70 Reddicap Heath Road, Heathway, Sutton Coldfield, Birmingham, B75 7EW

Continuation of use of former care home (Use Class C2) as a property in multiple occupation (Sui Generis) and retention of palisade fencing to front.

Applicant: Beja-Beja Limited
67 Dorchester Road, Solihull, West Midlands, B91 1LJ
Agent: MdM ArchiDesign
1046 Stratford Road, Hall Green, Birmingham, B28 8BJ

Recommendation
Approve Subject To Conditions

1. Proposal

1.1. Proposal is for the continuation of use of the former elderly persons home for multiple occupation. No external alterations to the building are proposed and accommodation comprises a total of 63 bedspaces (21 single and 21 double bedrooms). Bedroom sizes are generally 15sq.m for a double and 10sq.m for a single. Communal kitchen and lounge facilities are provided on each of the three floors with offices at ground floor.

1.2. A total of 20 car parking spaces would be provided in the existing car parking area with access off Reddicap Heath Road.

1.3. External amenity space would be provided in a courtyard area and in a garden to the rear of the building.(approximately 400 sq.m/6.5sq.m per resident).

1.4. A 1.8m high palisade fence has been erected without the benefit of planning permission on the site frontage to Reddicap Heath Road. The applicant states this was done for security purposes following the purchase of the building from Birmingham City Council. They state it is their intention to remove it once the fast growing conifers that they have planted behind the fence have grown and would provide adequate security (approximately 15 months).

2. Site & Surroundings

2.1. Application site comprises “The Heathway” a three storey former City owned elderly persons home on the southern side of Reddicap Heath Road. The site adjoins John Wilmott School and is in a predominantly residential area. It has a vehicular access off Reddicap Heath Road with a parking area to the left hand side of the building.
There are grassed areas to the front and rear of the building. Fairfax School is opposite John Wilmott School further along Reddicap Road from the application site.

2.2. Use of the building for multiple occupation has commenced without the benefit of planning permission and an unauthorised 1.8m palisade fence which is painted green has been erected on the site frontage.

3. Planning History

3.1. 16/01/1991. 1991/04329/PA. Refurbishment of existing elderly persons home and additional use as a day centre and formation of new access road and 10 car parking spaces. Approved.

3.2. Enforcement

3.3. 13/10/2012. 2013/1420/ENF. Erection of boundary fence to front of property.

3.4. 11/03/2013. 2013/0045/ENF. Use of building for multiple occupation.

4. Consultation/PP Responses

4.1. Transportation Development – recommend a 1 year temporary permission to monitor the impact of the use on parking in the area.

4.2. Regulatory Services – no objections.

4.3. MP, Councillors, Residents Associations and nearby occupiers notified. 10 letters objecting to the proposal and Councillor Pears has written in support of the residents objections. Grounds for objection include;

- Fence looks awful and unfriendly.
- Fence erected without planning permission.
- Parking a problem in road especially at school drop off and pick up times.
- People park on verges, road and block driveways.
- Not enough car parking for residents.
- Use started without planning permission.
- Cars being traded from the site.
- Proposal is for short term lets and tenants should be vetted.
- Devalue property in the area.
- Use generates much more traffic than previous use.
- No refuse facilities identified.
- 3 employees not enough to look after all residents.
- Lead to accidents and put children at risk.

5. Policy Context


6. Planning Considerations
6.1. Background – The application site was purpose built as a home for elderly people and has recently been sold by Birmingham City Council. The palisade fence was erected by the applicants without the benefit of planning permission as a security measure while the building was vacant and the use of the building for multi-occupation has also commenced without planning permission. This retrospective application has been submitted following an enforcement investigation.

6.2. Policy – Although the application site is not a dwelling house, I consider the UDP Policy and Supplementary Planning Guidance relating to houses in multiple occupation is relevant to this application. Proposals should take account of the effect of the proposal on the amenities of the surrounding area and adjoining premises, size and character of the property, floorspace standards of the accommodation, facilities available for car parking and the amount of provision in the locality. Guidance suggests that where there is a separate bedroom with shared kitchen and living facilities, single bedrooms should be a minimum of 6.5sq.m and double bedrooms 12.5sq.m.

6.3. Use – Given that the property was formerly an elderly persons home and is located in a predominantly residential area, I have no objection to the principle of the use for multiple occupation. The building required minimal internal alterations and all bedroom sizes, both single and double exceed minimum guidelines. An acceptable level of external amenity space for residents is also available in an internal courtyard and rear garden.

6.4. Car parking – The application site contains 20 car parking space for a maximum of 63 residents. I note that many of the objections raise concern that the use will exacerbate the parking situation in the area particularly during peak drop off and pick up times for the two local schools. Transportation Development have acknowledged these concerns and recommend a temporary one year consent to monitor the parking situation.

6.5. There are no specific car parking standards relating to houses or buildings in multiple occupation. I note that the site provides 1 car parking space per three residents and I am of the view that it is unlikely that the use would attract residents with a high level of car ownership and there is no evidence that the use which has been operating unlawfully for a number of months has caused any further parking problems during peak drop off and pick up times for the two local schools. On this basis, I do not consider it is appropriate to recommend a temporary approval. I have attached a condition restricting the number of residents to 63 and requiring the provision of cycle storage facilities.

6.6. Residential amenity – Regulatory Services have raised no objections in relation to environmental issues such as noise and disturbance and I do not consider the use itself would result in any loss of amenity to nearby residents.

6.7. Visual amenity – The palisade fence was erected by the applicant without the benefit of planning permission to secure the premises while it was vacant. They have requested that it remain in place for 15 months while the conifer hedge they have planted behind the fencing. Although the fence has been painted green, I do not consider its design is appropriate for a residential area on a permanent basis. I have attached a condition that the palisade fence is removed within 15 months of the date of this permission.

6.8. Other issues – Objectors have made reference to second hand car sales taking place from the site, I confirm that this has ceased. Objectors have also mentioned
that as the rooms are cheap there should be vetting of the applicants, I can confirm that this cannot be done through the planning system. Reference was also made to there not being enough staff on site for the number of residents, again I can confirm this is not something that can be controlled through the planning system. A condition has also been attached requiring details of refuse storage to be provided.

7. Conclusion

7.1. I consider the use of the building for multiple occupation is in accordance with UDP Policy and Supplementary Planning Guidance for such uses and is acceptable in this location subject to safeguarding conditions.

8. Recommendation

8.1. Approve Subject To Conditions.

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<th>Requires the removal of palisade fencing within 15 months</th>
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<tr>
<td>2</td>
<td>Limits the number of residents to 63</td>
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<td>3</td>
<td>Requires the parking area to be laid out within 1 month</td>
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<td>4</td>
<td>Requires the scheme to be in accordance with the listed approved plans</td>
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<td>5</td>
<td>Requires cycle storage details to be submitted within 1 month</td>
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<td>6</td>
<td>Requires details of refuse storage to be submitted within 1 month</td>
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<td>7</td>
<td>Requires the submission of a management plan within 1 month</td>
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Reason for Approval

1. Birmingham City Council grants Planning Permission subject to the condition(s) listed below (if appropriate). The reason for granting permission is because the development is in accordance with: Policies 8.23 - 8.25 of the Birmingham Unitary Development Plan 2005; Specific Needs Residential Uses (1992), which has been adopted as Supplementary Planning Guidance; and the National Planning Policy Framework.

Case Officer: John Davies