

# PLANNING APPLICATION NUMBER:P22/0960

Type of approval sought	Full Planning Permission
Ward	Amblecote Ward
Agent	Mr S. Booth
Case Officer	Sarah Wilkes
Location:	<b>241, COLLIS STREET, AMBLECOTE, STOURBRIDGE, DY8 4EN</b>
Proposal	<b>CONVERSION OF 1 NO. DWELLING INTO 2 NO. APARTMENTS AND ANCILLARY WORKS INCLUDING CREATION OF NEW VEHICULAR ACCESS</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

1. The application site comprises a 1930s semi-detached property with hipped roof, prominent bay windows at first and second floor and front gable feature. The property is set lower than the highway and there is a garage attached to its north-eastern side which projects forwards of the front two storey wall and which has been converted with front window replacing the original garage door position. The driveway is fully hard surfaced and can accommodate two vehicles although the current vehicular access does not extend to the full width of the plot.
2. 239 Collis Street is the adjoining semi-detached property to the south-west and has a two storey side extension with the first floor flush both the original front and rear elevations. This neighbouring property also has a single storey front and single storey rear extension. 243 Collis Street is the unattached neighbour to the north-east and occupies a higher ground level. The site also backs onto 24 & 28A Dennis Hall Road.
3. The site is situated within an established residential street with the northern end consisting of detached and semi-detached 1930's houses and with the southern end having a more mixed character.

## PROPOSAL

4. It is proposed to convert the existing three bedroom dwelling house into two, one bedroom apartments. Access to both apartments would be gained from the existing entrance, with apartment 1 occupying the first floor and apartment 2 occupying the ground floor.
5. The rear garden would be subdivided by 1.8m high timber panelled fencing running the full length of the existing garden to form two separate areas of private amenity space (77m<sup>2</sup> for apartment 1 and 84m<sup>2</sup> for apartment 2). Internal cycle parking would be provided within the lobby for apartment 1. The converted garage would be subdivided lengthwise to provide new covered access to the rear garden with new window and door installed in the front and rear elevations. A bin store would also be provided within the rear garden.
6. The plans also indicate two parking spaces to the front with 5 kerb stones proposed to be lowered to provide full width vehicular access to the frontage. Electric vehicle charging points are also indicated.

## HISTORY

7. Planning permission was previously sought for conversion and extension of the dwelling to form two apartments under planning reference P21/1337. The application was withdrawn.
8. A second application was submitted for the conversion and extension of the property to provide two apartments but was also withdrawn (ref. P21/2200).

## PUBLIC CONSULTATION

9. Direct notification letters were initially sent to 9 neighbouring properties and a local councillor. A site notice was also displayed in the vicinity of the site. 5 representations have been received, one of which is from a local councillor who has requested the application to be determined by Planning Committee. The following material planning issues are raised;

- That the development would be out of character
- Removal of existing on street parking provision by lowering the kerb as there are existing parking issues
- That the addition of more vehicles would be a concern.
- Over intensification
- That the road is already congested with Comberton nursing home opposite and that The Starving Rascal pub visitors use Collis Street to park. That there have been several traffic incidents with cars entering from Brettell Lane.
- Noise disturbance as a result of the internal layout with the first floor living room being adjacent to the objectors' bedrooms.
- Advises that the conversion has already been carried out and concerns regarding whether or not they have been carried out to current safety standards and been authorised by the relevant authorities.
- That the dwelling is within a row of period 3 bedroom family properties and is not suitable for conversion to flats due to it being at odds with all the other properties and impractical in terms of insufficient space, parking, storage and living areas.
- That the development will add to the streets parking issues and pose highway safety risk, with several recent incidents of passing cars colliding with parked cars.
- That the nearby pubs (Starving Rascal and the Swan PH) are both very popular with limited parking resulting in on street parking.
- That both apartments could house couples who both own cars with possibly four cars requiring parking spaces.
- That the plans show parking for the ground floor apartment but there does not appear to be access to this facility for the upstairs apartment.

## OTHER CONSULTATION

10. Head of Planning and Development (Highways Engineer); The application is for 2 No 1 bed apartments, the Councils minimum parking standard for 1 bed apartment conversions is 1 space per apartment.

The existing parking forecourt is approximately 7m x 5.7m and can accommodate 2 vehicles with independent access.

An electric charging point will be required for each dwelling and also an internal cycle storage area or secure area in the garden area. Conditions are recommended.

11. Head of Environmental Safety and Health Team; Standard air quality and noise conditions are recommended.

## RELEVANT PLANNING POLICY

### National Planning Guidance

- National Planning Policy Framework (Revised 2021)
- National Design Guide (2019)

### Black Country Core Strategy (2011)

- CSP4 – Place Making
- DEL1 - Infrastructure Provision
- HOU1 – Delivering Sustainable Housing Growth
- HOU2 – Housing Density, Type and Accessibility
- TRAN2 – Managing Transport Impacts of New Development
- TRAN5 – Influencing the Demand for Travel and Travel Choices
- ENV2 – Historic Character and Local Distinctiveness
- ENV3 – Design Quality

### Dudley Borough Development Strategy (2017)

- S1 Presumption In favour of sustainable development
- S6 Urban Design
- S8 Local Character and Distinctiveness

- L1 Housing Development, extensions and alterations to existing dwellings
- D2 Incompatible Land Uses
- D3 Contaminated Land
- D5 Noise Pollution

#### Supplementary Planning Documents / Guidance

- PGN 17 House Extension Design Guide
- Parking Standards SPD (2012)
- New Housing Development SPD (2013)
- Access for All (2011)

## ASSESSMENT

12. The key issues are
- Policy
  - Principle
  - Character and Visual Amenity
  - Neighbouring Amenity
  - Occupier Amenity
  - Highway Safety
  - Other Matters

#### Policy

13. The National Planning Policy Framework (NPPF) advises that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF also seeks to boost housing supply and supports the delivery of a wide choice of high-quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities. The Core Strategy under Policy HOU1 – Delivering Sustainable Housing Growth requires that ‘at least’ 95% of new housing (gross) be built on previously developed land (pdl)

14. Paragraph 28 of the NPPF (2021) supports the use of non-strategic policies to influence local design character, and sets out that *“Non-strategic policies should be used by Local Planning Authorities and communities to set out more detailed policies for specific areas... establishing design principles”*. This rhetoric is also supported under paragraph 126 and 136 of the NPPF (2021). Furthermore, in considering the importance of good design, paragraph 134 further states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”*
15. The above statement makes specific reference to the good design principles contained within the National Design Guide (2019) that was released by the then Ministry of Housing, Communities and Local Government. This document emphasises the importance of good design within the Planning System and how this influences the quality of our experience of any place. In response, paragraphs 23 (*Layout*), 24 (*Form*), 26 (*Scale*) 27 (*Appearance*) and 29 (*materials*) highlight that, amongst other matters, these form a significant contribution in the creation of good design.
16. Policy CSP4 - Place Making - of the Black Country Core Strategy outlines that, *“The Black Country has a unique heritage and urban structure which requires a bespoke approach to place-making and a high quality of design of the built and natural environment. All development will be required to demonstrate a clear understanding of the historic character and local distinctiveness of the area and show how proposals make a positive contribution to place-making and environmental improvement in the following spatial terms”*
17. Policy ENV2 – Historic Character and Local Distinctiveness – of the Black Country Core Strategy outlines that development proposals will be required to preserve and enhance local character and those aspects of the historic environment together with their settings which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality. The policy outlines that this includes

areas of extensive lower density suburban developments of the mid-20th century including public housing and private developments of semi-detached and detached housing as being one which requires special attention.

18. Dudley Borough Development Strategy Policy S6 – Urban Design outlines the significance of good design and its importance in underpinning all development, seeking to achieve the highest standards of design. In doing so *“Dudley Council will support appropriately designed, sustainable development which is responsive to the character and/or visual amenities of the local area”* and ensuring developments must make a positive contribution to the character and appearance of the area with appropriate massing and bulk.
19. This rhetoric is further supported by Policy S8 – Local Character and Distinctiveness - of the of the Dudley Borough Development Strategy outlines that *“All development proposals within the Dudley Borough should take account of the locally distinctive character of the area in which they are to be sited..... and should respect and respond to its positive attributes.”*
20. Paragraph 2.1 of the councils ‘House Extension Design Guide’ (Planning Guidance Note 17) states that *“The Council seeks to ensure that house extensions and alterations:-*
  - *Relate to the character of the original house in terms of scale, materials and design details.*
  - *Do not harm the occupiers of adjacent properties, i.e. daylight, outlook, privacy.*
  - *Are of a high standard of design and layout and are compatible with the character of the surrounding area”.*

#### Principle

21. The site comprises an existing residential property within an established urban setting, close to local services and public transport. There is, in-principle, national policy support for the type of development proposed subject to the satisfaction of all

relevant material planning considerations including whether or not the dwelling can be sympathetically converted to form the apartments without demonstrable harm to visual amenity, neighbouring amenity and highway safety.

#### Character and Visual Amenity

22. There would be only minor elevational changes to the property which would relate satisfactorily in design terms with no demonstrable harm to the host property or the appearance of the semi-detached pair.
23. The proposal involves the sub-division of the rear garden with new fencing separating the existing garden lengthways to form two private gardens to serve the occupants of the new apartments. This would not detract significantly from the pattern of development in the locality with the resultant development still maintaining generous long rear gardens. It is not considered that the development would amount to overdevelopment with the existing floor space utilised for the conversion with each apartment occupying a floor and with a generous internal layout for each of the one bedroom apartments.
24. It is considered that there would be no demonstrable harm to the character and appearance of the area and in this respect, the proposal complies with the NPPF, Policy CSP4, ENV2, ENV3, HOU1 and HOU2 of the Black Country Core Strategy, Policy L1, S6 & S8 of the Dudley Borough Development Strategy and the Council's New Housing Development SPD (2013).

#### Neighbouring Amenity

25. For all developments, the Council will seek to ensure that any such proposals would not harm the occupiers of adjacent properties in terms of daylight, outlook, privacy and inter-visibility.
26. No extensions are proposed to facilitate the conversion with only internal changes and minor elevational changes proposed. It is considered that there would be no demonstrable harm to the occupiers of 239 & 243 Collis Street in light, privacy and outlook terms. Likewise, neighbouring properties to the rear would be unaffected by



the proposals. In this respect the proposal complies with Policy L1 & S6 of the Dudley Borough Development Strategy and The New Housing Development SPD.

27. Whilst noise concerns have been expressed by an objector, the site is an existing residential property, and the Head of Environmental Health and Trading standards raise no objection in noise terms. It is, therefore, considered that conversion of the dwelling into two apartments would cause no demonstrable harm in terms of noise, plus this matter is subject to requirements of the Building Regulations.

#### Occupier Amenity

28. The internal space afforded to each apartment is generous and exceeds the nationally described internal space standards. Each apartment would be accessed from the front and would also benefit from a private rear garden. The proposed development is considered to provide reasonable and functional living accommodation for future occupiers.

#### Highway Safety

29. Whilst objectors' raise parking concerns, the Council's Highways Engineer raises no objection to the parking arrangement or to the widening of the access. The development would provide one space per one bedroom flat in accordance with the Parking Standards SPD and the parking demand is no greater than the existing requirements of the three bedroom dwelling. Refusal of permission on highway safety grounds is not, therefore, deemed to be sustainable.
30. The Engineer also advises that internal cycle storage or secure storage in the garden is required for each dwelling and that full details of this together electric vehicle charging provision can be secured by condition.

#### Financial Material Considerations

31. Clause (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' may be taken to cover the payment of New Homes Bonus, or sums

that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).

32. The clause does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be 'bought'.
33. This proposal would provide one additional dwelling generating a New Homes Bonus grant of one times the national average council tax for the relevant band.
34. The proposal is liable for CIL and falls within Zone 1 which has a £0 rate thus no CIL charge is required.

#### Other Matters

35. Whilst an objector advises that works have already been carried out, there is no indication within the submitted information that the conversion has already taken place, with the planning application form indicating that works have not started. During the site visit it was observed that the garage has been converted with the original garage doors replaced with a window, however, this is not the arrangement detailed on the submitted drawings and conversion of the garage in itself would constitute permitted development.
36. The key matters for consideration and assessment of the application would be the same regardless of whether or not the development is retrospective (in part or in full). The quality or safety of any internal works whether or not they have been undertaken is not a matter for consideration under a planning application and are covered by separate legislation.

## **CONCLUSION**

37. The proposed development would be of appropriate design, scale and appearance that would not have an adverse impact upon the character of the area and would not be detrimental to residential amenity. Sufficient off-road parking would be provided to meet the parking demands and cycle parking and electric vehicle charging provision for both apartments can be secured by condition. On this basis

the application is considered to be acceptable being in accordance with the relevant policies contained within the Black Country Core Strategy and Dudley Borough Development Strategy as well as the relevant Supplementary Planning Documents.

## RECOMMENDATION

38. It is recommended that the application is APPROVED subject to the following conditions;

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 241CS//0618/001 Revision D  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the approved development shall match in appearance, colour and texture those of the existing building unless otherwise agreed in writing with the Local Planning Authority.  
REASON: To ensure the satisfactory appearance of the development in accordance with BCCS Policy ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings  
Policy D2 Incompatible Land Uses (in part).
4. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the access(es) into the site, together with parking area(s) [including details of lines, widths, levels, gradients, cross sections, drainage ] have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access(es) into the site, together with parking and turning area(s) within the site have been laid out in accordance with the approved details. These area(s) shall thereafter be retained and not be used for any other purpose for the life of the development.  
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings  
Policy D2 Incompatible Land Uses (in part)  
and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

5. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between the proposed means of access and the highway with an 'x' set back distance of 2.4m metres and a 'y' distance of 2.4 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.
6. The dwelling(s) shall not be occupied until details of secure and covered cycle storage have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details prior to the first occupation of the dwelling(s) and shall thereafter be retained and maintained for no other purpose, for the life of the development.  
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.
7. No above ground development shall commence until details of the electric vehicle charging points, to be provided for the dwellings in accordance with the Council's standard (Parking Standards SPD), has been submitted to and approved in writing by the local planning authority. Prior to first occupation the electric vehicle charging points shall be provided in accordance with the approved details and shall be maintained for the life of the development.  
REASON: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.
8. The development shall not be first occupied/used until details of the bin stores have been submitted to and approved in writing by the Local Planning Authority. The bin stores shall be provided in accordance with the approved details prior to the first use/occupation of the development and shall thereafter be retained and maintained for no other purpose for the life of the development.  
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.
9. In order to minimise the impact of the development on local air quality, any gas boilers provided within the development must meet a dry NOx emission concentration rate of <40mg/kWh.

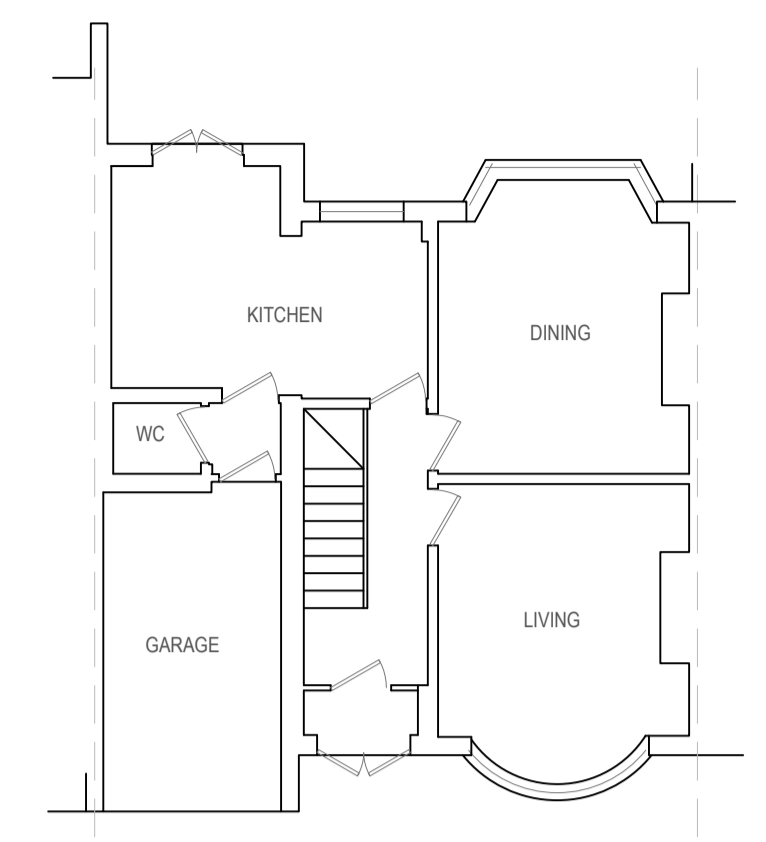
REASON: To safeguard the air quality of the Borough which is an Air Quality Management Area in compliance with the Black Country Core Strategy Policy ENV8 and the adopted Air Quality SPD.

10. Demolition or construction works shall only take place between 07:00 hours to 18:00 hours Mondays to Friday and 0800 hours to 1700 hours on Saturdays and shall not take place at any time on Sundays or Public Holidays

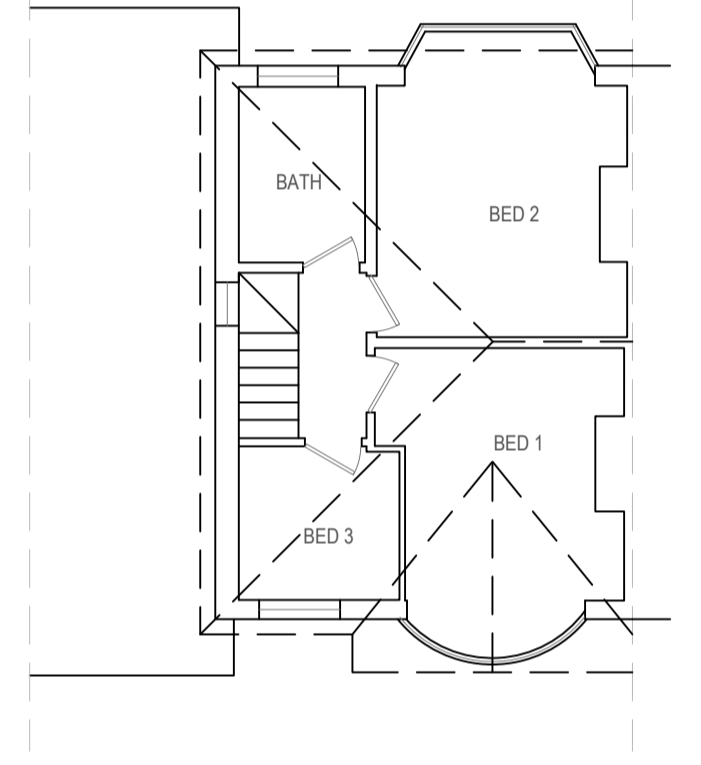
REASON: To protect the amenities of nearby residents in accordance with Saved UDP policies EP7 - Noise Pollution and DD4 - Development in Residential Areas

# EXISTING & PROPOSED

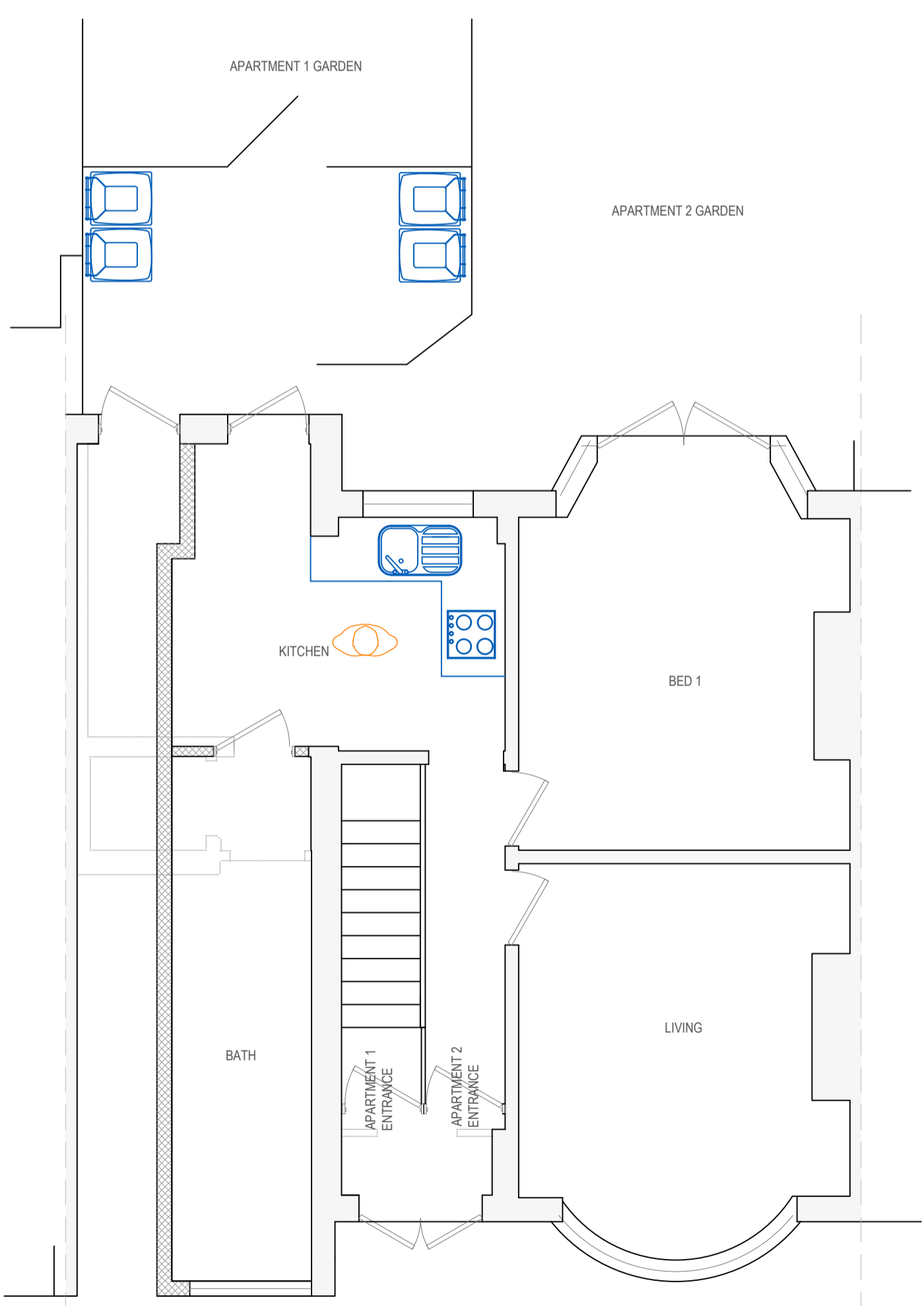
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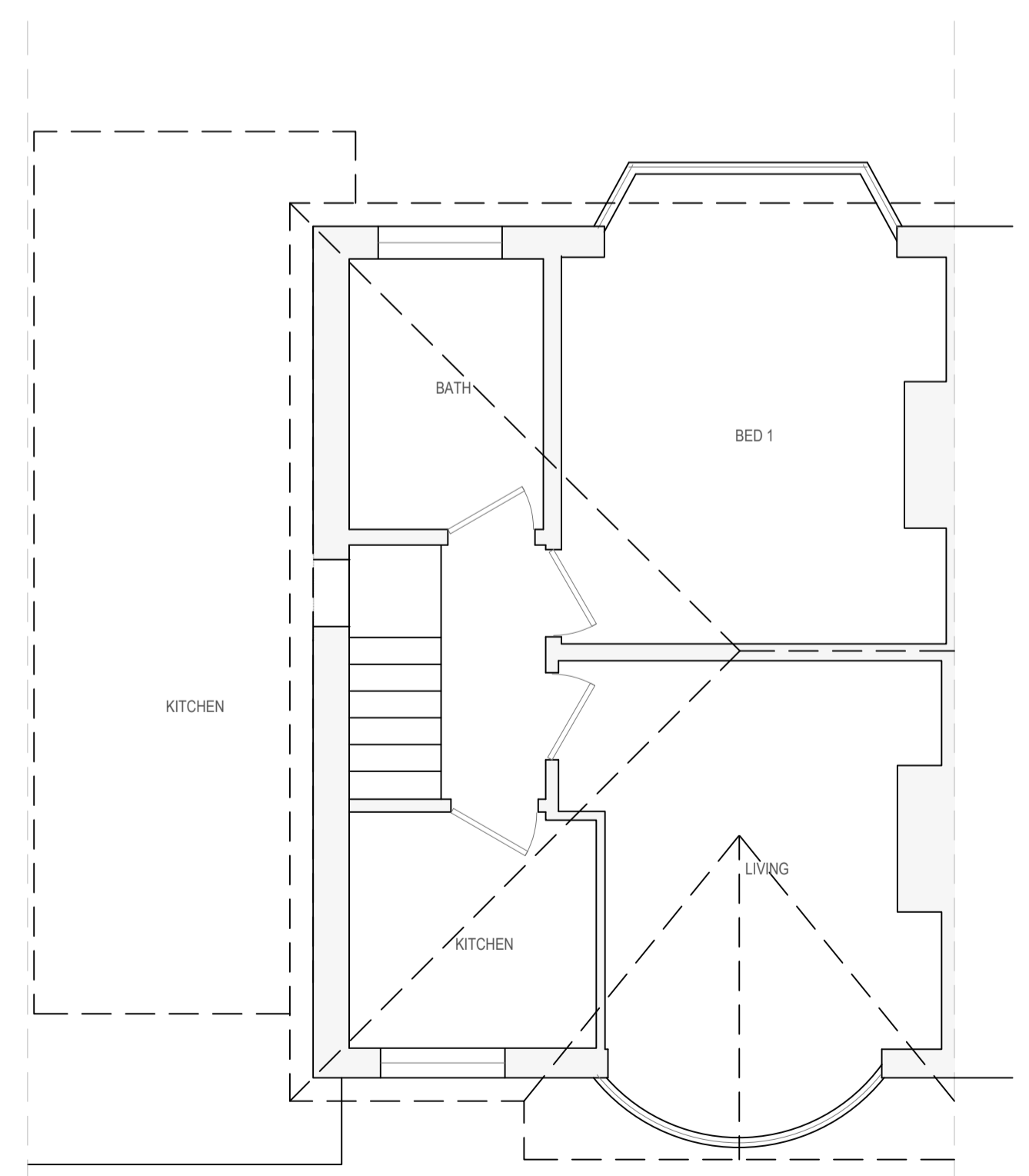
EXISTING GROUND



EXISTING FIRST



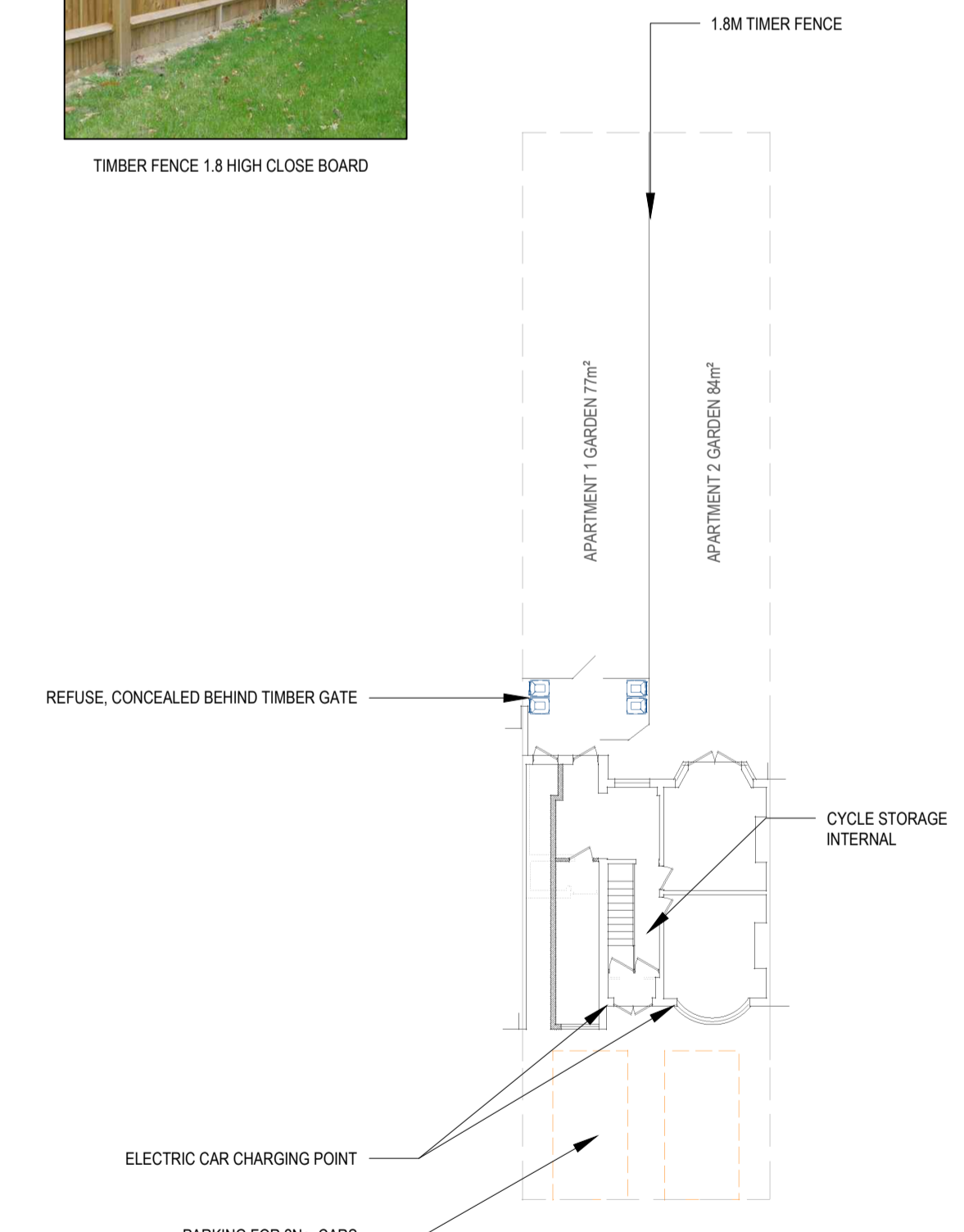
PROPOSED GROUND  
1:50 @ A1



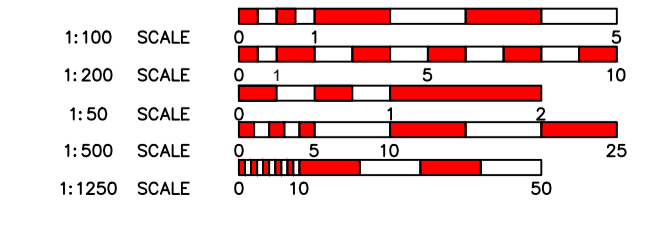
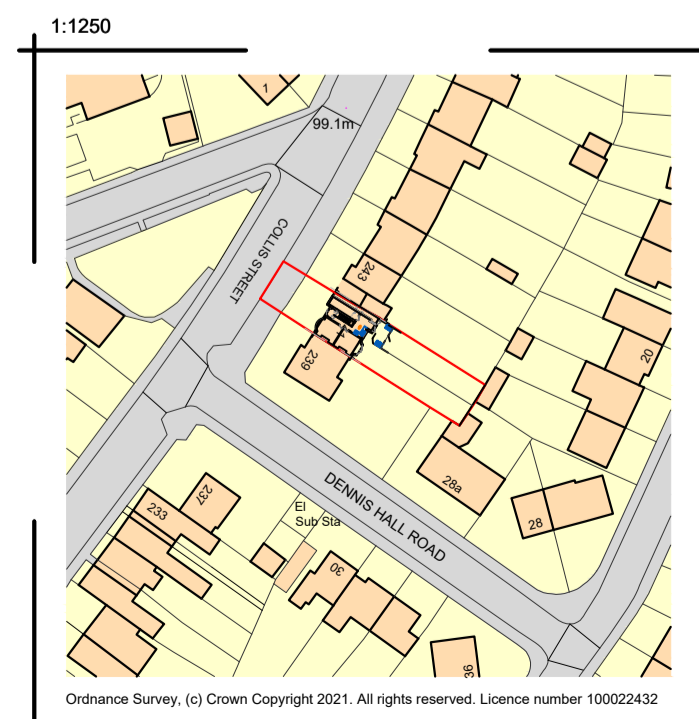
PROPOSED FIRST  
1:50 @ A1



TIMBER FENCE 1.8 HIGH CLOSE BOARD



PROPOSED SITE PLAN  
1:200 @ A1



METRES  
M  
M  
M  
M  
M

DESIGN ALT	16/09/22
LAYOUT ALT	06/12/21
LAYOUT ALT	07/10/21
DC COMM	06/09/21
<b>BETAPLAN</b>	
11 HULLSTONE DRIVE, STOURBRIDGE, BIPSLEY, STURBRIDGE, WEST MIDLANDS, B97 8JL	
01562 911020 / 07711 527239	
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<b>HOUSE CONVERSION TO APARTMENTS</b>	
<b>241 COLLIS STREET STOURBRIDGE DY8 4EN</b>	
DATE	24/09/2021
SCALE	0618/001
STATUS	EXISTING & PROPOSED
PROJECT	SRB
SCALE	1:1250 1:500
SCALE	1:150 1:500

These drawings are produced for client planning and building regulations approval only and approval of the drawings, all drawings to be checked on site.