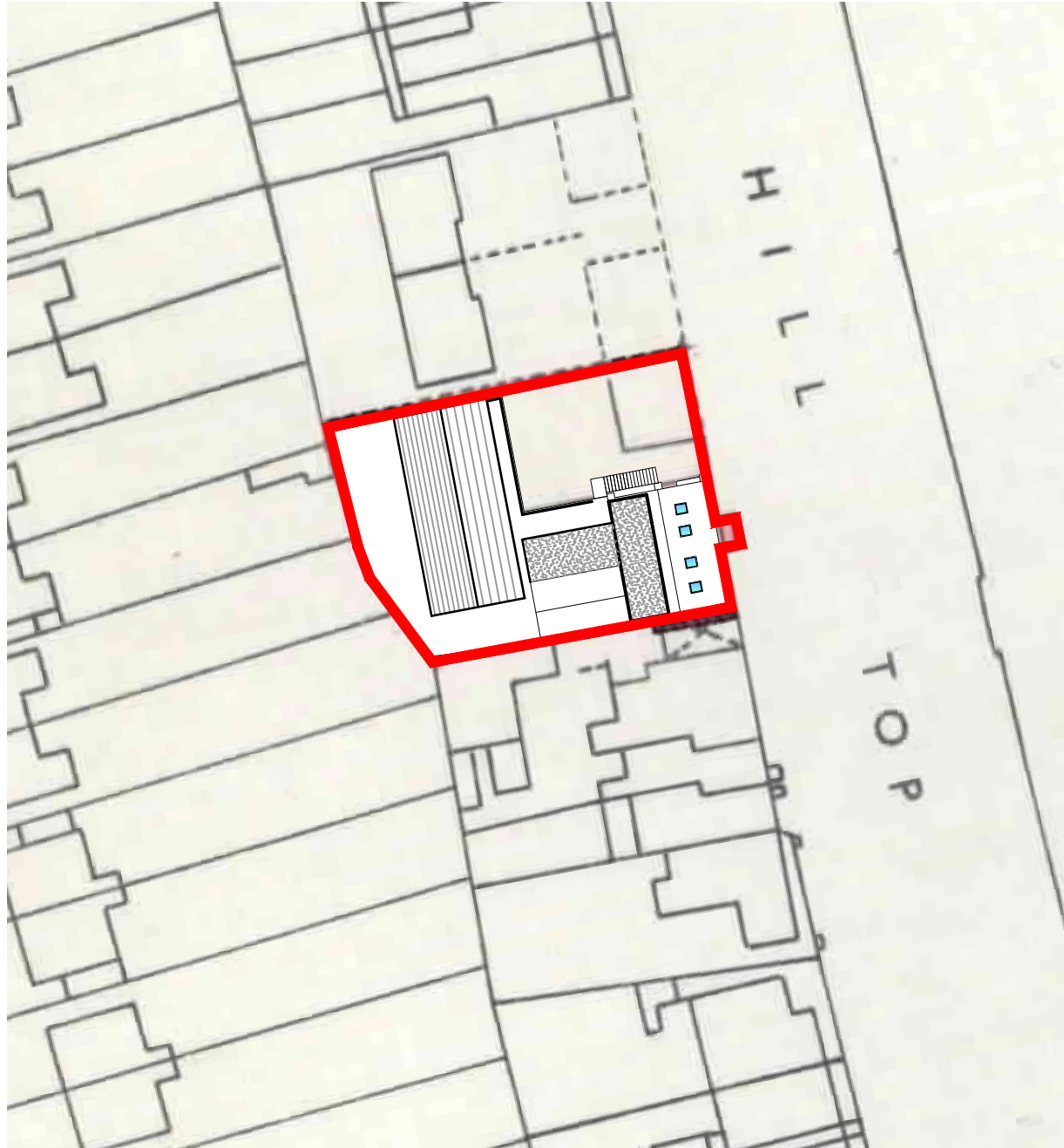
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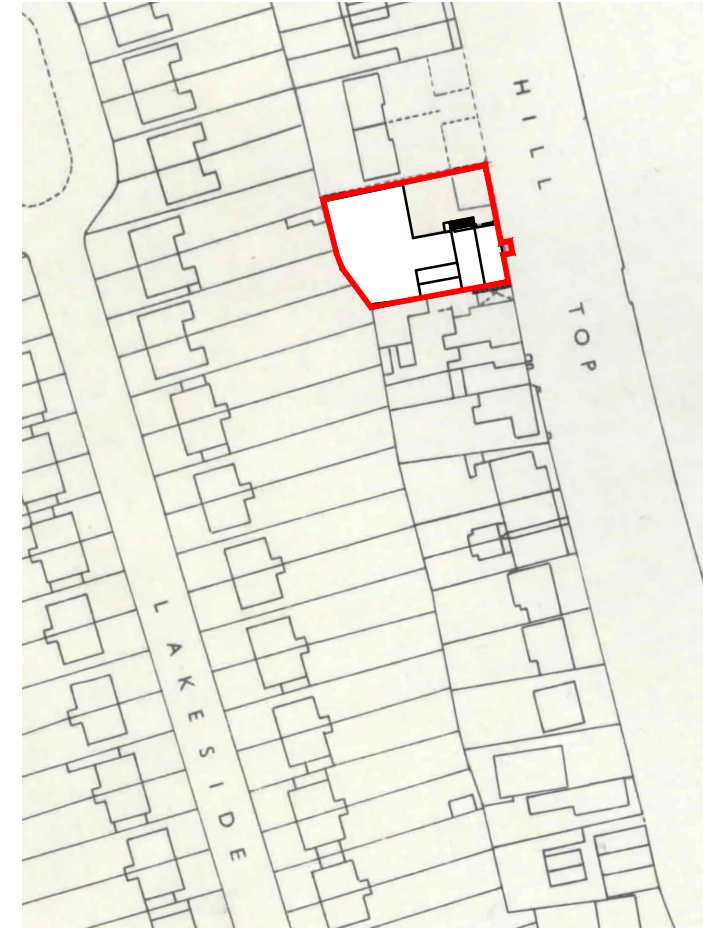
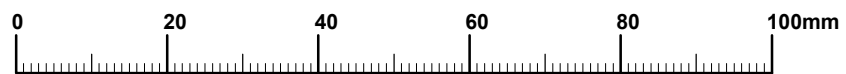


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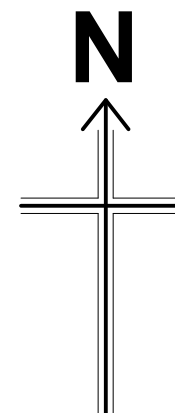
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<b>Comments</b>	Not Set
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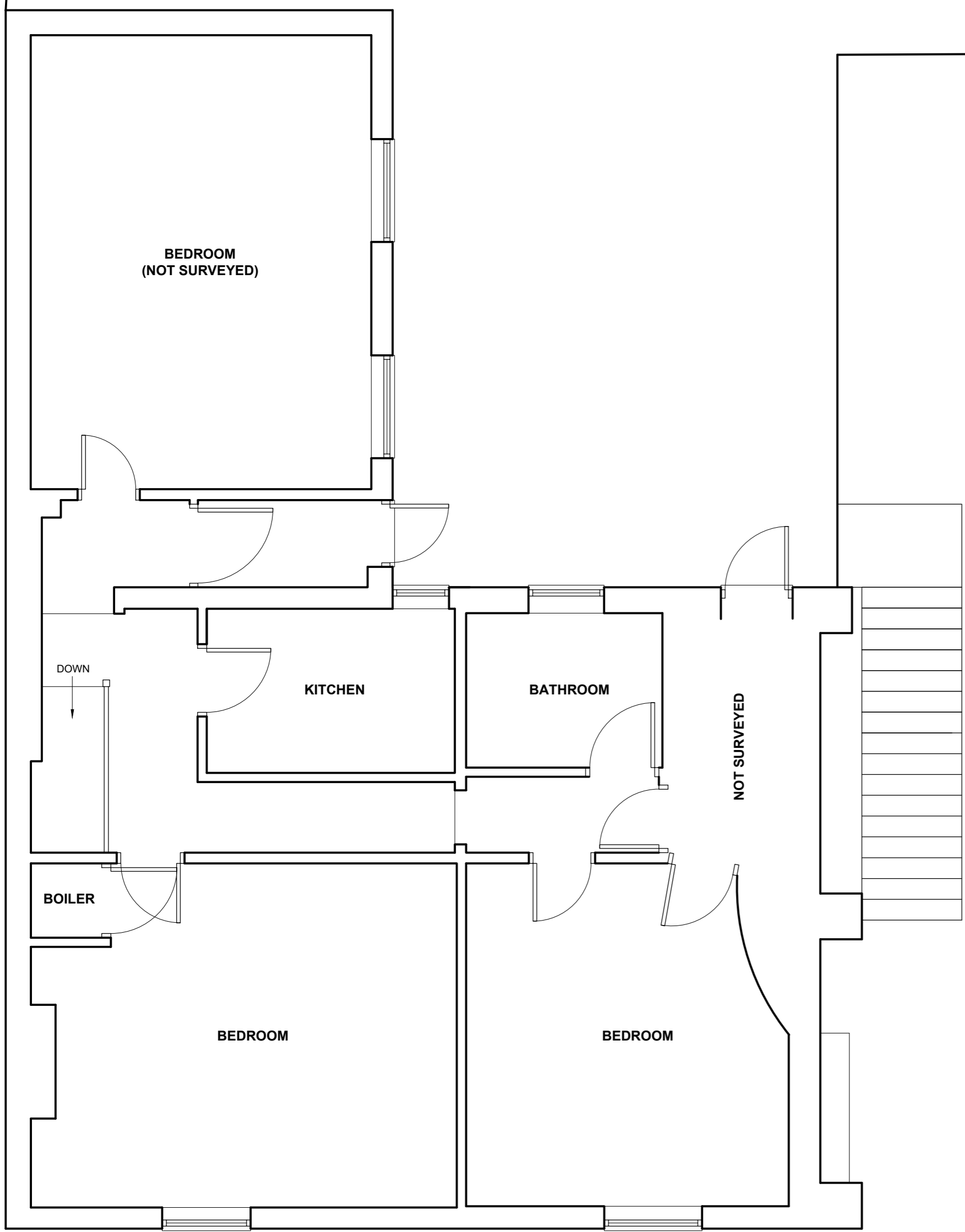
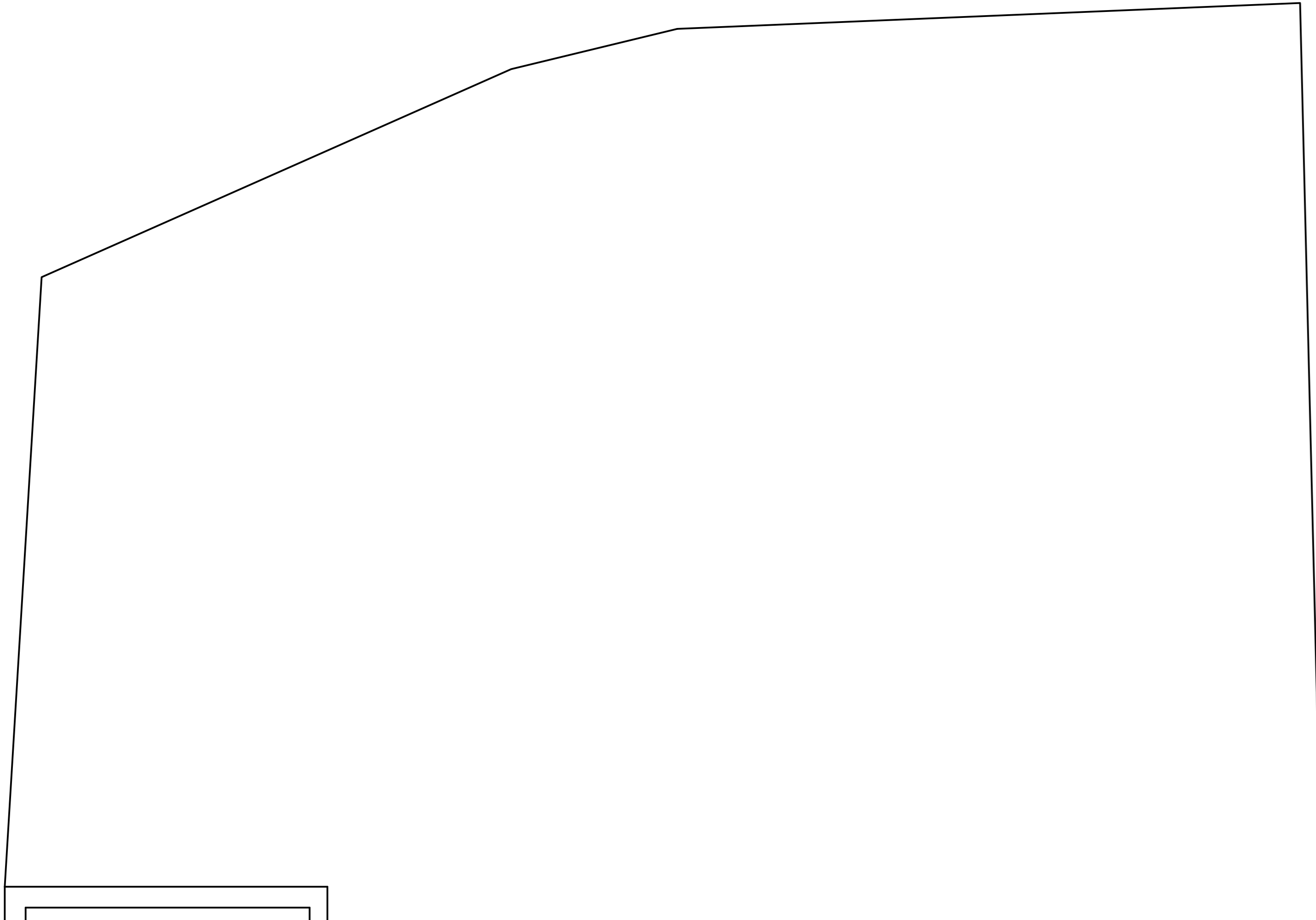
**BLOCK PLAN (1:500)**



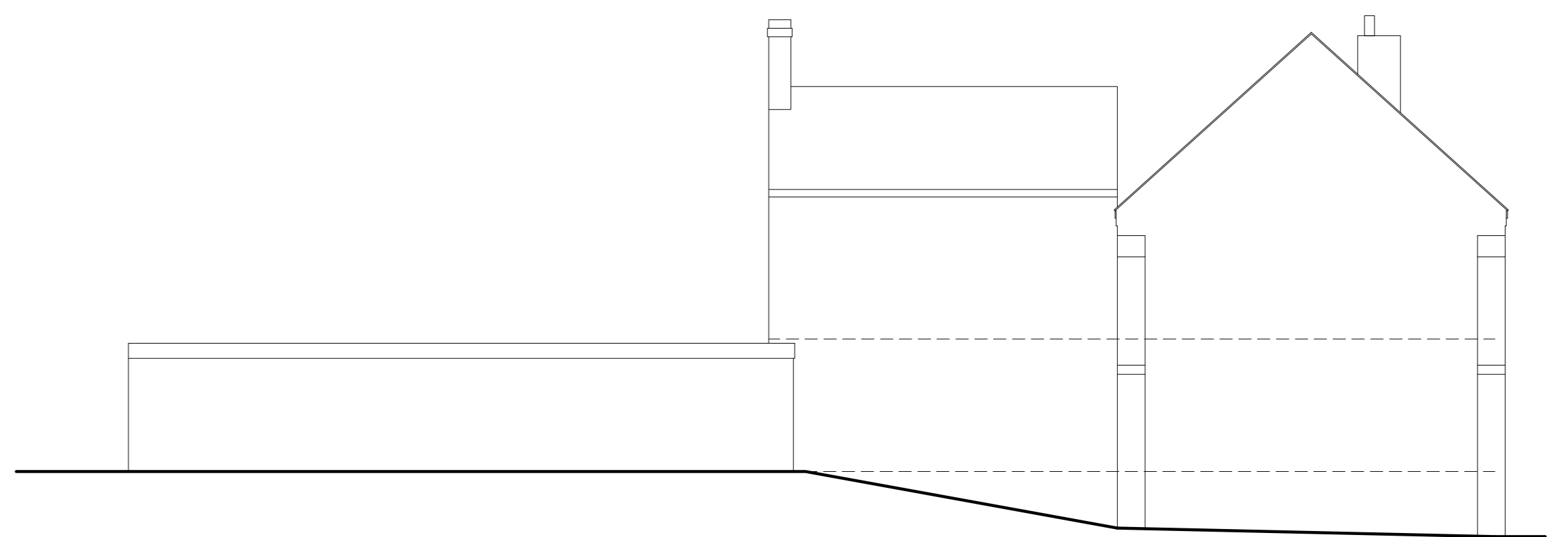
**LOCATION PLAN (1:1250)**



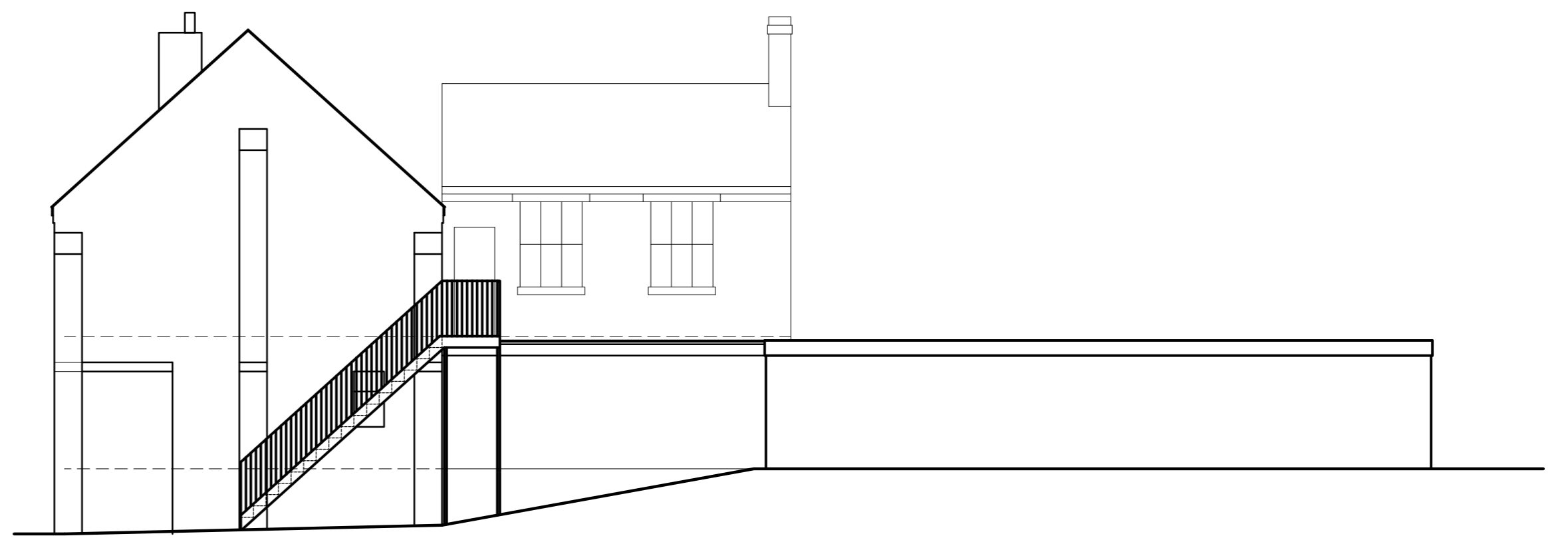
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 <b>MIDLANDS BUILDING CONSULTANCY</b>		
THE SOW AND PIGS 26 HILL TOP WEST BROMWICH B70 0PS		
<b>DRAWING TITLE:</b> BLOCK PLAN AND LOCATION PLAN		
DATE:	Jan '21	SCALES: 1:500 & 1:1250 @ A3
DRAWN:		DRG No.: 1000-103-104
CHECKED:		REV: .



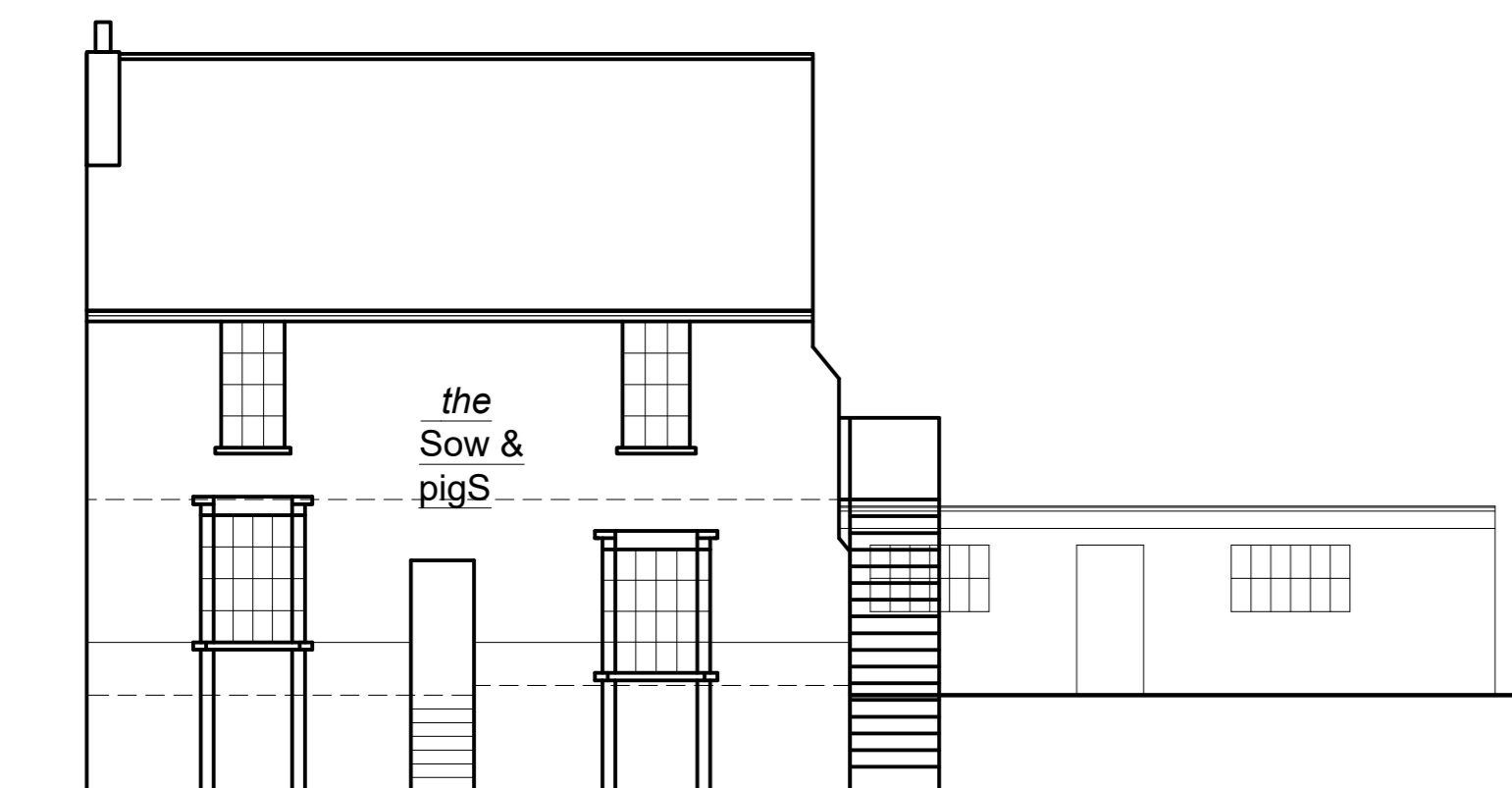
FIRST FLOOR PLAN AS EXISTING  
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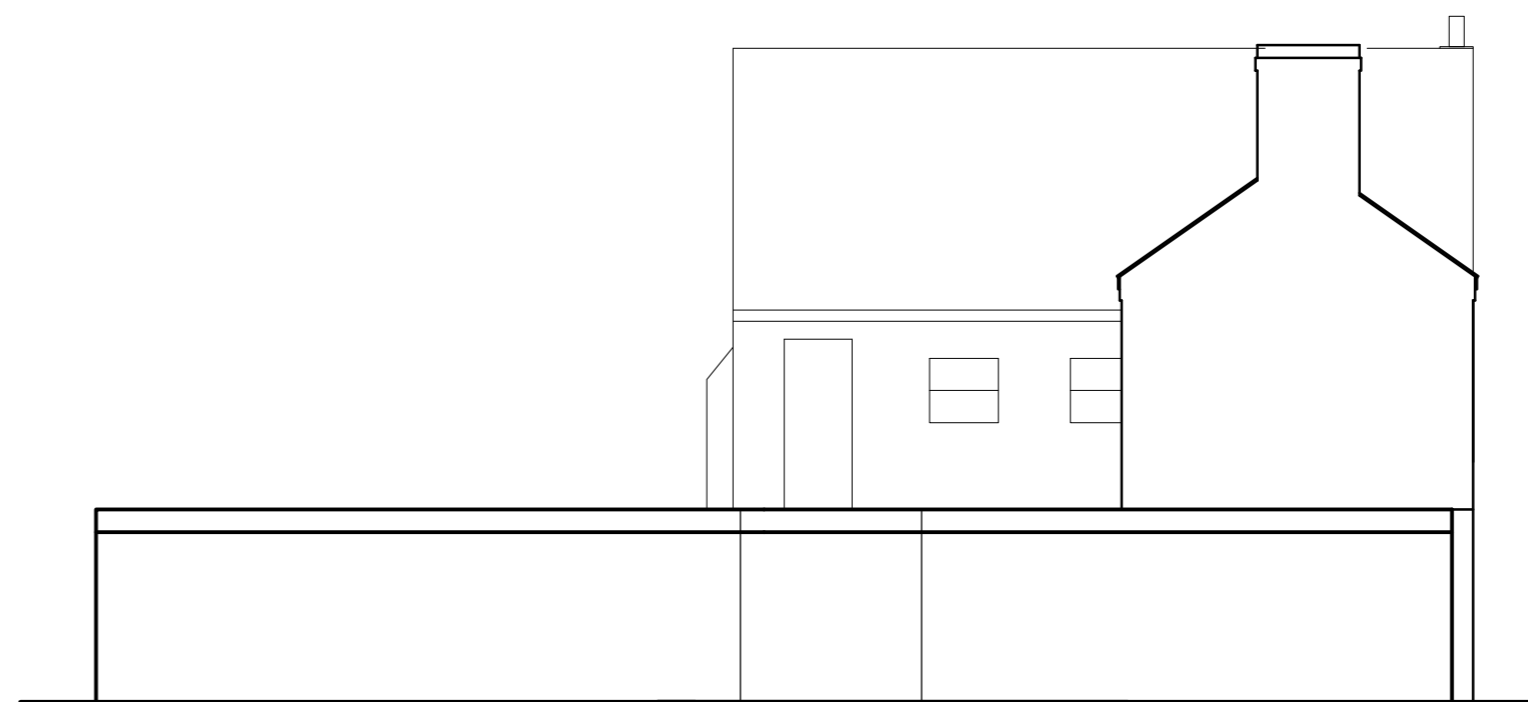
SIDE ELEVATION AS EXISTING  
(1:100)



SIDE ELEVATION AS EXISTING  
(1:100)




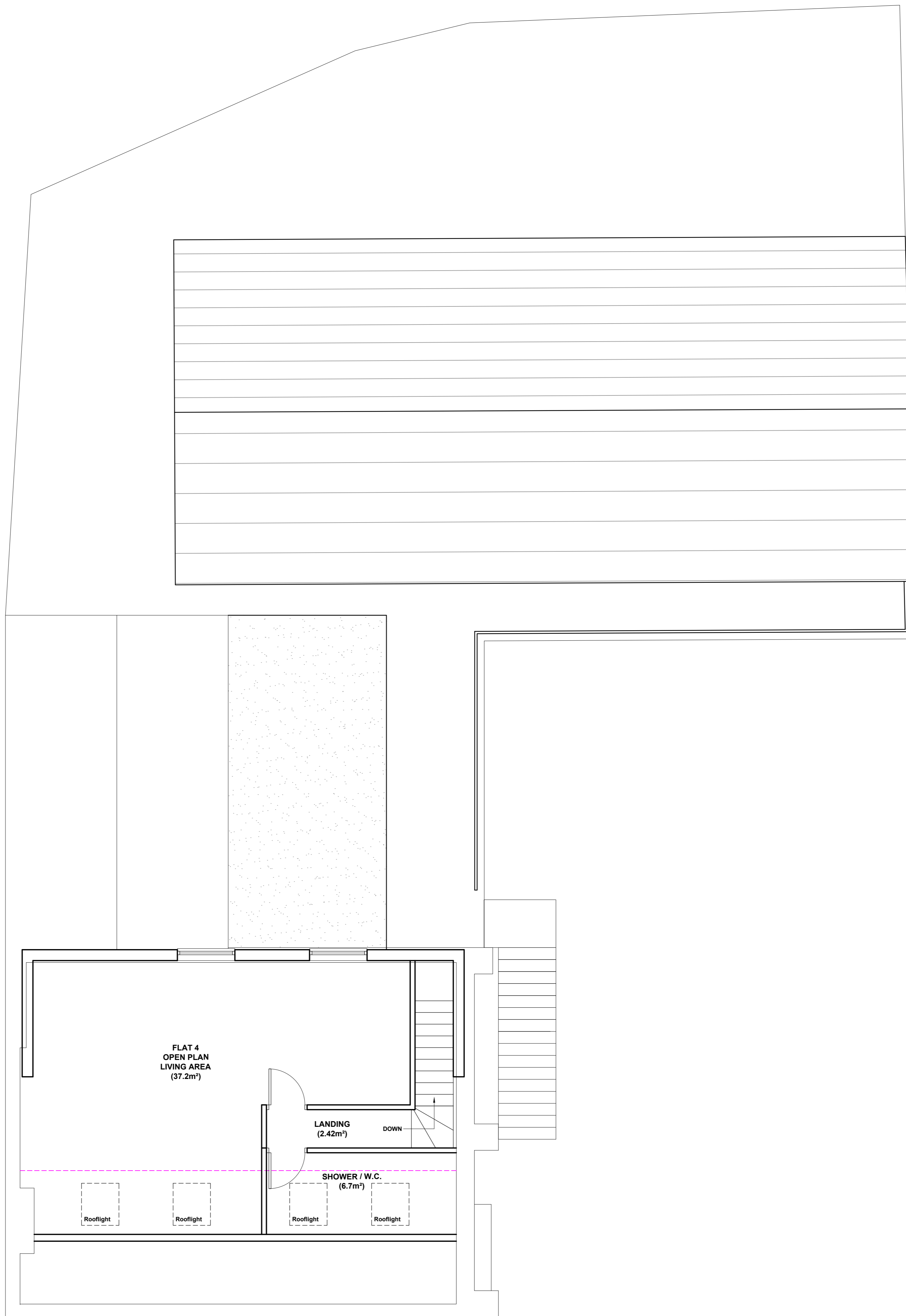
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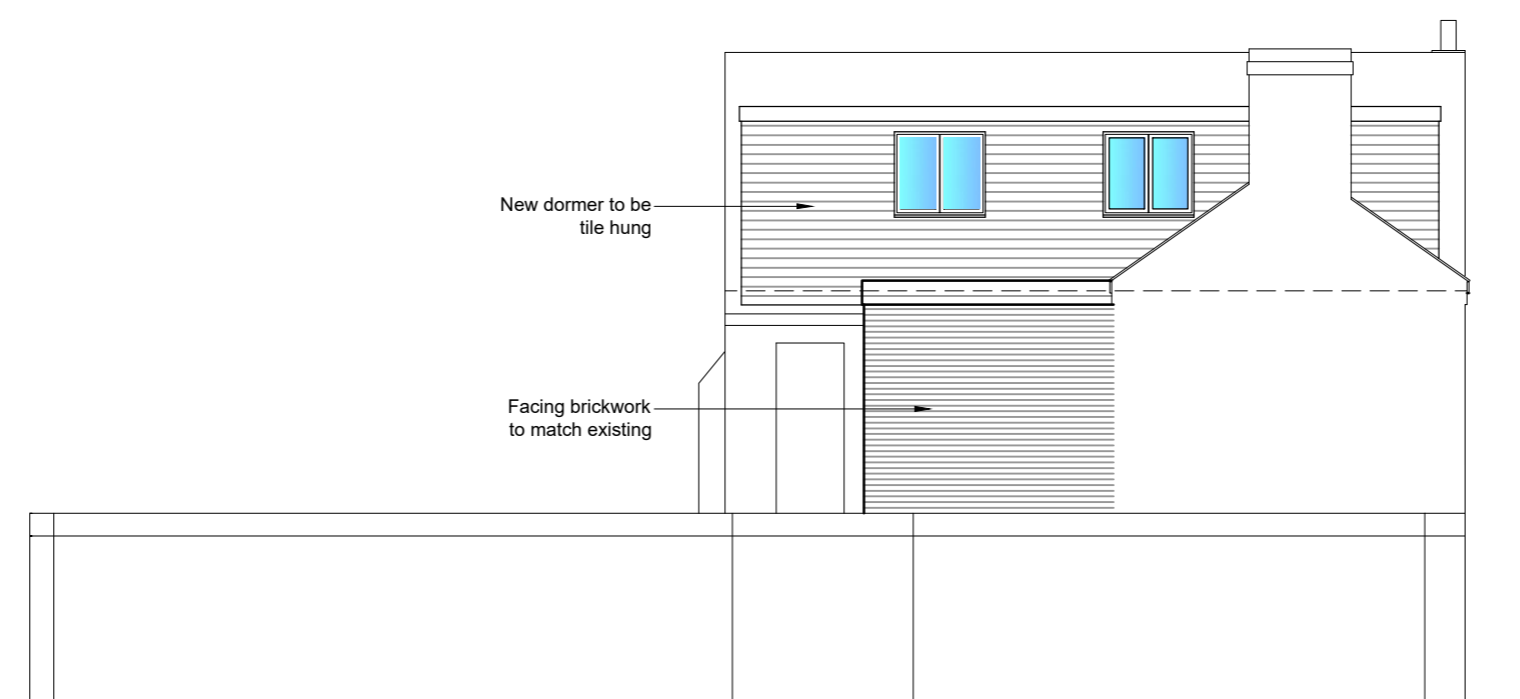
REAR ELEVATION AS EXISTING  
(1:100)



REV:	DATE:	DESCRIPTION:
 <p><b>MIDLANDS BUILDING CONSULTANCY</b></p>		
<p>PROPOSED EXTENSION AT: THE SOW AND PIGS, 26 HILL TOP, WEST BROMWICH, B70 0PS</p>		
<p>DRAWING TITLE: PLAN AND ELEVATIONS AS EXISTING</p>		
DATE:	Nov 20	SCALES: 1:50 & 1:100 @ A1
DRAWN:		DRG No.: 1000-103-101
CHECKED:		REV:



LOFT FLOOR PLAN AS PROPOSED  
(1:50)



REAR ELEVATION ON DORMER AS PROPOSED  
(1:100) (FIRST FLOOR EXTENSION OMITTED FOR CLARITY)



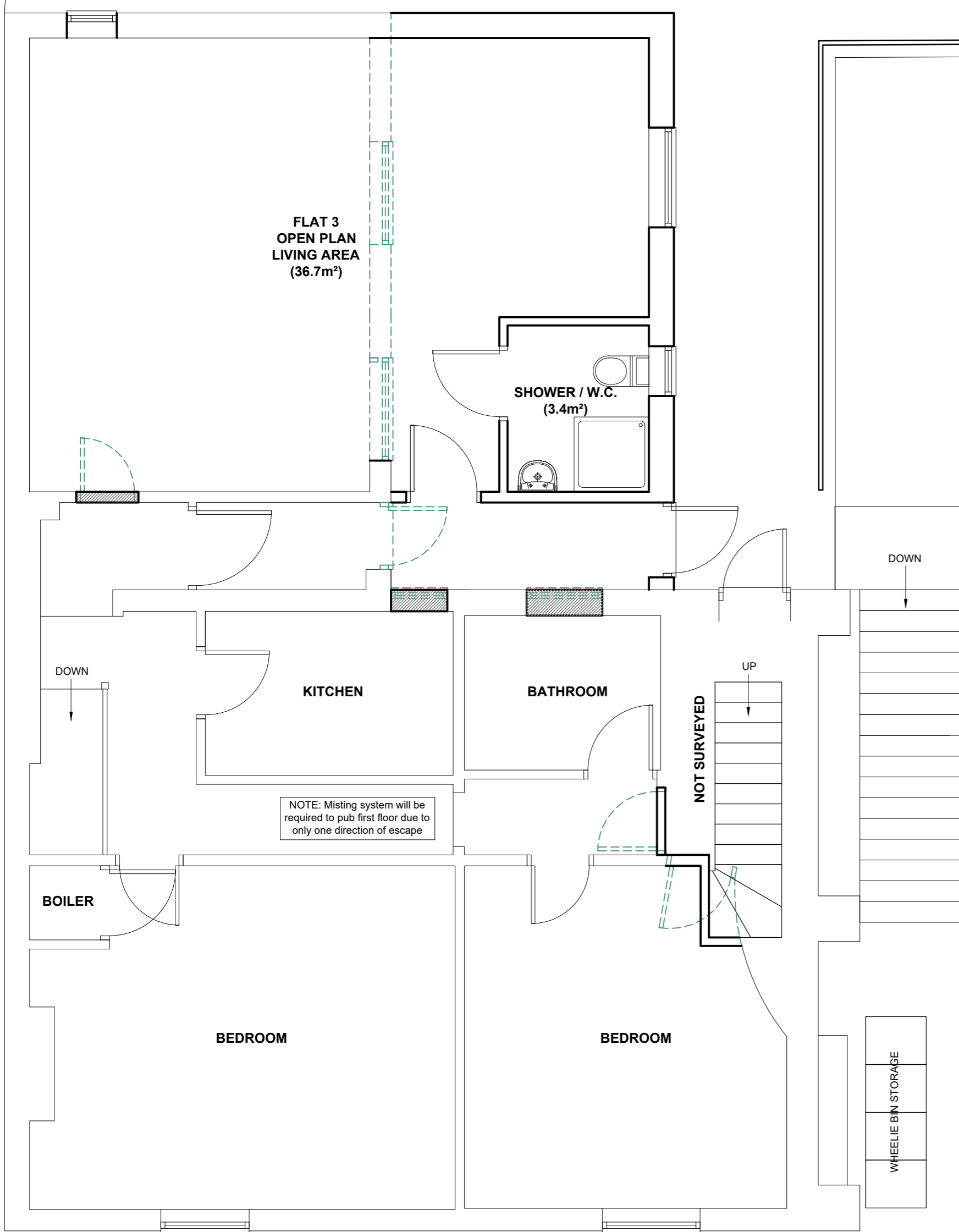
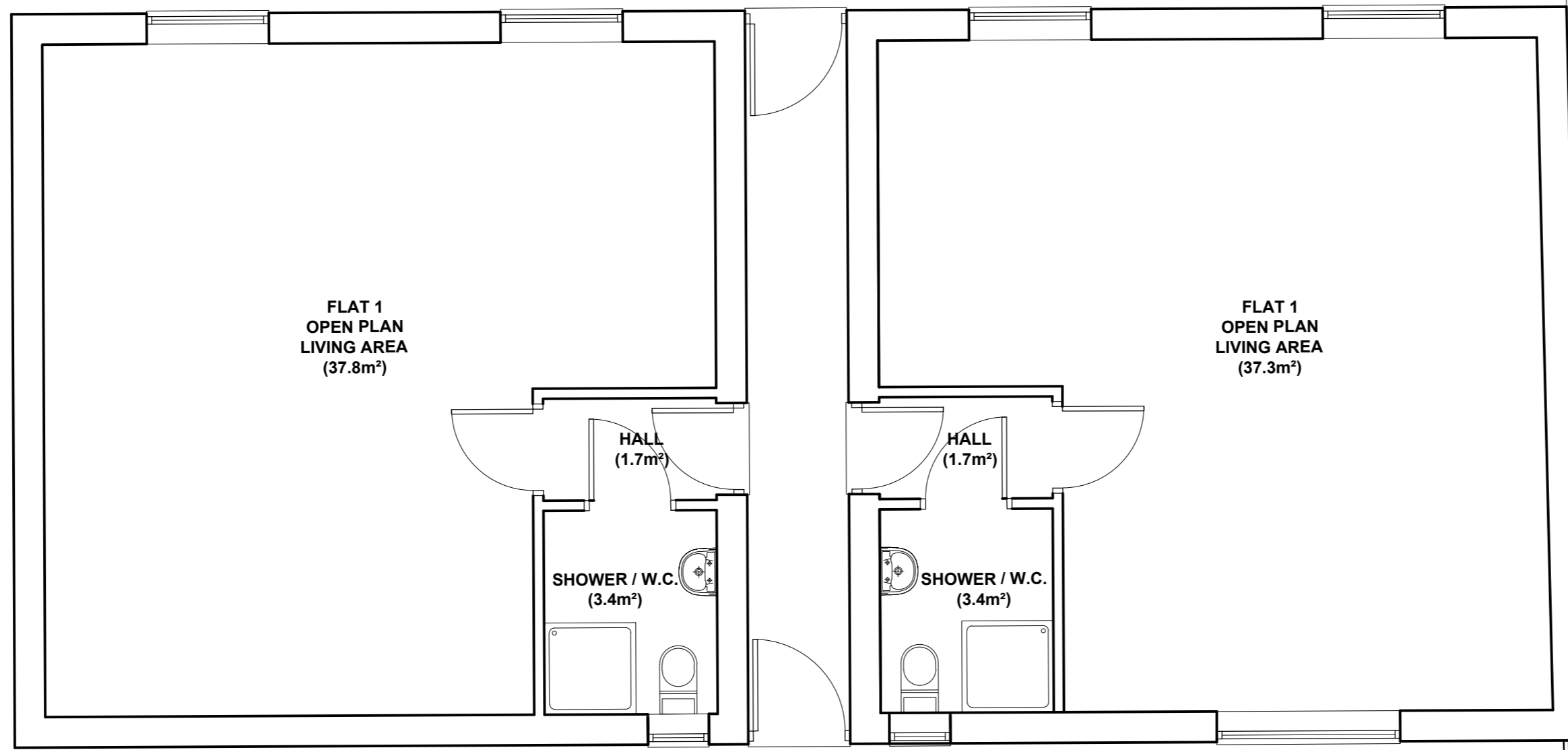
b 02.02.21 Apartments amended to 40m² studio apartments  
a 02.02.21 Floor areas for each room added to new flats

REV:	DATE:	DESCRIPTION:

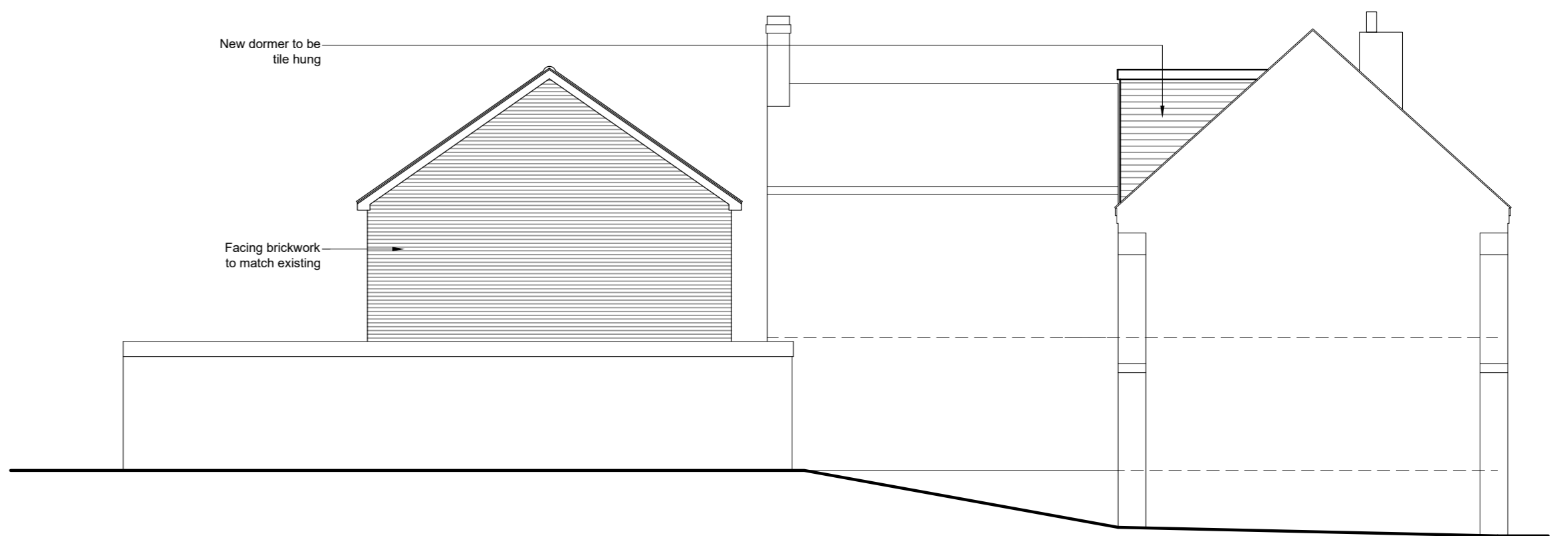
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THE SOW AND PIGS,  
26 HILL TOP,  
WEST BROMWICH, B70 0PS

DRAWING TITLE:  
LOFT PLAN AS PROPOSED

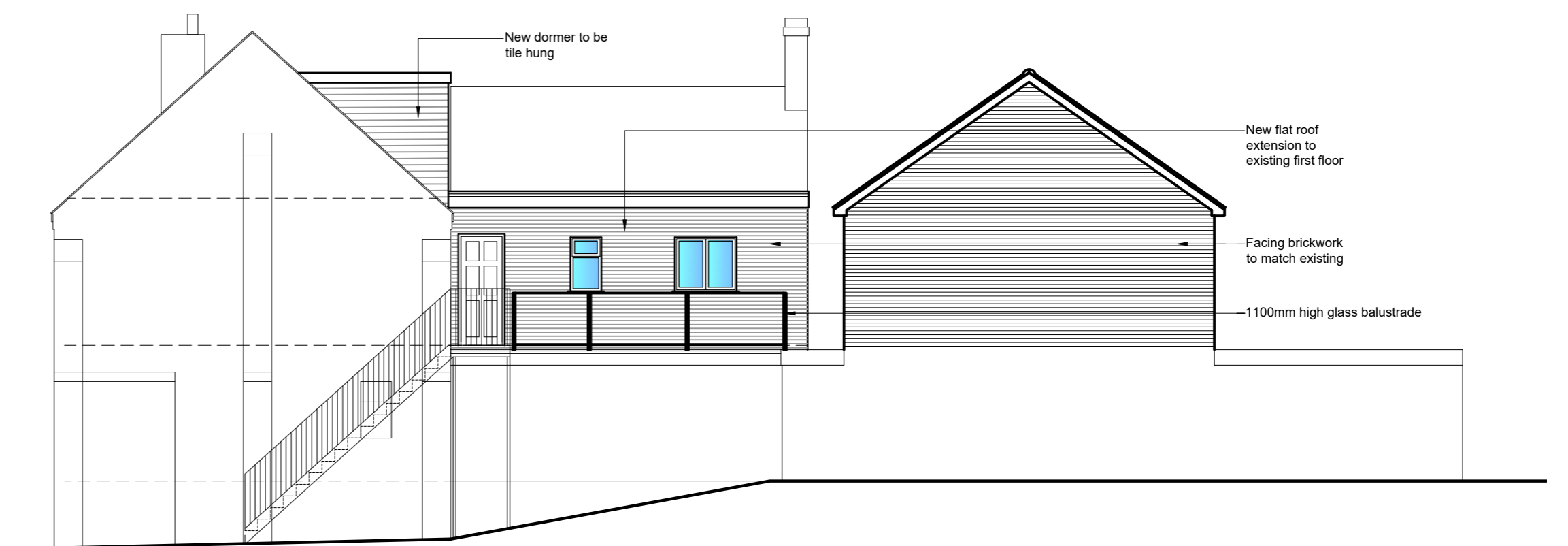
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CHECKED:		REV:	b



FIRST FLOOR PLAN AS PROPOSED  
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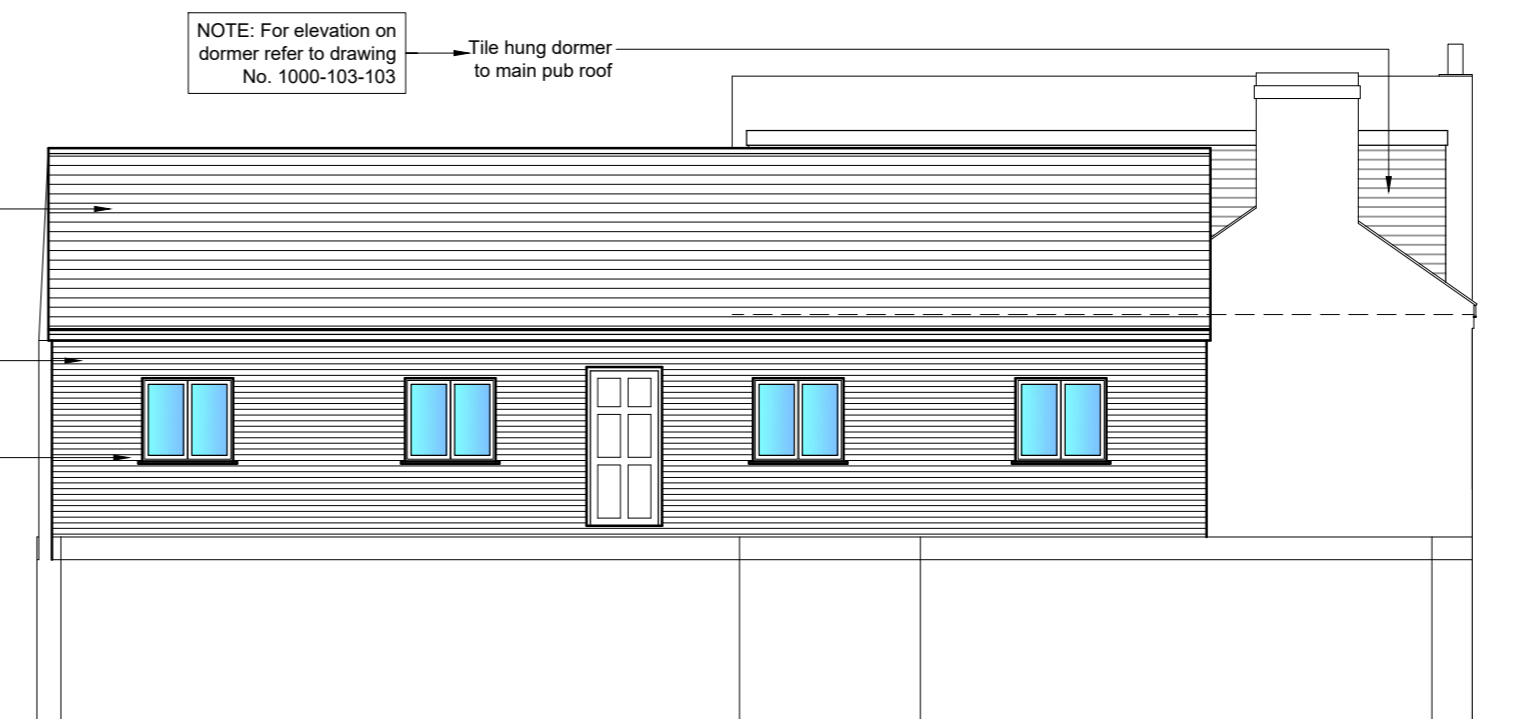
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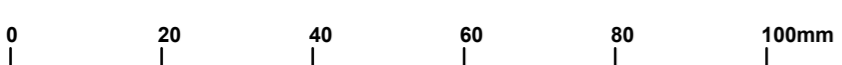
SIDE ELEVATION AS PROPOSED  
(1:100)



FRONT ELEVATION AS PROPOSED  
(1:100)



REAR ELEVATION AS PROPOSED  
(1:100)



b	02.02.21	Apartments amended to 40m² studio apartments
a	02.02.21	Floor areas for each room added to new flats



PROPOSED EXTENSION AT:  
THE SOW AND PIGS,  
26 HILL TOP,  
WEST BROMWICH, B70 0PS

DRAWING TITLE:  
FIRST FLOOR PLAN AND ELEVATIONS AS  
PROPOSED

DATE:	Nov 20	SCALES:	1:50 & 1:100 @ A1
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CHECKED:		REV:	b