

## PLANNING CONTROL

**Document Title:** Areas of Restraint Handsworth, Sandwell and Soho

A Review of the Concentration of residential care and nursing homes, hostels (Use Class C1 and C2) and non-family dwellinghouse uses within Handsworth, Sandwell and Soho wards



**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE DIRECTOR OF PLANNING AND ARCHITECTURE**

**PLANNING COMMITTEE**

**3 February 1994**

**WARDS:        Handsworth, Sandwell and Soho**

**REVIEW OF CONCENTRATION OF RESIDENTIAL CARE AND  
NURSING HOMES, HOSTELS (USE CLASS C1 AND C2)  
AND NON-FAMILY DWELLINGHOUSE USES WITHIN HANDSWORTH,  
SANDWELL AND SOHO WARDS**

**1.0.    Purpose of Report**

- 1.1        This report reviews, provides information and proposes a restraint policy in relation to the concentration of hostel, institutional and non-family dwellinghouse uses within the Handsworth, Sandwell and Soho Wards.
- 1.2        A plan indicating the location and a comprehensive list of uses will be displayed for the benefit of Committee Members.

**2.        Background**

- 2.1        Members will recall that periodically I have presented reports to your Committee identifying Areas of Restraint in relation to institutional and non-family dwellinghouse uses. The most recent report was one relating to Middleton Hall Road and Bunbury Road in Bournville and Northfield Wards.
- 2.2        At your Committee on the 2nd January 1992 Members resolved following consideration of a report relating to proposed hostel accommodation 10-40 Holliday Road, Soho, to request a survey of the area and other areas likely to be the subject of applications for similar accommodation.
- 2.3        Further, on October 21st 1993 your Committee resolved that I be requested to examine the proliferation of hostels in Sandwell Ward following a resolution of the Sandwell Ward Sub-Committee. Members of that Committee were concerned that the Ward had more than its fair share of hostels.
- 2.4        For a number of years Members of Heathfield Residents Association have also expressed concern about the concentration of non-family dwellinghouse uses in the vicinity of Heathfield Road.
- 2.5        Policies for special needs housing, flat conversions, houses in multiple occupation and day nurseries are set out in Chapter 8 of the Unitary Development Plan and in the supporting Supplementary Guidance. These policy guidelines highlight the need to assess the cumulative impact of non-family dwellinghouse uses in a particular road frontage.
- 2.6        Members will recall that under the Town and Country Planning (Use Classes) Order 1987 up to 6 people living together as a single household (including a household where care is provided for residents) does still represent a C3 Dwellinghouse use. Thus, for example, 6 students living as a single household would not require planning consent. I am aware that such uses may be regarded by local residents as different from single family occupation, but under current planning legislation this issue cannot be addressed.

3. **1991 Census of Information on Ward concentrations of non-family dwellinghouse uses**

3.1 Appendix 1 indicates that the 3 Wards to which this report relates, and in particular Handsworth, have relatively high concentrations of non-family dwellinghouse uses.

4.0 **Ward Surveys**

4.1 Surveys have been undertaken in response to the concern about the proliferation of hostels and care homes. Survey information has highlighted the following concentrations of these uses, together with properties converted to self-contained flats and multi-occupation.

4.2 **Handsworth Ward**

Road frontages with high concentrations are Radnor Road, Wye Cliff Road, Heathfield Road and Hamstead Road.

4.3 **Soho Ward**

There is particular concentration of hostels and care homes and other non-family dwellinghouses in the Richmond Rod/Park Avenue/Vicarage Road area of Hockley. Following representations from the local residents association the Richmond Area Plan approved by the Planning Committee on the 20th October 1983 contained Restraint Policies for this area. This provided for the restraint of further hostels/special project uses in larger houses and on the conversion of smaller houses to flats and multiple occupation.

4.4 The area around Lansdowne Road contains a relatively large number of flats and houses in multi-occupation. That part of Lansdowne Road between the junction with Holly Road and Broughton Road has nearly a third of the houses in hostel/care home and non-family dwellinghouse uses.

4.5 Thornhill Road contains 19 out of 125 properties in non-family dwellinghouse uses including 3 hostel/care home uses as well as a busy sub-divisional Police Station with inadequate off-street parking provision. Although no concentrations of non-family dwellinghouse uses would be identified in Holliday Road this road is very close to Thornhill Road and Lansdowne Road.

4.6 **Sandwell Ward**

Concentrations of uses in Sandwell Ward have been identified in the area bounded by Church Lane, Somerset Road and Handsworth Wood Road and in particular Selbourne Road and Somerset Road.

5.0 **Observations**

5.1 Although there are higher concentrations of hostels and care homes in certain other wards and road frontages in the City such as in Moseley and Erdington, it is apparent that there are roads in these 3 wards where the predominantly family dwellinghouse character and amenity of the road is being adversely affected by an undue concentration of non-family dwellinghouse uses.

This can involve the display of signs advertising the premises. The provision of additional parking frequently involving the removal of mature trees and shrubs. The installation of external fire escapes and lift shafts. These features along with the additional on-street parking can give rise to a change in the character and visual appearance of the road frontage.

5.2 Taking into account recent appeal decisions relating to institutional and hostel type uses I believe it is important that restraint policies are limited to those specific road frontages where it can be demonstrated that further non-family dwellinghouse uses and in particular hostels and care homes would adversely affect the essential residential character of a road. I would therefore recommend that your Committee adopt detailed restraint policies for the following roads (see Appendix 2).

5.3 Handsworth Ward

Hamstead Road between its junction with Radnor Road and its junction with Wellesbourne Road, Wye Cliff Road and Heathfield Road. However, as Radnor Road has almost all properties in non-family use, I do not believe any purpose would be served by a restraint policy in this road.

5.4 Soho Ward

Lansdowne Road frontages between the junction with Holly Road and Broughton Road. Also all of Thornhill Road, Vicarage Road, Richmond Road and Park Avenue.

5.5 Sandwell Ward

The frontages of Handsworth Wood Road between its junction with Church Lane and Somerset Road. Also Somerset and Selbourne Roads.

5.6 It would not be appropriate for a restraint policy to be used to unduly restrict changes of use between existing non-family dwellinghouse uses such as houses in multiple paying occupation and to self-contained flats where there would clearly be an upgrading of the accommodation. I consider a similar reasoning should apply for changes of use of for instance a hotel to a nursing home where the proposed use would have no adverse impact on the standard of residential amenity or the character of the residential frontage.

5.7 Similarly, restraint policy should not be used to prevent the upgrading and carrying out of essential health and safety work at properties converted to houses in multiple paying occupation for example the installation of external fire escapes (subject to satisfactory design).

5.8 As mentioned earlier dwellings containing no more than 6 people living as a household are outside the scope of planning policies relating to hostel type uses. Periodically I receive complaints about such uses and checks are carried out to establish whether there is any breach of planning control.

5.9 It is hoped that the restraint policy will encourage a more even spread of hostels and care homes throughout these Wards and the City as a whole.

6.0 **Implications for Women, Black and Ethnic Minority People and Race Relations and People with Disabilities**

6.1 The existence of facilities catering for all these groups help provide essential care and employment opportunities. This consideration must be balanced against the need to avoid over-concentration in particular areas which could adversely affect residential character and amenity and reduce the stock of large dwellinghouses available for extended family use.

7. **Financial Implications**

7.1 No implications have been identified.

8. **Recommendation**

- I That your Committee approve the adoption of a detailed restraint policy in respect of additional residential care homes, hostels (Use Classes C1 and C2), flat conversions, day nurseries and surgeries (Use class D1), houses in multiple paying occupation. This restraint policy should apply to the road frontages listed in paragraphs 5.
- II That outstanding Minute Nos. 8324 and 2599 be discharged.
- III That this policy be adopted as supplementary planning guidance.
- IV That the report be referred to the Sandwell, Soho and Handsworth Ward Sub-Committees for information.

DIRECTOR OF PLANNING AND ARCHITECTURE

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Background Papers

Report to Planning Committee - Planning Application on 10-40 Holliday Road, Handsworth - 2.1.92.

Report to Planning Committee - 21.10.93 - Consideration Resolution of the Sandwell Ward Sub-Committee relating to the proliferation of hostels in Sandwell Ward.

Revised Unitary Development Plan 1991.

Richmond Area Plan - Planning Committee - 20.10.83.

Restraint Policy in respect of Institution of Non-family Dwellinghouse Uses in Middleton Hall Road and Bunbury Road, Bournville and Northfield Wards - 28.1.93.

The contact details within this leaflet have been updated since its publication. Please use the contact details below.

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