

# Report to Planning Committee

**19 July 2022**

<b>Application Reference</b>	DC/22/66976
<b>Application Received</b>	25 April 2022
<b>Application Description</b>	Proposed conversion of dwelling into 3 apartments with external alterations (previously withdrawn application DC/22/66617).
<b>Application Address</b>	31 Constance Avenue, West Bromwich.
<b>Applicant</b>	Harmel Singh, 31 Constance Avenue, West Bromwich, B70 6ED.
<b>Ward</b>	West Bromwich Central.
<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) External materials shall match those of the existing property unless otherwise agreed by the local planning authority;
- (ii) Implementation & retention of approved parking spaces;
- (iii) Implementation & retention of approved bin storage;
- (iv) Implementation & retention of approved cycle storage.



## 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 privacy, outlook or light. The proposed conversion to 3 flats would not be detrimental to highway safety or cause an increase in noise and nuisance given that the number of occupants would not differ from that of one large family dwelling.

## 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 a number of neighbour objections, and Councillor William Gill has also requested that the application be determined at Planning Committee.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[31 Constance Avenue, West Bromwich.](#)

## 5. Key Considerations

- 5.1 The site is not allocated in the development plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)

Planning history (including appeal decisions)



Overlooking/loss of privacy  
Access, highway safety, parking and servicing

## 6. The Application Site

6.1 The application relates to semi-detached property located on the southern side of Constance Avenue which is a residential area in character. The property is within short distance of Trinity Road north and southbound carriageways.

## 7. Planning History

7.1 An application for proposed conversion of dwelling into 3 apartments with external alterations was submitted in February 2022 but was consequently withdrawn, following consultation with the Planning Department.

7.2 Relevant planning applications are as follows:-

DC/22/66617	Proposed conversion of dwelling Into 4 apartments with external alterations.	Withdrawn 06.04.2022.
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## 8. Application Details

8.1 This revised application is for the conversion of the dwelling into 3 apartments; specifically 2 no 1 bedroom flats and 1 no 2 bedroom flat. External alterations are proposed to facilitate the conversion and there would be associated parking.

External alterations include the provision of additional doors for access to the self-contained flats, as well as additional fenestration.

8.2 Submitted plans also show that 3 off road parking spaces would be provided; 1 at the front of the property on the existing driveway, and 2 at the rear. The existing detached garage at the rear of the house is to be



demolished to provide 2 additional parking spaces as well cycle storage. Private amenity space would be at the rear of the property along with bin storage.

8.3 Both of the 1 bedroom flats would be at ground floor level with the 2 bedroom flat at first floor level with a bedroom proposed in the roof space. Internal space for each of the flats is proposed at:

Apartment 1 - 57 square metres. (1 bedroom)

Apartment 2 - 50.7 square metres. (1 bedroom)

Apartment 3 - 97 square metres. (2 bedroom)

## 9. Publicity

9.1 The application has been publicised by neighbour notification letters with 15 neighbours being notified. Seven neighbour objections from 7 properties along Constance Avenue and Freda Road have been submitted, along with the request from Councillor Gill.

## 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;
- (iii) The conversion to flats would result in anti-social behaviour and increase risk to health & safety;
- (iv) The flats would result in noise disturbance to neighbours;
- (v) Increased smells and cooking odours;
- (vi) Flats would be out of character and set an unwelcomed precedent;

Immaterial objections have been received referring to devaluing neighbouring property and drainage and structural issues. The latter can be dealt with under Building Regulations.



### 9.3 Responses to objections

I respond to the objector's comments in turn;

- (i) It is my view that the proposed conversion to 3 flats would not result in any appreciable loss of privacy to neighbouring properties. This revised proposal differs from the previous application in that extensions proposed previously have been omitted. Furthermore, windows in the rear level would remain as existing, apart from a small window located centrally to serving one of the rear bedrooms at first floor windows. Windows at the rear of the property already overlook neighbouring rear gardens but this is a characteristic of this type of residential area, where gardens are naturally overlooked. In view of this the proposal would not result in any additional loss of privacy.
- (ii) Parking standards are 1 space per flat and these are shown on the existing driveway and at the rear of the property. Highways has no objection to the proposed arrangement.
- (iii) There is no evidence to suggest that the proposed conversion to flats would result in anti-social behaviour, or a risk to resident's personal health and safety. It is not clear whether the flats would be for private ownership on the rental market, however the proposals cannot be refused on grounds of tenure.
- (iv) There is no evidence to that the conversion to flats would result increase noise disturbance to local residents. Internal alterations would be subject to Building Regulations approval and it is envisaged that each of the flats would be subject to the required levels of noise insulation. Furthermore, the proposals considered are for self-contained apartments.
- (v) Again, there is no evidence to suggest that the conversion would result increased smell and odours to neighbouring property.
- (vi) Constance Avenue is characterised by family housing; the proposal would not set an unwanted precedent as it has been assessed on its individual merits and in accordance with adopted policies. The property would largely retain its appearance and



character of a standard domestic property, albeit internal arrangements now provide three flats. All three flats comply with internal living standards. Therefore its external appearance would complement the established character and appearance of the surrounding area.

It should also be noted that this type of conversion has been granted consent by the Planning Committee elsewhere in the borough, for example Temple Meadows Road, West Bromwich (DC/20/65067) & Greswold Street, West Bromwich (DC/21/65823).

## 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. Furthermore, the flats comply with standards set out in the adopted Residential Design SPD.

### 10.2 Highways

Highways has no objections to the proposed parking arrangement.

## 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 61 of the NPPF states that the size, type and tenure of housing needed for different groups in society should be assessed and reflected in planning policies. Such groups include those who require affordable housing, families with children and those people who rent their homes.





## 12. Local Planning Policy

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

ENV3: Design Quality

SAD EOS9: Urban Design Principles

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 with 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 12.1). Design and rear amenity space is considered satisfactory and 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 privacy/overlooking

It is also considered that the proposed subdivision of the flats would not result in any significant overlooking of neighbouring properties, and there would not be any direct overlooking of primary windows at the rear of neighbouring dwellings. There would be a small additional window at first floor level that would be located centrally, however this would not result



in any loss of privacy of neighbouring properties. Furthermore, the proposed window at ground floor level in the southern side return of dwelling is also considered acceptable.

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

Highways raise no concerns with the proposed parking arrangement which would use the existing driveway for off-road provision. The adopted parking standard is 1 space per flat and could be accommodated at the front and rear of the property (see section 11.2). Bin storage is proposed at the rear of the property.

## 14 Alternative Options

14.1 Refusal of application is an option if there are material planning reasons for doing so. In my opinion the proposal does not significantly harm residential amenity and accords with relevant adopted policy.

## 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

Location & site plan 1143\_10





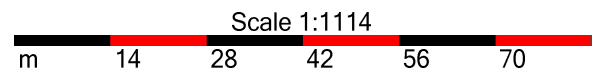
Existing floor plans 1143\_11  
Existing elevation plans 1143\_12  
Proposed floor plans 1143\_13  
Proposed elevation plans 1143\_14



DC/22/66976  
 31 Constance Avenue, West Bromwich



**Legend**

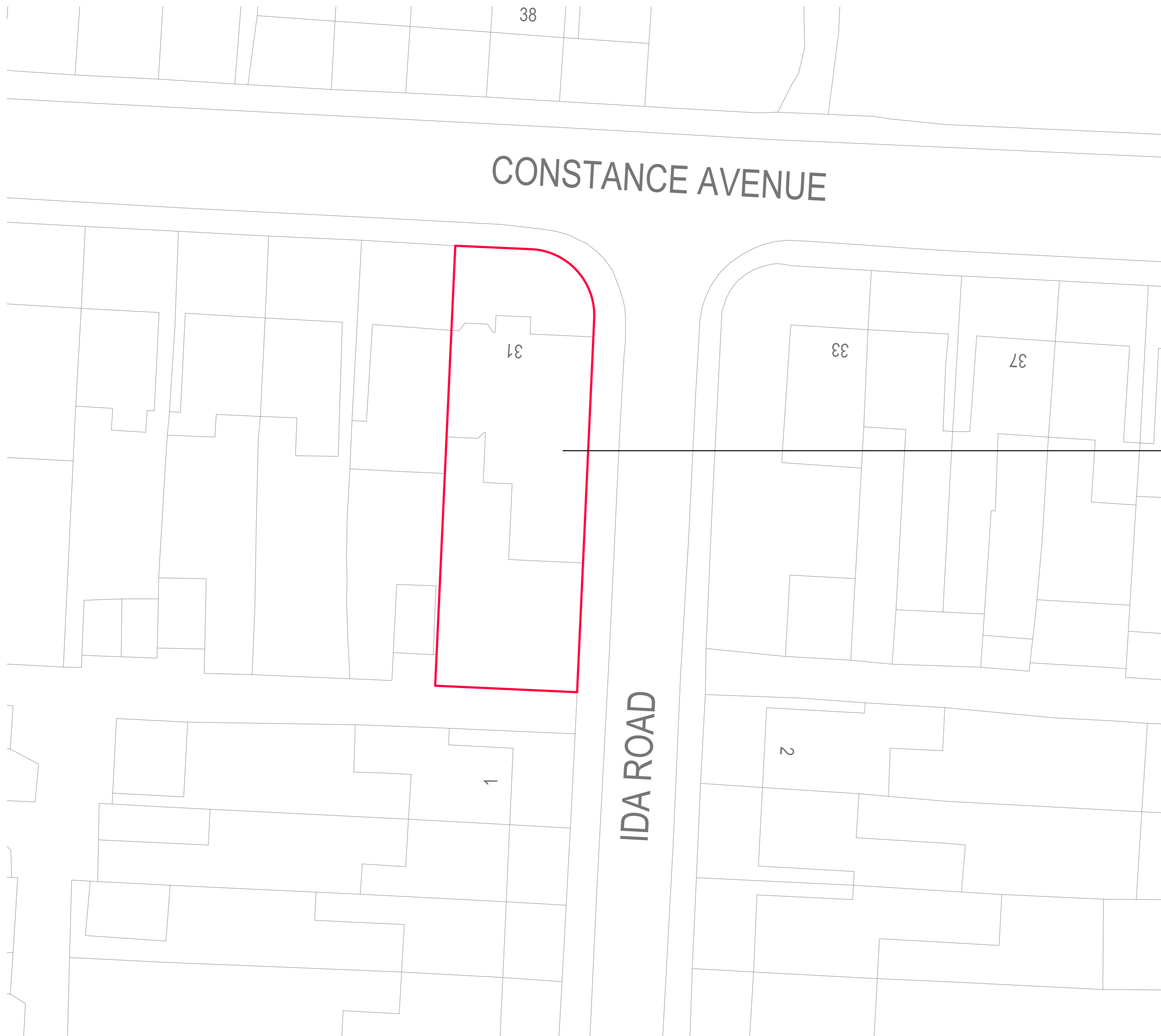


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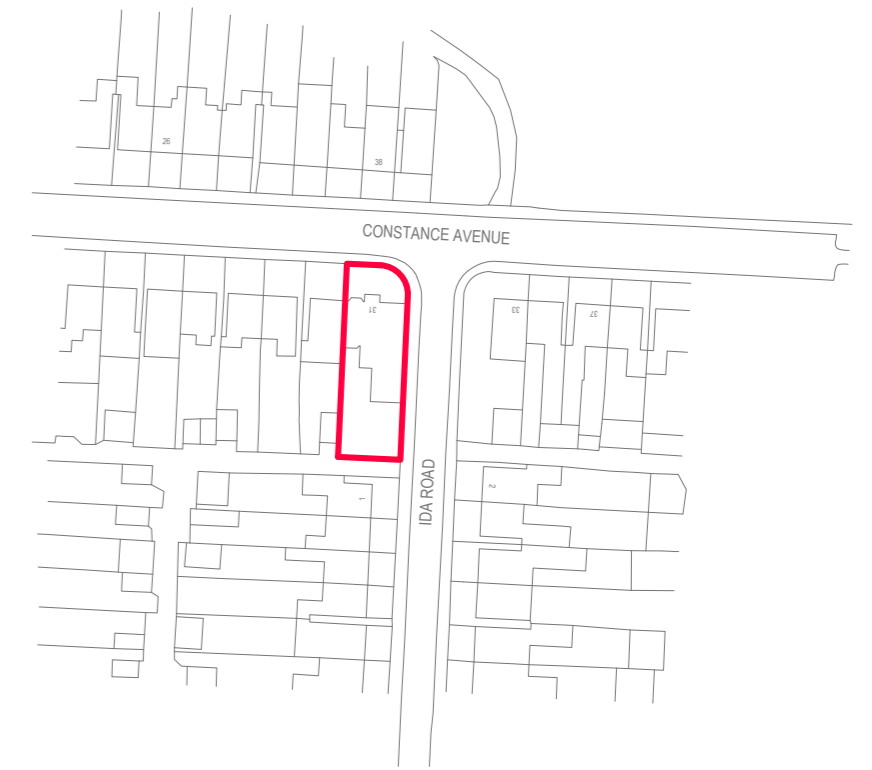
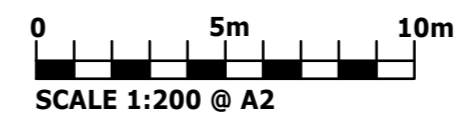
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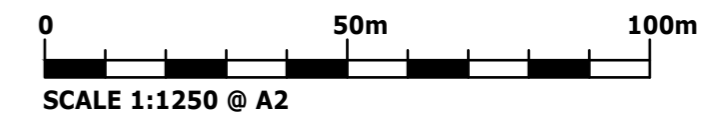




SITE BLOCK PLAN 1:200  
AS PROPOSED



SITE LOCATION PLAN 1:1250  
AS EXISTING



PROPOSED CONVERSION OF DWELLING INTO  
3 APARTMENTS



Rev	Date	Comments

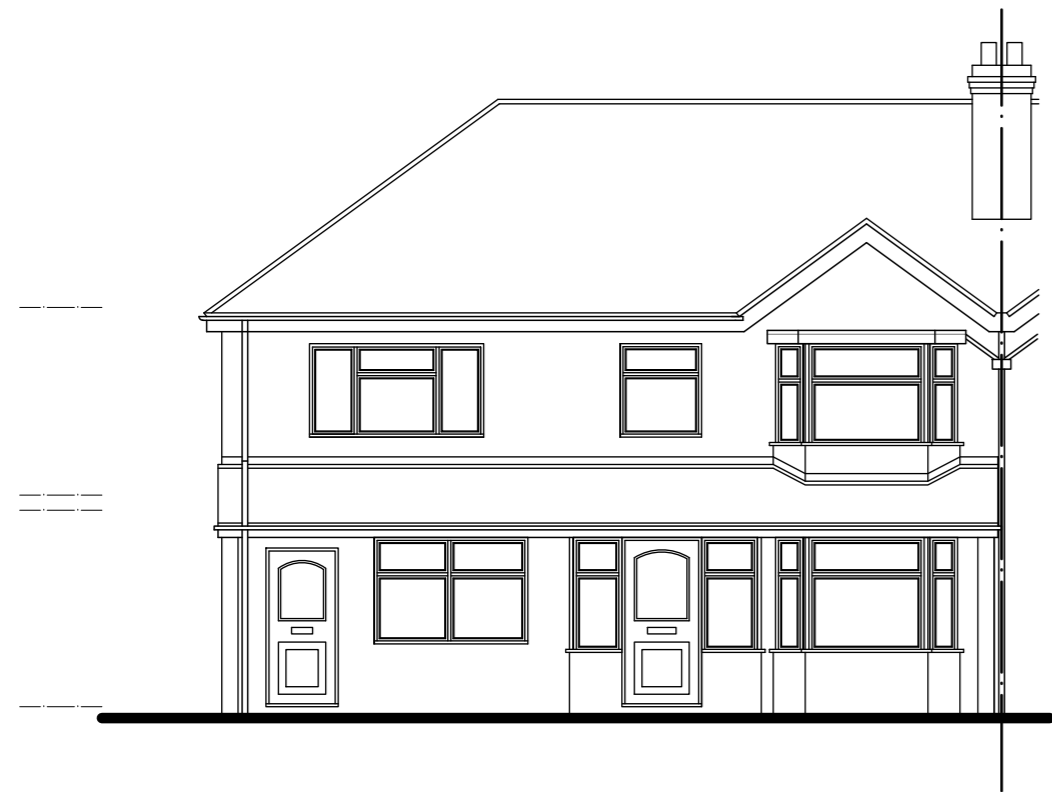


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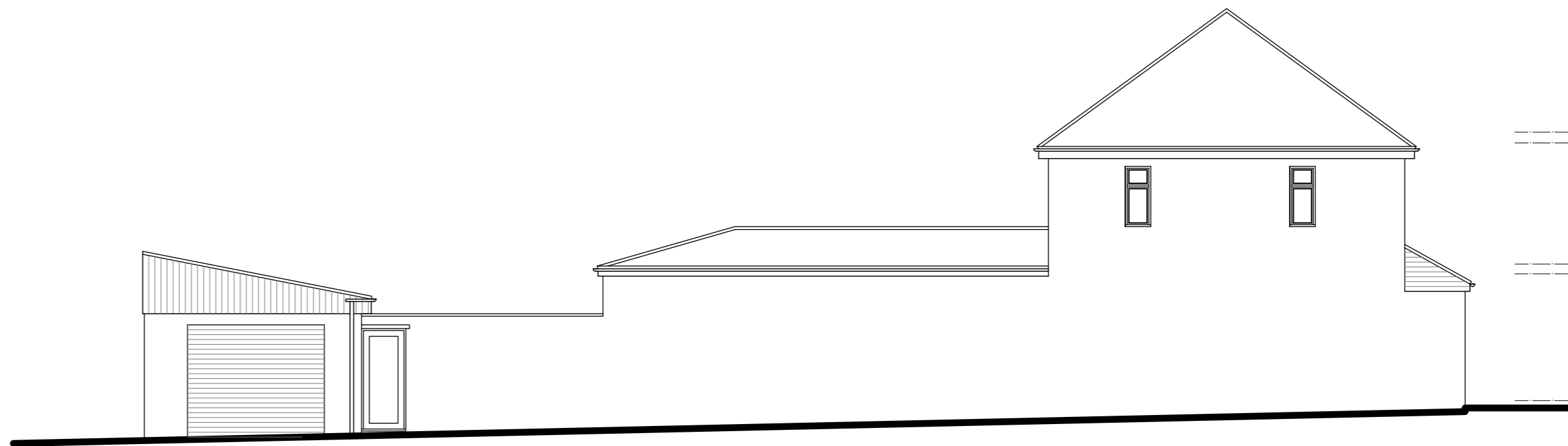
Job  
PROPOSED CONVERSION OF DWELLING INTO 3 APARTMENTS  
31 CONSTANCE AVENUE

Dwg Title  
SITE LOCATION PLAN AS EXISTING  
SITE BLOCK PLAN AS PROPOSED

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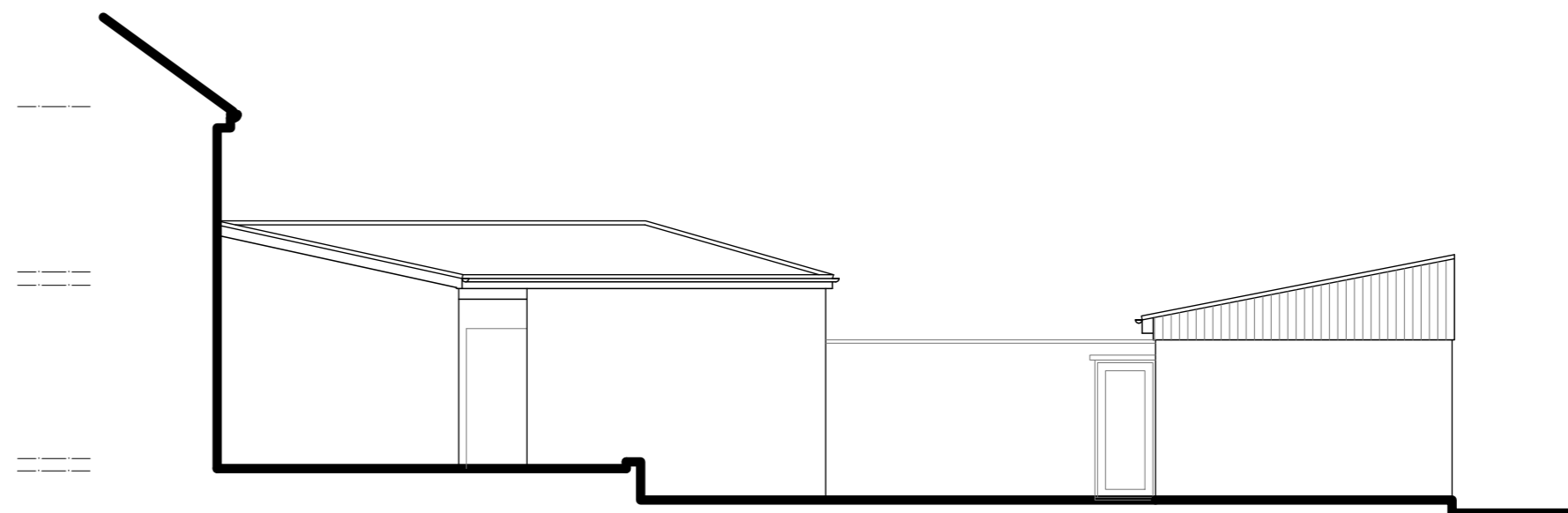
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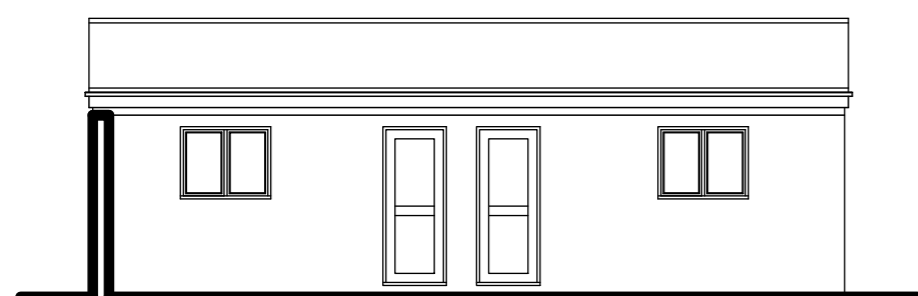
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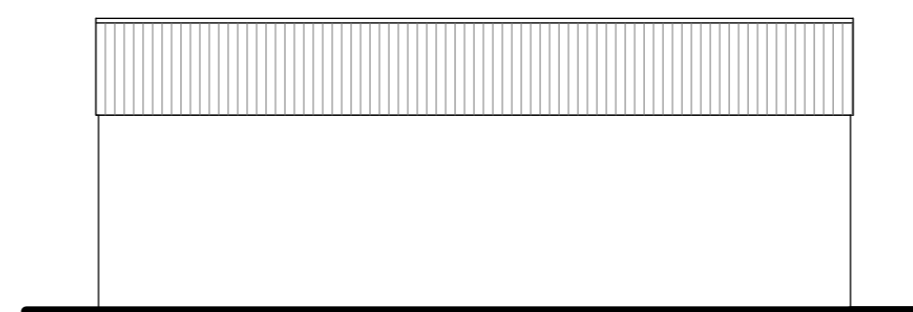
REAR ELEVATION



SIDE ELEVATION



SIDE GARAGE ELEVATION



SIDE GARAGE ELEVATION

Rev	Date	Comments
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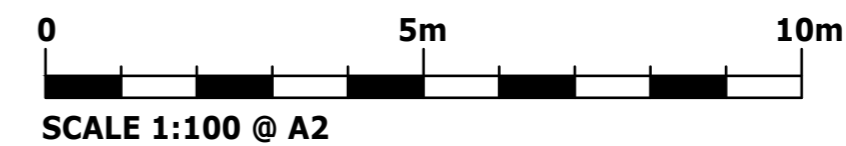


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Job  
PROPOSED CONVERSION OF DWELLING INTO 3 APARTMENTS  
31 CONSTANCE AVENUE

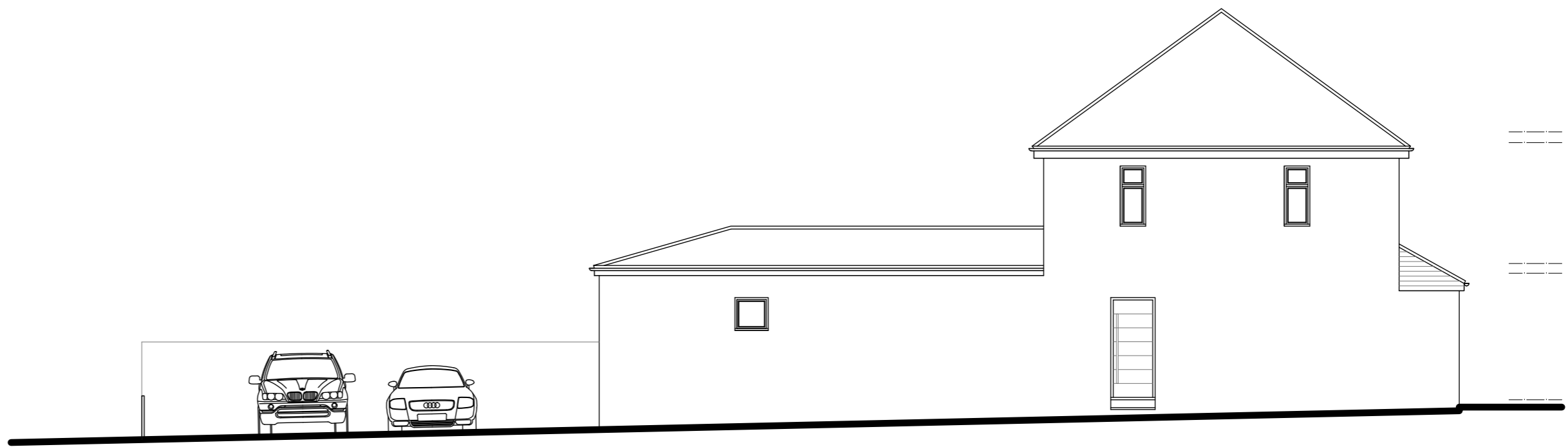
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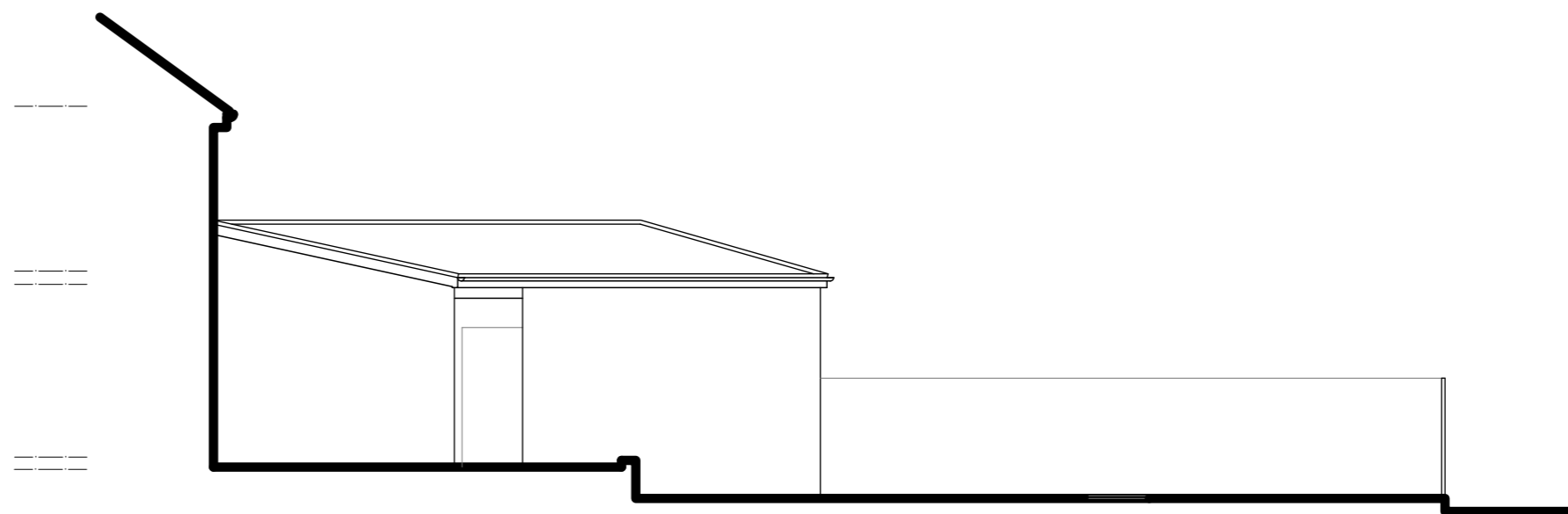
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Rev	Date	Comments

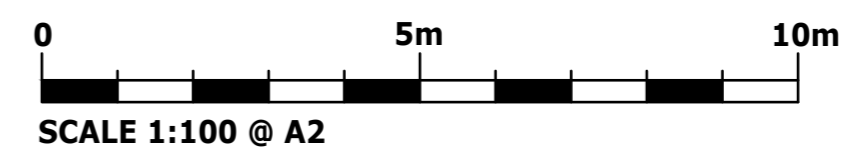


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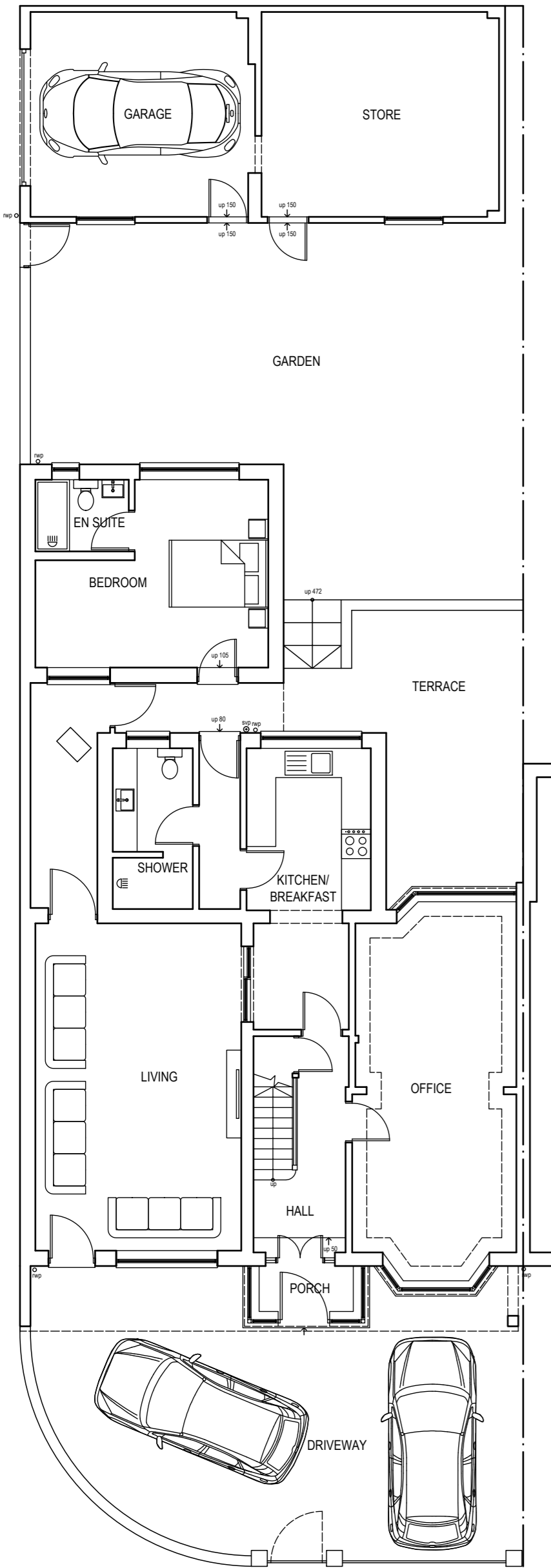
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Job  
PROPOSED CONVERSION OF DWELLING INTO 4 APARTMENTS  
31 CONSTANCE AVENUE

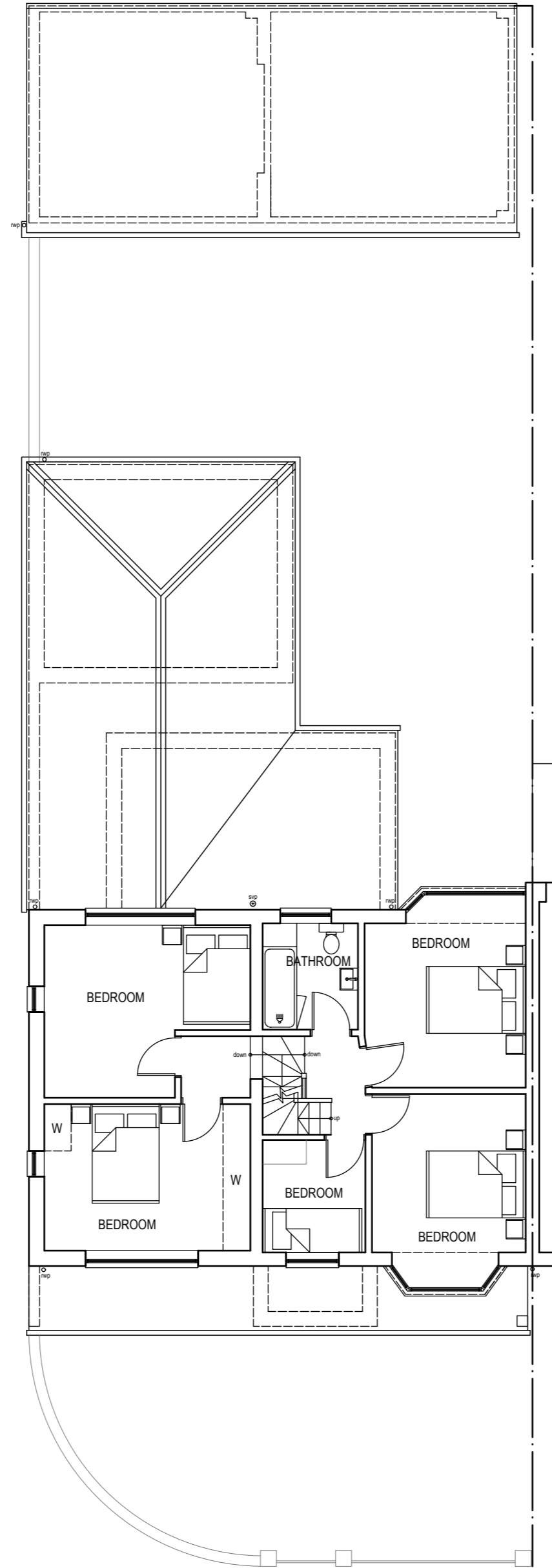
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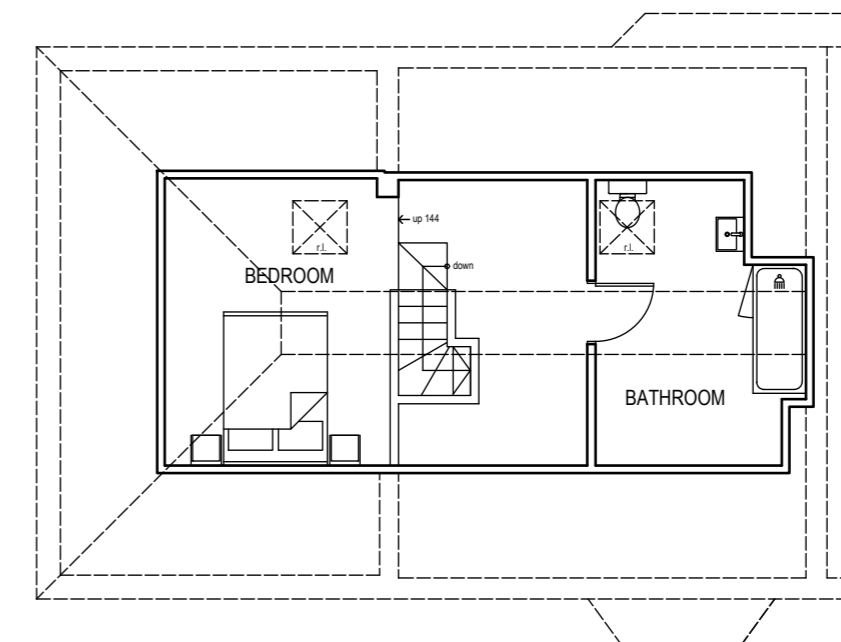
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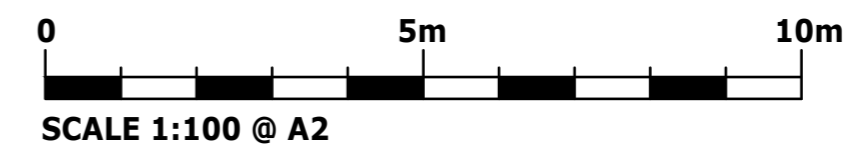
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



Rev	Date	Comments



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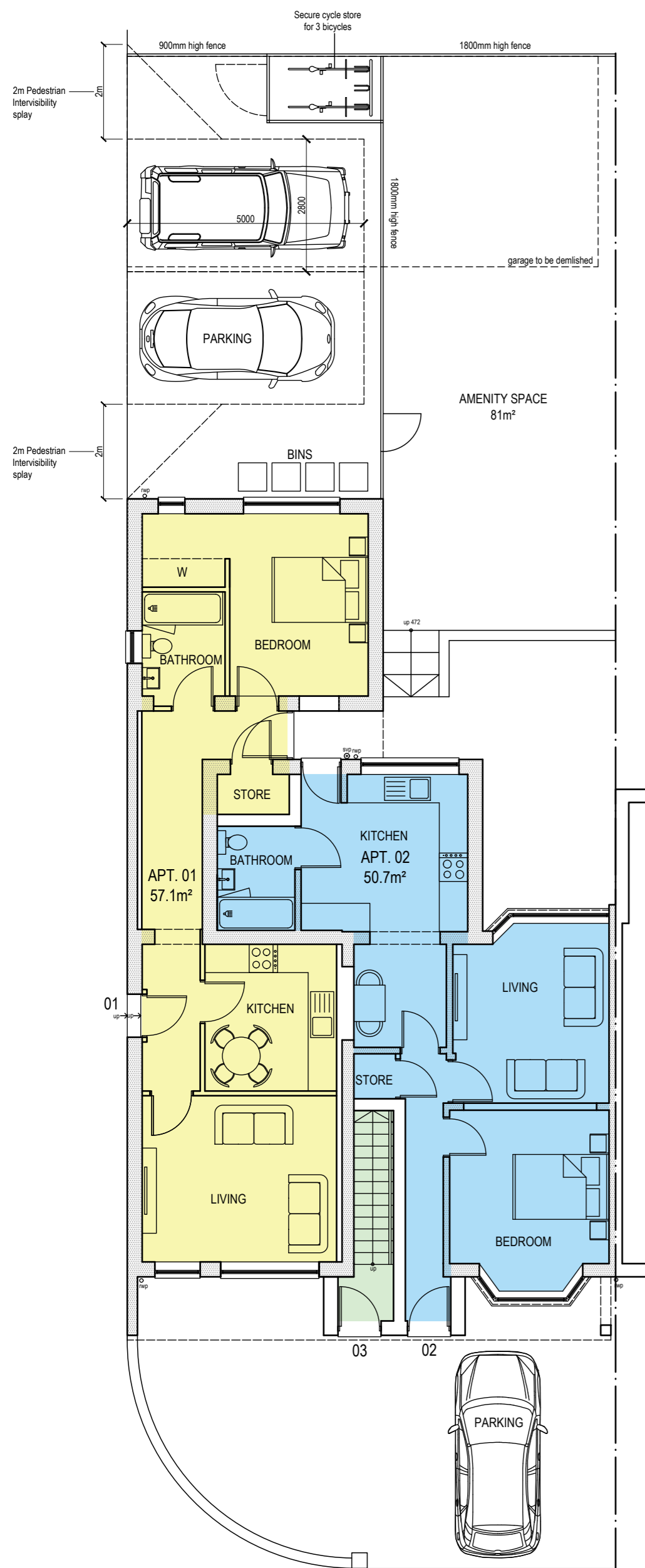
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Job  
PROPOSED CONVERSION OF DWELLING INTO 3 APARTMENTS  
31 CONSTANCE AVENUE

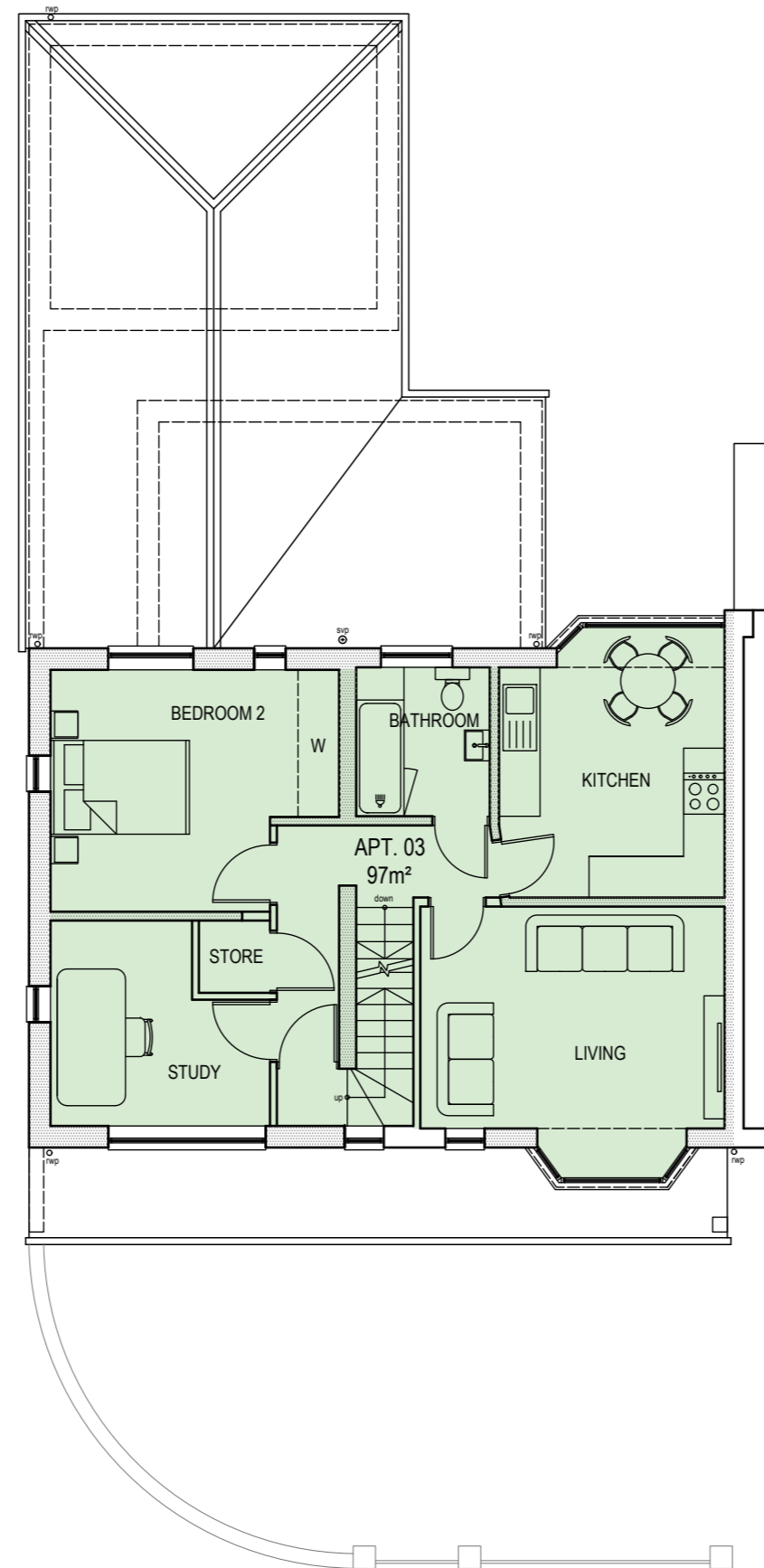
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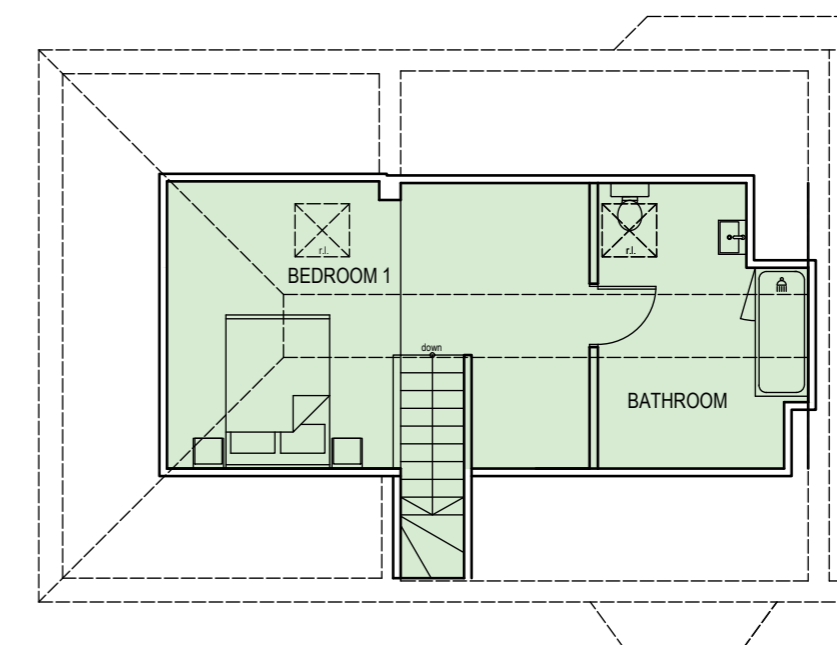
GROUND FLOOR PLAN



FIRST FLOOR PLAN

ACCOMMODATION SCHEDULE

APARTMENT 01	1 BED	57.1m <sup>2</sup>
APARTMENT 02	1 BED	50.7m <sup>2</sup>
APARTMENT 03	2 BED	97.0m <sup>2</sup>



SECOND FLOOR PLAN

Rev	Date	Comments

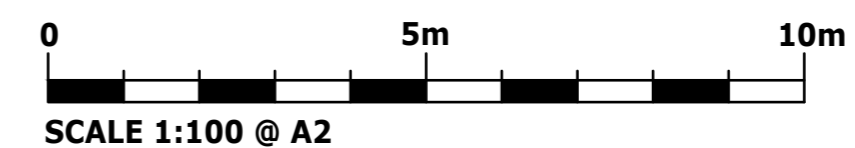


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Job  
PROPOSED CONVERSION OF DWELLING INTO 3 APARTMENTS  
31 CONSTANCE AVENUE

Dwg Title  
PLANS AS PLANS AS PROPOSED



Scale	Date	Dwg no.
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