16 Woodstock Road, Moseley, Birmingham, B13 9BA

Change of Use from existing house to 5 no self contained flats with associated off street car parking

Applicant: Mr Khadim Mahmood  
16 Woodstock Road, Moseley, Birmingham, B13 9BA
Agent: Ali Architectural Services  
414 Coventry Road, Small Heath, Birmingham, B10 0UF

Recommendation
Refuse

1. **Proposal**

1.1. This application is for the conversion of 16 Woodstock Road, Moseley from a dwelling house to 5 no self-contained flats.

1.2. On the ground floor there would be two flats, each containing living/kitchen area, 1 bedroom and a shower room. The first floor would provide access to two flats, with flat no.3 being contained wholly on the first floor with a kitchen, living room, bedroom and shower room and flat no.4 to the rear being duplex style over the first and second floors and providing a kitchen-living area and shower room at first floor and two bedrooms at second floor. A further one bed flat with a large kitchen/living area would be provided at second floor. A communal entrance hall would be provided on the ground floor.

1.3. Externally, the only alteration would be the installation of a new shower room window on the side wing at first floor level and a small window would be blocked up also on this elevation.

1.4. A driveway to the front of the property provides space for two cars and an additional three cars can be accommodated at the rear. The existing vehicular access would remain unaltered and a garage to the rear would be demolished to make way for the three rear parking spaces.

1.5. Approximately 80sqm of amenity space would be provided to the rear of the site.

1.6. Works have already started on site, with the erection of a large dormer window on the roof slope of the two storey rear wing. The dormer window is under 40sqm and is tile hung to match the existing house and therefore has been constructed as “Permitted Development” under Class B, Part 1, Scheduled 2 the Town and Country Planning (General Permitted Development) Order.

*Proposed floor plans*
2. **Site & Surroundings**

2.1. The application site is a three storey terrace property with accommodation within the roofspace.

2.2. The dwelling has a paved driveway to the front, with brick wall side boundaries to both neighbouring properties approximately 1m in height. There is private rear garden, which is bounded to both sides by fencing. A garage is also located to the rear, which is accessed from a route off Woodhurst Road to the south east of the site.

2.3. The surrounding area has a predominantly residential character with residential properties extending both northwest and southeast along Woodstock Road,

2.4. The site is within the Moseley/Sparkhill Area of Restraint.

[Location Map](#)

[Street view](#)

3. **Planning History**

3.1. There is no planning history associated with this site.

4. **Consultation/PP Responses**

4.1. Transportation Development – No objection, subject to a condition to secure cycle parking.

4.2. Regulatory Services – No objection.

4.3. Severn Trent – No objection subject to a suitable drainage condition.

4.4. West Midlands Fire Service – No objection.

4.5. West Midlands Police – It is unclear, how the rear of the site would be secured, a gate a similar perimeter control should be provided. Recommend that the work be undertaken to the standards laid out in the Secured by Design 'New Homes 2014’ guide. Also a lighting scheme is recommended.

4.6. Letters of notification have been sent to surrounding occupiers; local residents associations, Kings Heath and Moseley Ward Councillors; Planning Committee members from the Hall Green Constituency and the MP for Hall Green.

4.7. Two letters of objection have been received from adjoining occupiers (flats at no. 18) objecting for the following reasons:

- There would be noise transfer between the houses due to the differing layouts.
- Work has already started and an extension has been built.

5. **Policy Context**

5.1. The following local policies are relevant.
• The Birmingham Unitary Development Plan (2005)
• Draft Birmingham Development Plan (2013)
• SPG: Places for Living
• SPG: Moseley/Sparkhill Area of Restraint
• Moseley SPD (2014)

5.2. The following national policy is relevant.

• The National Planning Policy Framework (2012)

6. Planning Considerations

6.1. This application is for the conversion of a single family dwelling to five self-contained flats. Each would have one bedroom, (except no.4 which would have two); a shower room, and kitchen/living areas. Private amenity space would be to the rear and car parking spaces to the front and rear would be provided.

6.2. Policy 5.19B of the Unitary Development Plan states that some residential areas contain properties which have been converted into institutional uses, day nurseries, nursing homes, flats or houses in multiple occupation and that concentrations of such uses can have an adverse effect upon the essential residential character of a particular street or area. Areas of Restraint have been identified where further changes of use of large dwelling houses to non-family dwelling house uses will be resisted.

6.3. Policy 8.27 relates to flat conversions and states that if a site lies within an Area of Restraint planning permission may be refused on the grounds that further development of such non-family dwellinghouse uses would adversely affect the character of the area.

6.4. Policy 17.32 identifies the Moseley/Sparkhill Area of Restraint. This is an area consisting of large Victorian and Edwardian houses many of which have been converted in to flats and bedsits and others to institutional uses such as care homes and hostel accommodation. Within this area further change of use from C3 dwelling houses are to be resisted as they may adversely affect the character of the area. This is also an area where there is a demand for family accommodation.

6.5. Notwithstanding the application site being located within the Moseley/Sparkhill Area of Restraint it is considered that the principle of the development is acceptable, subject to design and layout considerations. The area of restraint policy dates from 1992 and it is therefore somewhat out of date and based on old survey data. Therefore consideration needs to be given as to whether there is a cumulative harmful impact on the character of the area.

6.6. The homes on the north eastern side of Woodstock Road, which incidentally falls outside of the Area of Restraint, predominantly remain in use as family dwelling houses. However, I note that 78% of original dwellings on the application side of the street (the south western side, nos. 4-30 (evens)) have already been converted to flats (11 out of 14). With such a high number of conversions having already taken place, it is considered that a threshold has already been crossed by which changing the use of a further property into flats would make no material difference to the overall character of the area. As such, I do not consider any further, material, cumulative harm would occur and in this instance there would not be any justifiable reason to refuse the application in principle on this point.
6.7. In addition, the property would still retain the appearance of a single dwelling and could easily be converted back to a family dwelling in the future.

6.8. My Housing colleague has stated it would be regrettable to lose a large family house, with the Strategic Housing Market Assessment noting that the need for large properties across the city are not being met. However, he has noted that what is proposed would not be out of place in this area. I think this last point overlaps with my previous conclusion on local occupation characteristics, and while I give some weight to the comments on housing need, I still conclude that the principle of a change of use proposal would accord with the local pattern and no material effect on local amenity would occur.

6.9. UDP policy states that it is preferable to use detached properties for the proposed use. Terraced properties such as the application property may be considered suitable but the potential effect on adjoining occupiers needs to be considered. Adjoining neighbours have stated their concerns about potential noise transfer, although I note both adjoining properties are already converted in to flats. As such, I am not persuaded consent should be withheld on this matter, nor that internal noise insulation should be required by condition. In addition, I note that my Regulatory Services officer raises no objection to the proposal.

6.10. No significant external alterations are proposed and the property would remain residential in character and appearance. I note that the property has been subject to external refurbishment and assists in improving the visual character of the area.

6.11. Policy 8.27 of the UDP states that properties should be of sufficient size to permit the creation of individual dwelling units of a satisfactory size and layout.

6.12. In this instance, bedroom sizes range from 8.4sqm to 20.7sqm, with two flats having bedrooms that fall short of the 12.6sqm recommended within “Places for Living”. In Flat 3 the bedroom measures 11.7sqm, with the whole flat being some 46 sqm. In Flat 4 there are two bedrooms, with the larger room of 10.7sqm shown with a single bed (it is too narrow for a double bed), and the smaller room of 8.4sqm shown with a double bed. There would be virtually no space for storage furniture around the double bed, the whole flat is very narrow so the use of the kitchen-living area is further compromised by circulation space. Similarly, the other proposed flat in the rear wing, Flat 2, is compromised by its narrowness, small size (33sqm) significantly taken up by circulation and lack of storage space. The toilet-shower room opens directly into the kitchen-living area in four of the five flats proposed. All-in-all, layouts are awkward and small and the proposals would result in cramped accommodation and unsatisfactory living conditions for future occupiers. As such, they conflict with local and national policy guidance.

6.13. Places for Living recommends 30sqm of outdoor amenity space to be provided per flat. Approximately 83sqm of useable garden space is provided to the rear which falls short of the 150sqm advocated. Although Balsall Heath Park is quite close by (to the north east, 275m on foot), I am concerned that the relatively small outdoor area (for five flats) would further exacerbate the overall poor internal living conditions that would result, especially as a sizeable part of the garden area given is alongside the rear wing with the bedroom and living room windows of Flat 2 immediately adjacent.

6.14. My Transportation Development officer raises no objection to the proposal. It is not considered traffic and parking demand at this location would increase notably further
to this development. There is existing frontage driveway parking for 2 vehicles. In addition, 3 formalised rear car parking spaces are offered, via the shared access off Woodhurst Road resulting in 100% parking provision. Furthermore, parking on street at this location is unrestricted, although demand is typically fairly high. A number of regular buses run within reasonable walking distance of this site throughout the day. In the event of a consent, I would recommend that secure and sheltered cycle storage is provided by condition.

6.15. I note the concerns of the Police regarding the security of the site at the rear, and would attach a condition to address the matter in the event of a consent.

7. Conclusion

7.1. While sub-division is accepted in principle, the proposal to change the use of this property to five flats would fail to provide an adequate standard of residential amenity for future occupiers and would represent an over intensive use of the property, contrary to policies within the Unitary Development Plan. As a consequence it is recommended that the application be refused.

8. Recommendation

8.1. Refuse.

Reason for Refusal

1 The proposal would fail to provide an adequate standard of residential amenity for future occupiers and would represent an over intensive use of the property contrary to Polices 3.8, 3.10, 5.20, 5.28, 8.26 and 8.27 of the Birmingham Unitary Development Plan, SPG ‘Places for Living’ (2001) and guidance contained within the National Planning Policy Framework (2012).

Case Officer: James Mead
Photo(s)

Photograph 1: Rear of site

Photograph 2: Front of site
Location Plan

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