53 Thornhill Road, Handsworth, Birmingham, B21 9BT

Change of use from residential (C3) to 7 bedroom HMO (Sui Generis) and insertion of new rooflight at rear.

Applicant: DCN Property Services Ltd  
Unit 55, 27 Colmore Row, Birmingham, B3 2EW,  
Agent: Thorne Architecture Limited  
The Creative Industries Centre, Wolverhampton Science Park,  
Glaisher Drive, Wolverhampton, WV10 9TG,

Recommendation  
Approve Subject To Conditions

1. **Proposal**

1.1. Planning permission is sought for the change of use of a dwelling house to 7 bedroom House of Multiple Occupation (HMO).

1.2. The HMO would accommodate a communal dining/living area and kitchen, 4 bedrooms will have en-suites and 3 would have shared bathroom access. There would be 2 bedrooms at ground floor, 3 at first floor and 2 within the roof space.

1.3. The application also proposes the installation of a new rooflight on the rear slope of the roof.

1.4. [Link to Documents](#)

2. **Site & Surroundings**

2.1. The application site comprises a two and a half storey mid terrace dwelling located close to Soho Road district centre.

2.2. The property is currently vacant and being refurbished. The agent has confirmed that the last known use was as a HMO by a community church group. The property is constructed from facing brickwork with a bay window feature and gable roof feature with a two storey rear wing projection. There is a rear garden and small garden to the front of the property. The property does not benefit from off street parking.

2.3. The immediate adjoining neighbouring properties at no.51 and 55 are both single dwelling residential houses.
2.4. The character of the immediate surrounding area is predominantly residential dwellings.

2.5. A plan is attached as Appendix to the report which shows the location of non-family dwelling uses within the immediate area.

2.6. Site Location

3. Planning History

3.1. 12th January 1986, 67685000 , Approved as accommodation for mentally handicapped persons.

4. Consultation/PP Responses

4.1. Local residents, resident associations and local ward Councillors notified – 1 response from a local resident objecting to the proposal on the grounds of loss of privacy and potential use as a bail hostel.

4.2. Regulatory Services – No objection.

4.3. Transportation – No objection.

4.4. WM Police – No objection.

5. Policy Context


6. Planning Considerations

6.1. The proposal should be assessed against the objectives of the policy context set out above.

6.2. Policy context

6.3. The NPPF advises that all planning applications should be considered in the context of the presumption in favour of sustainable development.

6.4. UDP Policies 8.23 and 8.24 refer specifically to HMOs. The policy states that the use of terrace dwellings as HMOs will be considered on their own merits. The impact of the use in relation to noise and disturbance and the cumulative effect of non-residential uses, HMOs, flats, hostels and residential care homes upon the residential character and appearance of the area will be taken into consideration. If the site lies within an Area of Restraint planning permission may be refused as further development of such uses could adversely affect the character of the area.

6.5. Paragraph 12.22 relates to the Area of Restraint at Landsdowne Road/Richmond Road/Park Avenue (policy Hi11), reaffirming that similar proposals may be refused on grounds that further such uses could adversely affect the character of the area.
6.6. Impact on character

6.7. The application property is within the Soho Ward area of the city which is covered by an area of restraint which states concern that dwellings have been converted into hostels, flats or HMO and the high concentration of these uses is affecting the character of the area.

6.8. During the site visit by my case officer, he was able to identify 19 of a total of 146 properties in Thornhill Road that were non-family dwelling uses. Parts of Thornhill Road where there is a greater concentration of non-family dwelling uses are towards the northern end of the road near the junction with Holly Road. The nearest non-family dwellinghouse uses to the application site are at no.47, no.56 opposite the site and the approval of no.57 in 2011 for change of use to 3 flats. Notwithstanding these, I consider that an additional change of use to a non-family use to the south section of Thornhill Road where the application site is located would not cause an over-concentration of such uses as to warrant refusal of the application.

6.9. I do not consider that there is an over concentration of non-family dwellinghouses as to cause significant cumulative impact within the frontage of Thornhill Road. It is noted that the property could be occupied as a HMO for up to 6 persons without the need for planning permission. It is therefore considered that the use of the property for 7 persons would not unduly affect the residential character of the area or cause demonstrable harm to residential amenity.

6.10. The proposal has been assessed on the basis there would be a change of use from a dwelling to a 7 person HMO. Policy 8.24 states that the use of terrace properties as HMOs will be considered on their own merits. I consider that the loss of a dwelling and the use of the property as an HMO is acceptable in principle. The property is located within a sustainable location and is of a suitable size. The proposed bedrooms are of a satisfactory size and there is adequate private amenity space available within the rear garden area. I do not consider that the change of use would adversely affect the character of the area.

6.11. Impact on the amenities of adjoining residents

6.12. Concern was raised by a neighbouring occupier as regards the loss of privacy from potential noise and disturbance. The lawful use of the property is a single family dwelling. The proposed bedrooms on the upper floors would be adjacent to neighbouring bedrooms, while the proposed ground floor bedrooms would be separated by an internal corridor and a shared alley way with neighbouring properties. I consider that “comings and goings” would be very similar to the lawful use therefore I do not consider that the proposed HMO would adversely affect the amenities of adjoining residents. It is noted that Officers from Regulatory Services have not objected to the proposal. West Midlands Police have assessed the proposal and raise no objections.

6.13. Car parking and impact on highway safety

6.14. During the case officer’s site visit there was available on-street parking spaces along the length of Thornhill Road, including in the immediate vicinity of the application site. In terms of the addition of 1 bedroom above the permitted 6 HMO bedrooms, it is considered that this is unlikely to attract a significant level of additional parking demand and Transportation Officers have not objected to the proposal.
6.15. I note that the Soho Road district shopping centre is located 100m to the south which is well served by a number of frequent bus services.

7. **Conclusion**

7.1. The use of the property as a 7 person HMO would not unduly affect the residential character of the area of local area, the amenities of local residents or highway and pedestrian safety.

8. **Recommendation**

8.1. I recommend approve subject to the following conditions:

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<td>1</td>
<td>Requires the scheme to be in accordance with the listed approved plans</td>
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<td>2</td>
<td>The property should be occupied by no more than 7 people.</td>
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<td>3</td>
<td>Limits the approval to 3 years (Full)</td>
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Case Officer: Atief Ishaq
Photo(s)

Front Elevation

Rear Elevation