

Birmingham City Council

Planning Committee

15 June 2023

I submit for your consideration the attached reports for the **City Centre** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Subject to 106 Legal Agreement	9	2022/08212/PA 80-82 Great Hampton Street - rear of Jewellery Quarter Birmingham B18 6EW Conversion of existing building to create 29 residential apartments (C3) including dormer windows to the front, gantry staircase and landscaping to internal courtyard and refurbishment of the exterior, including some replacement windows.
Approve - Conditions	10	2022/08218/PA 80-82 Great Hampton Street - rear of Jewellery Quarter Birmingham B18 6EW Listed Building Consent for conversion of existing building to create 29 residential apartments (C3) including erection of dormer windows to the front, gantry staircase and landscaping to internal courtyard, refurbishment of the exterior, including some replacement windows and removal of staircases. Internal works including removal of staircases, new partition walls, new mezzanine floors and some demolition and repair works.

Committee Date:	15/06/2023	Application Number:	2022/08212/PA
Accepted:	03/11/2022	Application Type:	Full Planning
Target Date:	02/02/2023		
Ward:	Soho & Jewellery Quarter		

80-82 Great Hampton Street - rear of, Jewellery Quarter, Birmingham, B18 6EW

Conversion of existing building to create 29 residential apartments (C3) including dormer windows to the front, gantry staircase and landscaping to internal courtyard and refurbishment of the exterior, including some replacement windows.

Applicant:	Great Hampton Street Button Works Ltd Kingsnorth House, Blenheim Way, Birmingham, B44 8LS
Agent:	PJ Planning Cradley Enterprise Centre, Box no 15, Maypole Fields, Cradley, B63 2QB

Recommendation

Approve Subject to a Section 106 Legal Agreement

1. Proposal:

- 1.1 The is a full application for the conversion of the existing building to create 29 residential apartments (C3), comprised of 20 x 1 bed units and 9 x 2 bed units.
- 1.2 The proposal also includes insertion of dormer windows to the front street facing roof slope, roof lights to the rear facing slope and erection of gantry stairs within the rear courtyard.
- 1.3 There are other alterations proposed to the Listed Building, including the removal of some staircases, the creation of a double height void through the removal of part of a floor, reinstatement of pavement windows, subdivision of space through erection of stud walls, creation of some mezzanine floors, refurbishment of some existing windows and new windows and doors,
- 1.4 The application is supported by: Planning Statement, Design and Access Statement, Financial Viability Assessment, Air Quality Assessment, Preliminary Ecological Assessment, Transport Note, SUDS Note, Daylight and Sunlight Report, Heritage Assessment, Phase 1 Ground Conditions Survey, Mechanical and Electrical detail, Structural Report, Noise Impact Assessment,
- 1.5 [Link to Documents](#)

2. Site & Surroundings:

- 2.1. No.80-82 Great Hampton St comprises the grade II* former Button Works factory, a large Gothic industrial building of 1872. It is figure-of-8 shaped in plan, with the principal four storey range facing Great Hampton St, and two long rear wings projecting perpendicular to the road, connected by two cross wings. These rear

buildings are lower in height and utilitarian in their composition and would traditionally functioned as workshops. Two rear internal courtyards are accessed via an offset coach entrance in the frontage building.

- 2.2. The building is constructed in red/orange Birmingham brick and dressed in blue brick banding and painted cut stone to form window hoods with decorative label stops, carved tympanums, key stones, and pilaster capitals, to execute the three-stores of Venetian Gothic architecture overlooking the street.

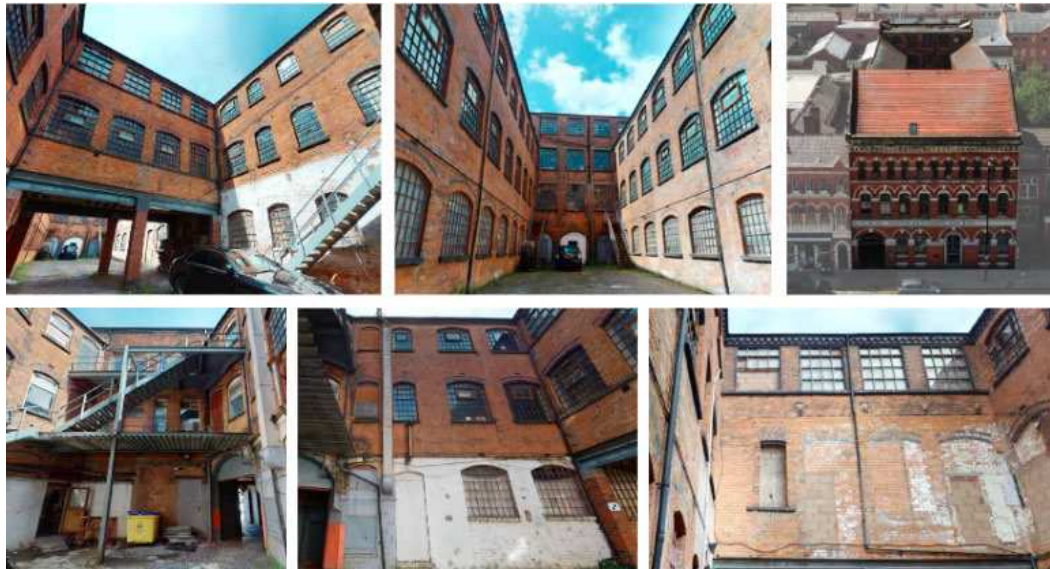


Figure 1. Existing Site images

- 2.3. The site is located in the Great Hampton Street locality of the Jewellery Quarter Conservation Area and is surrounded by numerous heritage assets, including the adjacent grade II nos.83-84 Great Hampton Street and nos.101-113 and 115-121 (odd) Branston Street to the rear. Other assets include the grade II nos.69-70, 60-64 and 44-45 (Pelican Works) Great Hampton St, as well as the locally listed nos.46-47 and 55, 56 and 56a.

- 2.4. [Site](#) location



Figure 2. site context

3. **Planning History:**

- 3.1. 2000/00052/PA Listed Building Consent for replacement of windows to match original designs, replacement/re-bedding of stone copings, removal of recent window and making good, repairs to various miscellaneous details. Approved Subject to conditions 15/7/2000.
- 3.2. 2022/08218/PA Listed Building Consent for conversion of existing building to create 29 residential apartments (C3) including dormer windows to the front, gantry staircase and landscaping to internal courtyard and refurbishment of the exterior, including some replacement windows – to be decided.

4. **Consultation Responses:**

- 4.1. BCC Environmental Protection – No objection subject to conditions requiring a contaminated land assessment and verification report and a noise mitigation strategy
- 4.2. BCC Ecology – No objection subject to conditions requiring construction ecology management plan and bat and bird boxes.
- 4.3. BCC Transportation – No objection subject to conditions requiring cycle parking before occupation and the reinstatement of the redundant highway crossing.
- 4.4. BCC Conservation – No objection subject to amendments and conditions requiring details of restoration works and mechanical and electrical details
- 4.5. BCC City Design – No objection subject to conditions relating to materials and architectural/landscaping details
- 4.6. Historic England – No objection
- 4.7. Lead Local Flood Authority – No response
- 4.8. Severn Trent Water- No objection subject to the submission of foul and surface water drainage details.
- 4.9. West Midlands Fire – No objection subject to compliance with building regulations
- 4.10. West Midlands Police – No objection, consideration should be given to Designing out Crime.
- 4.11. BCC Leisure Services – No objection, request for financial obligation towards play and open space with the JQ and Soho Wards.
- 4.12. BCC Education – No obligation required.

5. **Third Party Responses:**

- 5.1. The application has been publicised by sending out letters to neighbours, posting a site notice within the vicinity of the site and a press notice
- 5.2. One letter of objection has been received, raising the following points
 - Once the flats have been made then it would be easier for people to jump over into our property and cause theft. Making our building a more vulnerable target for robbers due to the fact our building is touching next door.
 - In our store we have a lot of items that are very flammable in each of our floors. So if anyone was to throw a cigarette or light a fire then it could easily turn into a major situation.
 - During construction of the flats, the road will be congested, which will make it really difficult for us to load and unload our deliveries. There is already double

yellow line on the road, with the flats it will become even more congested and it will also be hard for our customers to park, which could lead us to lose more business and lose our customers.

- with the construction on going if the doors are open for the site then that could easily attract the attention of burglars. Making our building a more easy target. This is very worrying as we store expensive stock.

6. **Relevant National & Local Policy Context:**

6.1. National Planning Policy Framework

Section 11: Making effective use of land - Paragraph 118

Section 12: Achieving well-designed places - Paragraph 124-132

Section 16: Conserving and enhancing the historic environment - Paragraph 189-202

6.2. Birmingham Development Plan 2017

GA1: City Centre

PG3: Place making

TP2: Adapting to climate change

TP3: Sustainable construction

TP12: Preserving the historic environment

TP20: Protecting employment land

TP21: Network and Hierarchy of Centres

PT24: Promoting a diversity of uses within centres

TP27: Sustainable neighbourhoods

TP28: The location of new housing

TP30: The type, size and density of new housing

TP31: Affordable Housing

TP39: Walking

TP40: Cycling

6.3. Development Management DPD

DM1: Air Quality

DM2: Amenity

DM10: Standards of residential development

DM12: Residential Conversions

DM14: Transport access and safety

6.4. Supplementary Planning Documents & Guidance:

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment - Historic England (2015); Good Practice Advice Note 3: the setting of Heritage Assets – Historic

England (2017); Birmingham Design Guide (2022) National Design Guide (October 2019); National Planning Practice Guidance (PPG); Car Parking Guidelines SPG (2021) Jewellery Quarter Conservation Area Management Plan (2002) Jewellery Quarter Design Guidelines (2005) DRAFT Jewellery Quarter Neighbourhood Plan; Loss of Industrial Land to Alternative Uses SPD

7. Planning Considerations:

- 7.1. The main material considerations of this application are
- The principle of development
 - Design
 - Impact upon heritage assets
 - Sustainable Construction
 - Transportation
 - Environmental Protection
 - Flooding and Drainage
 - Ecology
 - Planning Obligations and Financial Viability
 - Other Matters
- 7.2. Paragraph 11 d) of the NPPF (2001) states that where the policies which are the most important for determining the planning application are considered out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 8 of the NPPF confirms that in considering whether the policies that are most important are indeed out-of-date, this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.3. The Birmingham Development Plan became 5 years old on 10th January 2022. In accordance with NPPF paragraph 74, BDP policies PG1 and TP29 are considered out of date, and the Council's five-year housing land supply must now be calculated against the Local Housing Need figure for Birmingham. As of 10th January 2022, the Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11d) of the NPPF is engaged and the tilted balance applies for decision taking.
- 7.4. Footnote 7 of the NPPF notes the specific policies which protect important areas or assets, and these include policies relating to designated heritage assets, this is discussed later.

Principle of Development

- 7.5. The BDP identifies the application site as being within the City Centre Growth Area (Policy GA1) where the focus is primarily upon re-using existing urban land through regeneration, renewal and development. Policy GA1.3 relating to the Quarters surrounding the city centre core and states that development must support and strengthen the distinctive characteristics, communities and environmental assets of each area. For the Jewellery Quarter (JQ) it seeks to create an urban village supporting the areas unique heritage with the introduction of an appropriate mix of uses and radically improved connections to the City Centre Core.

The provision of housing

- 7.6. Policy TP27 of the Birmingham Development Plan highlights the significance of housing and its importance in the creation of sustainable neighbourhoods; and how this is underpinned by the provision of a wide choice of housing sizes, types, and tenures to ensure balanced communities are created to cater for all incomes and ages. Policy TP28 'The location of new housing' requires new residential development to be well located listing several requirements a residential development site should meet.
- 7.7. TP30 requires proposals for new housing to deliver a range of dwellings to meet local needs and support the creation of mixed, balanced and sustainable neighbourhoods in accordance with the most recent housing market assessments.
- 7.8. POLICY 2(d): 'Diversity in residential space including affordable housing' of the Neighbourhood Plan (NP) requires, residential development to provide a wide choice of housing sizes, types and tenures and cater for a range of affordability needs and ages, it also requires that "the Gross Internal floor area and Storage area of all dwellings shall meet the nationally described space standard as a minimum".
- 7.9. The Jewellery Quarter Conservation Area Management Plan restricts residential uses within the golden triangle and industrial middle of the conservation area. The site is not within either of these defined areas.
- 7.10. The development provides a mix comprising 20 x 1 bed units and 9 x 2 bed apartments. The proposed development is constrained by the nature of the existing building.
- 7.11. Whilst the mix of housing fails to provide any larger units of accommodation (3+ bedrooms) the DAS explains that the residential apartment types are dictated by the existing building fabric, where apartment plans respond to the rationale and order of existing façades and respect the internal column grid. On balance, this mix can be supported in a City Centre location, on a site of this character with limitations as a result of its listed status, the proposal still adds to the mix available across the City.
- 7.12. Overall the proposal can be supported for residential use in accordance with the above policies.

Loss of employment land

- 7.13. Policy TP20 recognises that there may be occasions where employment land has become obsolete and can no longer contribute towards the portfolio of employment land. In such cases, proposals comprising the change of use from employment land to other uses will be permitted where it can be demonstrated that either: the site is considered a non-conforming use; or the site is no longer attractive for employment development having been actively marketed. Policy DM12 'Residential conversions and Specialist accommodation' states that development will be supported where it will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies.
- 7.14. In this instance large parts of the existing building have been vacant for long periods and are not suitable for modern employment uses. Parts of the site remain in storage and distribution use (B8). Little supporting information has been provided in relation to the loss of any existing employment use. However, from site visits and the condition report that accompanies the application, it is evident that the site is largely vacant or used for the storage of clothing, the employment use that does remain, is low scale. Therefore, the redevelopment of this site would have little consequence to the strategic employment policies of the development plan. Nonetheless, the site does have potential to be used for employment purposes and there is little evidence to suggest that the site is identified by any other planning policy document as being suitable for other use. Therefore, there is some conflict with Policy TP20 and DM12.

Neighbourhood Plan

- 7.15. The site lies on the edge of the designated Jewellery Quarter Neighbourhood Plan area. The Neighbourhood Plan (NP) has been to examination but has not yet been to Referendum and is not a 'made plan'.
- 7.16. Notwithstanding this, the Draft Neighbourhood Plan (NP) is a material consideration in this decision-making process and the weight to be given to it is set out in paragraph 48 of the NPPF. Factors to be considered to the weight to be given to the NP include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Therefore, in this instance the plan can be afforded weight in the decision-making process.
- 7.17. The site does not fall within the identified creative district, thus the Policies within chapter 1 do not apply. Therefore, the principle of a residential led development can be supported by the NP, outside of the creative quarter.
- 7.18. POLICY 2(b): Conserving heritage assets outside the Creative District of the neighbourhood plan states that outside of the creative quarter proposals which enable the appropriate conservation and re-use of designated or non-designated heritage assets will be supported. Therefore, supporting the proposal in principle.
- 7.19. POLICY 2(f): Maintaining workspace for jewellery and creative industries Development proposals that involve the loss of existing workspace for jewellery, design/making and other creative industries will not generally be supported. However, in this instance the existing employment uses are not jewellery related, or creative industry.
- 7.20. POLICY 2(h): 'Major development providing new workspace for the creative industries' states that "proposals for Major Development should provide flexible workspace suitable for creative industry businesses. This suitability should be demonstrated by providing amenity, size and configuration suitable for these occupiers, and be provided on-site wherever possible or otherwise within the Neighbourhood Plan area. Where Major Development is residential-led, 50% of the commercial space proposed should be allocated to creative industry businesses" At examination the inspector suggested amendments to this policy removing the 50% requirement to "a proportion of the commercial space proposed should be allocated to creative industry businesses; the proximity of which to the Creative District should be a consideration". No commercial space is provided for within the development and the site is in relatively close proximity to the creative quarter, contrary to this Policy.
- 7.21. Therefore, the principle of the use proposed is generally supported by the Policies of the Draft NP. However, the conflict with Policy 2(h) of the NDP should be weighed in the balance.
- 7.22. Overall, Policy PG1 and GA1.3 support development proposals in identified sustainable growth areas such as this. The proposal provides a satisfactory mix of housing adding to the types of accommodation available across the city in accordance with TP27, TP28 and TP30. The application does lead to the loss of an employment building and little evidence to justify this has been provided. This conflicts with Policy TP20 and DM12. However, this listed building is in disrepair and is unlikely to be suitable for modern employment uses. In addition, no commercial space for creative industry is provided in the development contrary to 2(h) of the NDP.
- 7.23. Overall, the principle of the proposed redevelopment of the site can be supported. However, the extent of the conflict with TP20, DM12 and 2(h) should be considered when assessing the development against the Development Plan as a whole.

Design

- 7.24. Policy PG3 of the BDP (2017) advises that all new development must ensure high quality design. It states that development should create a positive sense of place

and local distinctiveness; design out crime and make provision for people with disabilities; encourage people to cycle and walk; ensure spaces are attractive and functional in the long term; integrate sustainable design; and make the best use of existing buildings and efficient use of land.

- 7.25. POLICY 2(a): 'Authenticity in the Jewellery Quarter' states that Development in the Jewellery Quarter Neighbourhood Plan area must retain and maintain its historic and cultural character and integrity relevant to its site and context. Development should contribute to the Jewellery Quarter's unique character and function, and demonstrate how it respects, conserves and enhances the existing scale and grain of the built environment, and the unique mixture of uses present. Proposals which support and enhance the variety of jewellery, design and making uses are encouraged.
- 7.26. The majority of the works concern the conversion of the building to residential use and are therefore internal alterations. The impact on historic fabric is dealt with later in the report.
- 7.27. There are some external works, including dormers proposed to the front (street facing) roof slope. These are evidenced as having once existed. The design of which have been amended from round arch windows to a more gothic style, to reflect the architecture of the building.

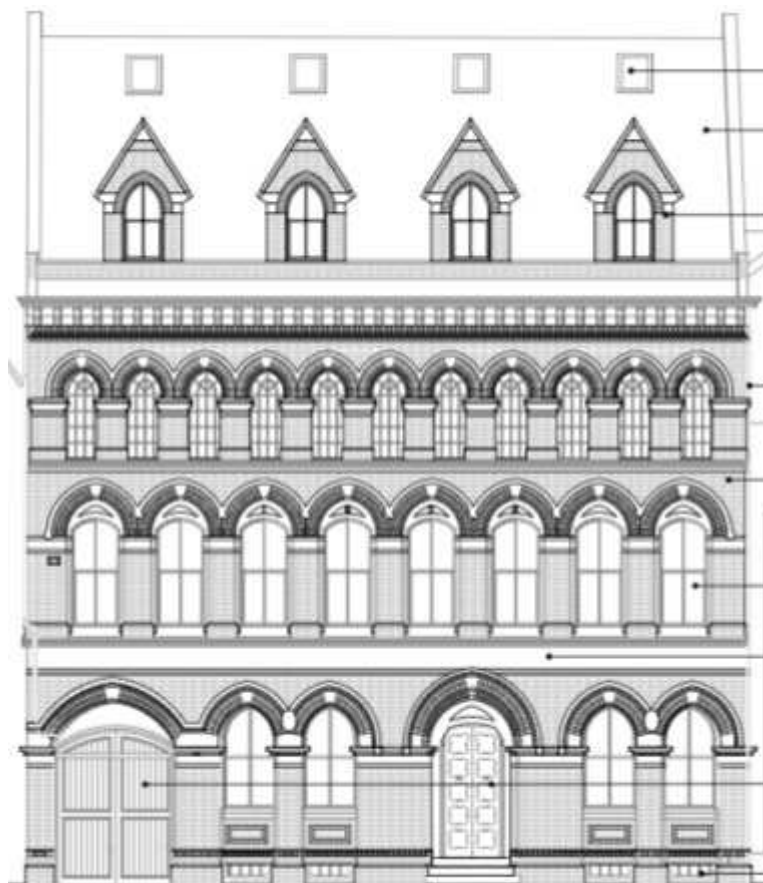


Figure 3. amended elevation with new dormer design

- 7.28. There are also proposed decked walkways within the courtyard, these are necessary to obtain access to the new residential units. This is a solution successfully used on other similar buildings within the JQ. They are shown on plan to be simple with vertical balustrade bars and finished black. The detail of this should be secured by condition.

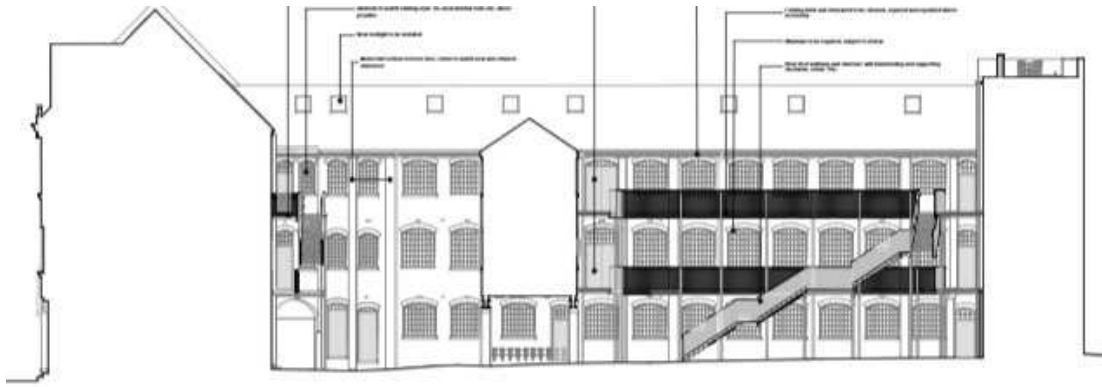


Figure 4. proposed elevation showing decked walkways

- 7.29. With regards to the landscaping proposed within the courtyard, there are currently existing blue pavers in places. The central planting is important in changing the dynamics of this space as a new residential amenity space rather than an industrial yard.
- 7.30. There are roof lights proposed in both the rear roof slope and roof slope of the shopping wings, the location and size of these is acceptable. The DAS and plans annotate these as conservation style which is again, acceptable.

Impact upon heritage assets

- 7.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering in whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.2. Policy TP12 of the BDP states that great weight will be given to the conservation of the City's heritage assets and that development affecting a designated or non-designated heritage asset or its setting, will be expected to make a positive contribution to its character, appearance and significance.
- 7.3. The site is located with The JQ Conservation Area where the relevant Character Appraisal and Management Plan SPG identifies the special interest of the JQ, provides a definition of its character and a management plan for its preservation and enhancement. It divides the conservation area into eight sub areas and the application site is shown as being within the Great Hampton Street Character Area.
- 7.4. POLICY 2(b): Conserving heritage assets outside the Creative District of the neighbourhood plan states that outside of the creative quarter proposals which enable the appropriate conservation and re-use of designated or non-designated heritage assets will be supported. This is also supported by POLICY 4(e): Dereliction and vacancy, which states where development proposals which tackle dereliction of heritage assets and secure their conservation through sensitive repair, restoration, and occupation by an appropriate use is supported.
- 7.5. At present, the site is in a state of dilapidation, resulting from insensitive alterations both internal and external, that have negatively impacted the condition and significance of the asset. Proposals such as this that aim to make-good many of these alterations and carry out holistic repairs are welcomed in the positive conservation of the asset which help restore some of its historic character. The repairs are supported, and while the indicative repairs are welcomed, a formal repairs strategy will need to be conditioned.
- 7.6. Change of Use – The Jewellery Quarter CAAMP (Part 2, section 1.3) states, 'The Council will not normally permit changes of use to buildings where the new use would

adversely affect its character and appearance or that of the Conservation Area.’ Given the current condition of the site, and the fact that its current use does not reflect its historical or intended function, consideration is made in this case in that the proposal will restore the full site and secure the future of a grade II* listed building where the original industrial/manufacturing use is not operational and the change of use would not adversely affect the appearance or character of the Conservation Area given it is located outside of the industrial middle/golden triangle and the creative quarter identified by the NDP.

- 7.7. External Alterations - Restorative works to the site, including to its frontage, will have a positive impact on the Conservation Area and settings of the surrounding listed buildings as well as upon the listed building itself.
- 7.8. The asset has been subject to many harmful interventions and alterations, which has eroded its character and significance. Repairs and the undoing of these alterations, as well as the reinstatement of lost features, will help restore the original architecture and in turn the significance of the asset. Externally, this includes reinstating lost windows and openings (including pavement lights), rooflights and front facing dormers, as well as making-good masonry and historic features. These are all positive interventions that will improve the significance of the asset.



Figure 5 Historic image showing dormer windows to be reinstated

- 7.9. There are also elements of the proposal that cause harm. The introduction of the metal gantry stairs obstruct views of the courtyard elevations and dominate the courtyard space. However, the constraints of internal space in the workshop wings necessitate an external access solution and the use of such metal stairs provides an industrial aesthetic as well as housing most of the services and utilities in the risers.
- 7.10. Further the Conservation Officer considers concessions for greening can be made subject to the hard surfaces closely resembling its original blue brick paver form. An amended landscape plan was submitted showing the re-use of historic pavers and the new surfacing as Staffordshire blue pavers.



Figure 6. Proposed internal courtyard

- 7.11. Internal Alterations - Internal alterations are also proposed, (subject to separate Listed Building Consent) which see a loss of original fabric. Including alteration of some original windows to create doors, some historic (early C20) staircases will be lost and historic lath and plaster ceilings are to be removed. Additionally, the subdivision of historically open plan space is considered harmful to the legibility of the original plan form. While other opening-up works help counter the harm of the subdivision of the site, such as removing later blockwork partitions and lowered ceilings to expose the roof trusses and timber framing.
- 7.12. The subdivision of space is necessary to secure a use for the site, and while regrettable this is acceptable subject to Historic Building Recording. A future location needs to be secured for the remaining elements of machinery, which can be secured via condition.
- 7.13. The Conservation Officer queries the need and justification for the creation of the double-height void in the ground floor of the front building, given that there is an existing staircase. However, the architect confirmed that the existing staircase could not be utilised to access to residential space as it would not meet current standards. This therefore amounts to less than substantial harm to the asset.



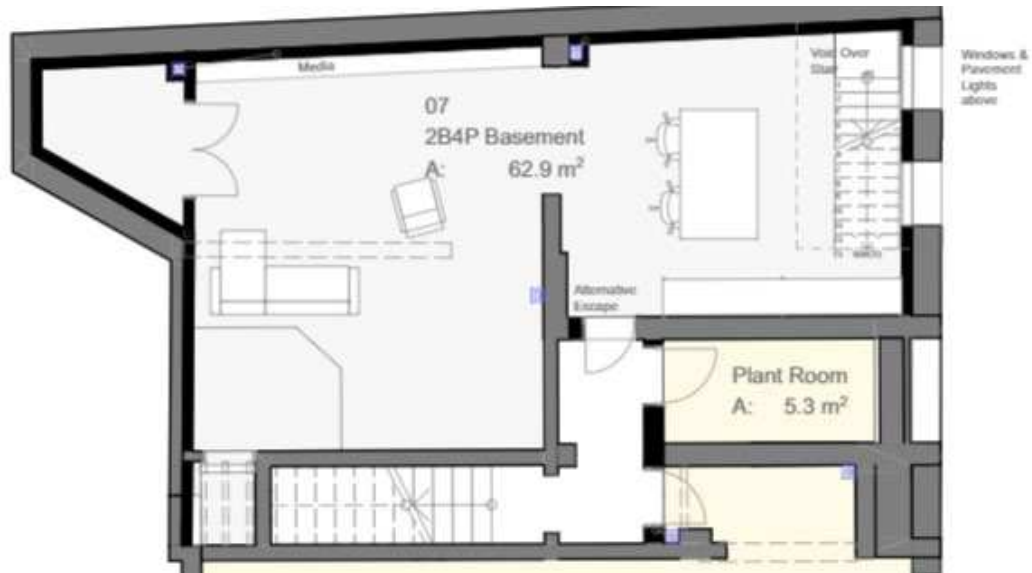


Figure 7. First floor and basement plan with proposed void in floor

- 7.14. The above alterations do cause a small degree of less than substantial harm to the Listed Building, therefore as per paragraph 202 of the NPPF (2021) the degree of harm must be weighed against the benefits of the scheme.

Residential Amenity

- 7.15. Policy DM10 and DM12 of the DMB (2021) requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site. This policy also requires the proposed development to meet nationally described space standards.
- 7.16. Only 1 of the proposed 29 units fails to meets nationally described space standards. Policy DM10 does state that exceptions to the Policy will only be considered where it can be robustly demonstrated that to deal with site specific issues or respond to local character, adhering to the standards is not feasible due to physical constraints. Any reduction in standards as a result must demonstrate that residential amenity will not be significantly diminished.
- 7.17. Unit 04 has a total floor space of 36.3 sqm when it should be 37sqm. Therefore, this is only just short of the standard and the nature of the 'shopping wings' to the rear means that rooms within these spaces are very narrow. Given that all other units meet or exceed standards, overall this is acceptable given the nature of the site.



Figure 8. Layout Plan – first floor

- 7.18. There is a lack of external amenity space, compared to the standards given in guidance. However, it is recognised that the listed nature of the building means attaching balconies would not be possible. Furthermore, the extent of the building footprint means there is limited opportunity for external spaces within the application

site. The Play and Open Space SPD recognises that in the city centre public realm is important given the dense nature of the city and open space not always being achievable. BCC leisure services were consulted and request a financial contribution to offsite open space.

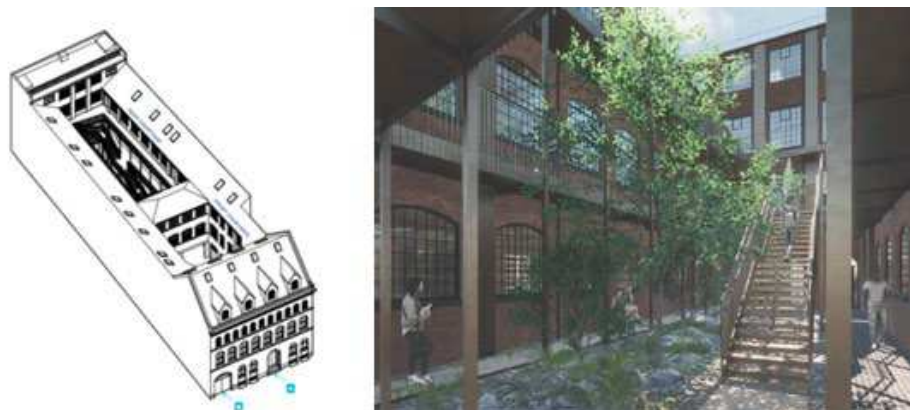


Figure 9 showing external courtyard space

- 7.19. A daylight assessment for the proposed dwellings is provided (no overshadowing report is necessary given the proposal is for conversion and not extension). The report concludes that only around 42% of tested rooms meet BRE standards. The majority of rooms that do not meet standards are on the ground floor where shadowing from the gantry stairs occurs, in addition the majority of windows are north facing. Whilst this figure is lower than expected, it is accepted that the limitations of the building from the small courtyard arrangement and use of existing windows and need for external stairs, means that there is no other solution and the results can be accepted.

Sustainable Construction

- 7.20. The Guidance note on Sustainable Construction and Low and Zero Carbon Energy Generation (2022) provides guidance to developers on how to achieve the requirement of Policies TP3 and TP4. This sets out that residential development building regulations came into effect this year. From 15th June 2022 all domestic development must achieve at least a 31% reduction in carbon dioxide emissions compared to the 2013 Building Regulation (Approved Document Part L) standards. Policy TP3 of the adopted Birmingham Development Plan requires that development should seek to maximise energy efficiency and carbon reductions. Development proposals should therefore seek to achieve a betterment over the baseline national requirements against the Target Emission Rate (TER) of the 2021 Edition of the 2010 Building Regulation (Part L) where possible and where viable.
- 7.21. The application is supported by a sustainable construction statement and Energy Strategy. The sustainable Construction Statement sets out the strategies within the development to make energy efficiencies, through for example efficient lighting and water strategies, mechanical heat recovery. However, it highlights that the potential to use LZC technologies is very limited given the grade II* Listed nature of the proposal, this is supported by the mechanical and electrical strategy submitted with the application demonstrating the practicalities of delivering solar PVs on the building.
- 7.22. In this instance, given the nature of the building and the proposed re-use of an existing building, the above can be accepted.

Transportation

- 7.23. Policy DM14 (Transport access and safety) defines that development must ensure that the development would not have an unacceptable adverse impact on highways safety, safe convenient and appropriate access arrangements are in place for all users and

that priority is given to the needs of sustainable transport modes.

- 7.24. BCC Transportation have no objection to the proposal. The plans show 100% cycle parking, in line with guidelines on the ground floor. The courtyard area also provides a refuse store in a suitable location and servicing can continue from on-street.
- 7.25. A letter of objection raises concern with impact upon congestion/parking during construction and the impact this may have on their adjacent business. However, a Traffic Regulation Order exists on Great Hampton Street (double yellow lines) that controls parking outside of the development.

Noise, Air quality and Contaminated Land

- 7.26. Policy DM2 (Amenity) expresses that all development will need to be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours.
- 7.27. BCC Environmental Protection reviewed the application and note that the premises is an existing commercial storage operation and is in a mixed-use area, although the adjacent commercial uses do not have any significant industrial manufacturing or entertainment use and therefore the potential noise impacts and commercial operations are of limited concern.
- 7.28. *Contaminated land* - the application is supported by a Phase 1 desk study that recommends further intrusive site investigation, the EHO is content that contaminated land can be adequately conditioned reflecting the recommendations of the Phase 1 report.
- 7.29. *Air Quality* – No adverse air quality impacts on this development would be expected, the development itself would not result in any adverse air quality impacts. The application is supported by an air quality assessment undertaken and the EHO does not recommend any air quality conditions.
- 7.30. *Noise* - The application is supported by a noise impact assessment. The report concludes that the rear courtyards required no specific acoustic treatment however the noise impacts on the Great Hampton Street facade are more significant, based on the report it is recommended that MVHR ventilation is provided, and that in order to meet over heating requirements open windows cannot be relied on. It is also proposed that secondary glazing is installed on this facade due to the heritage considerations. The report also includes design data for plant and equipment. The EHO is content that a detailed noise mitigation design can be submitted via condition.

Flooding and Drainage

- 7.31. BDP Policy TP6 'Management of flood risk and water resources' requires a sustainable drainage assessment and maintenance plan for all major developments. The scale of the proposal also requires a Flood Risk Assessment. BDP Policy TP2 'Adapting to climate change' and TP3 'Sustainable construction' states that new development should be designed and constructed in ways to conserve water and reduce flood risk, promoting sustainable drainage systems.
- 7.32. The site lies within Flood Zone 1 and is therefore appropriate for residential development. The existing site is extensively developed with impermeable areas (buildings and hard surfacing). The application is supported by a FRA and Drainage Strategy.
- 7.33. Severn Trent Water have no objection to the proposal subject to the submission of foul and surface water drainage details. The Lead Local Flood Authority made no comments on the application. However, as stated the application is within the flood zone 1 so the risk to the development from flooding is limited. The applicant has also

provided details of SUDS within the courtyard of the development, details of which should be conditioned.

Ecology

- 7.34. Policy TP8 'Biodiversity and Geodiversity' requires all development, where relevant. NPPF para 174 requires planning decisions to contribute to and enhance the natural and local environment, including minimising impacts on and providing net gains for biodiversity to support the enhancement of Birmingham's natural environment.
- 7.35. The Preliminary Ecology Appraisal has identified that there is potential within the building for bats to be roosting and for these features would be lost during renovation. BCC Ecology have no objection to the proposal but recommend that a construction ecology management plan condition is applied and a condition requiring bat and bird boxes are incorporated into the development.

Planning Obligations and Financial Viability

- 7.36. The BDP requires 35% affordable dwellings on site for developments of 15 dwellings or more. Either on site public open space or contributions towards off site provision for developments of 20 or more dwellings is also required by the Open Space in New Development SPD. 3.3 of the Jewellery Quarter Management Plan, states that where there is a deficiency of amenity space for residential developments, developers would be expected to contribute to the enhancement of the public realm.
- 7.37. The applicant has submitted a viability report with the application which has been independently assessed by the Council's independent viability consultant. The independent consultant concludes that the development can make a contribution of 3 units of affordable housing, which equates to 10.3 %. Comprised of
- 1 No. 1B1P for Discount Market Rent at a 20% discount
 - 1 No. 1B1P for Discount Market Rent at a 30% discount
 - 1 No. 1b2p for Discount Market Rent at a 20% discount
- 7.38. BCC Leisure Services note that the scheme would generate the need for a POS and play area contribution in accordance with the BDP. Given the nature of the site an off site contribution would be required to be spent on the provision, improvement and/or biodiversity enhancement of public open space and associated structures, including the maintenance thereof within the Soho and JQ Ward.
- 7.39. However, given the above viability assessment which demonstrates that the scheme is not able to support a policy compliant position, in this instance the money has been directed to Affordable Housing, which is the greatest priority at this time.

Planning Balance

- 7.40. The proposed development accords with a number of Development Plan Policies, providing a residential development of high-quality design, which adds to the housing mix available across the City contributing to the shortfall in housing land supply, on a brown field site in a sustainable location. The scheme also makes a contribution towards the affordable housing shortfall within the city. These factors weight in favour of the proposal.
- 7.41. However, the proposal also results in low levels of less than substantial harm to the Listed Building. This weighs against the proposal and the harm should be weighed against the public benefits of the development, in accordance with the requirements of the NPPF and Policy TP12. Great weight should be given to the conservation of heritage asset.

- 7.42. In addition to this, little evidence has been provided to demonstrate that the loss of the employment use is justified, against the requirements of Policy TP20 and DM12 and no ground floor creative industry is introduced contrary NDP Policy 2(h). However, it is noted that Policy 2(h) does not carry full weight as it is not a made plan. Nevertheless, the NDP is at an advance stage.
- 7.43. Following the three strands of sustainable development, the public benefits of the proposal are
- Environmental
- Re-use of a largely vacant, run-down grade II* Listed Building.
 - Heritage benefits of repair and long-term use and maintenance of a listed building within a conservation area.
- Economic
- Creation of jobs in the construction phase of the project (albeit short term)
 - Additional residents supporting local services
- Social
- Contribution to the supply of housing and a financial contribution towards affordable housing in the City.
- 7.68 The loss of the employment use would not significantly conflict with the employment strategies of the BDP, given its low grade and low level of employment. Furthermore, the building is not suitable for modern industrial uses. Ground floor commercial uses for the creative industry could be introduced and the lack of this is given moderate weight.
- 7.69 However, substantial weight is given to the contribution towards the housing supply and contribution to the affordable housing needs of the city. Great weight is given to the re-use, repair and future maintenance and therefore conservation of the heritage asset.
- 7.70 Overall, it is therefore considered the benefits of the scheme outweigh the low level of harm to the identified heritage assets, and the limited conflict with Policy TP20, DM12 and 2(h) of the draft NDP.

8. **Conclusion**

- 8.1. Overall, residential uses are supported by Policy GA.1.3, the site is within the City Centre growth area and would see the development of this brown field site, with a high-quality residential development, supporting the delivery of the Council's housing requirements and securing the long term conservation of the grade II* Listed Building in a viable use.

9. **Recommendation:**

- 9.1. That consideration of planning application 2022/08212/PA be APPROVED subject to the completion of a planning obligation agreement to secure the following: -
- a) Three units of affordable housing comprised of
- 1 No. 1B1P for Discount Market Rent at a 20% discount

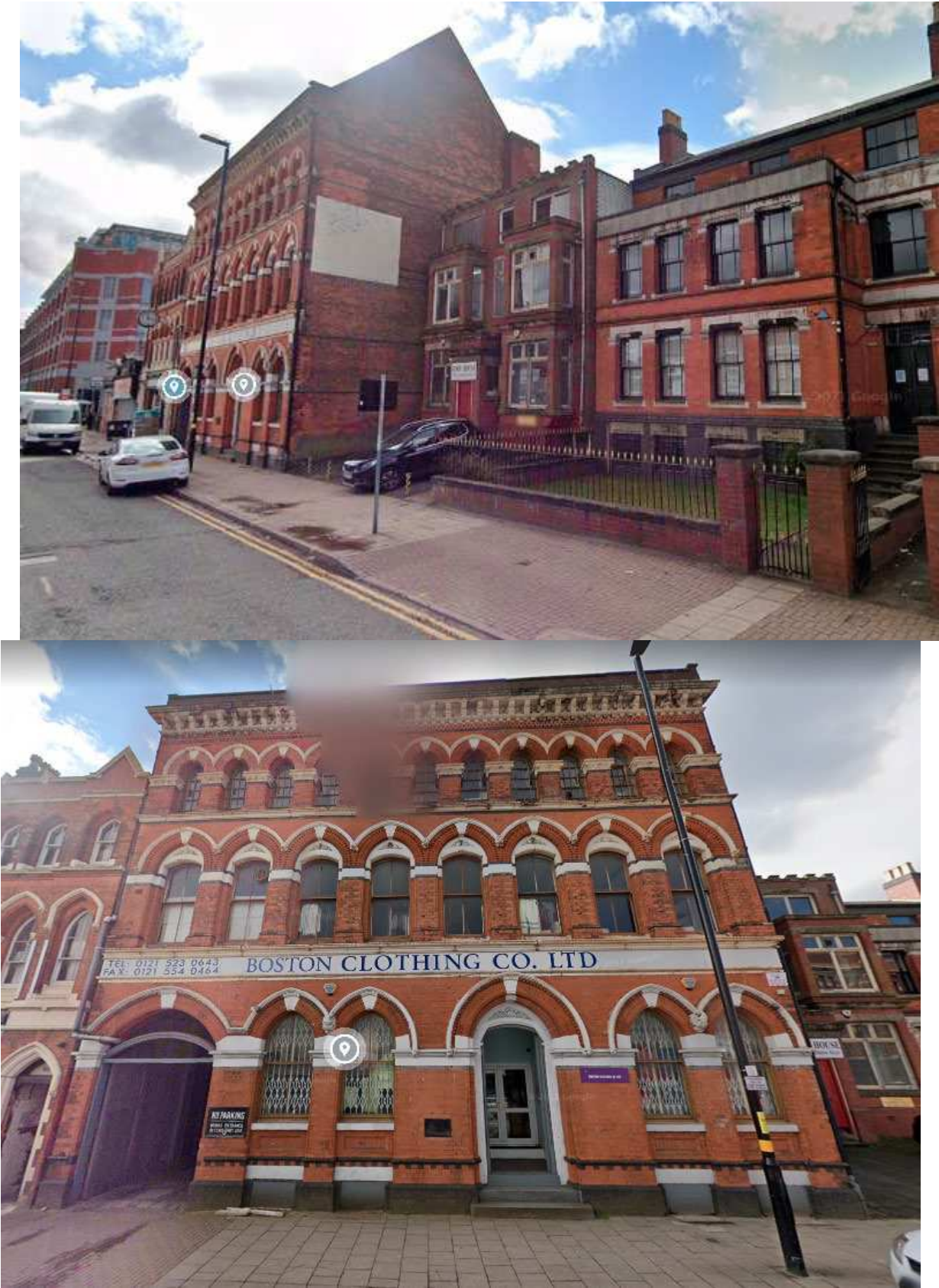
- 1 No. 1B1P for Discount Market Rent at a 30% discount
 - 1 No. 1b2p for Discount Market Rent at a 20% discount
- b) Payment of £1,500 for the administration and monitoring of this deed to be paid upon completion of the agreement.
- 9.2. In the absence of a suitable planning obligation agreement being completed to the satisfaction of the Local Planning Authority on or before 10th August 2023, or such later date as may be authorised by officers under powers hereby delegated, planning permission be refused for the following reason:
- In the absence of a legal agreement to secure affordable housing, the proposal conflicts with Policy TP31 Affordable Housing of the Birmingham Development Plan 2017 and Affordable Housing SPG
- 9.3. That the City Solicitor be authorised to prepare, seal an appropriate agreement under Section 106 of the Town and Country Planning Act.
- 9.4. That in the event of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority on or before 10th August 2023, or such later date as may be authorised by officers under delegated powers, planning permission for application 2022/08212/PA be APPROVED, subject to the conditions listed below (that may be amended, deleted or added to providing that the amendments do not materially alter the permission).

1	Implement within 3 years (Full)
2	Requires the scheme to be in accordance with the listed approved plans
3	Requires the submission of a Building Contamination Assessment
4	Requires the prior submission of a contamination remediation scheme
5	Requires the submission of a contaminated land verification report
6	Limits the noise levels for Plant and Machinery
7	Requires the submission a Noise Mitigation Scheme to establish residential acoustic protection
8	Requires the prior submission of a construction ecological mitigation plan
9	Requires the prior submission of details of bird/bat boxes
10	Requires the provision of cycle parking prior to occupation
11	Requires the submission of Mechanical and electrical (M&E) systems strategy and water utilities strategy
12	Requires the submission of sample materials
13	Requires the submission of architectural details
14	Requires the submission of Mortar details
15	Requires the prior submission of Structural Recording

-
- 16 Requires the prior submission of a drainage scheme
 - 17 Requires the submission of architectural details
 - 18 Requires the submission of hard and/or soft landscape details
-

Case Officer: Rhiannon Hill

Photo(s)





This is a detailed street map of the Branson area in London. The map shows a network of streets including Branson Court, Branson Mews, Branson Street, and Great Hampton Street. A blue rectangular area is highlighted in the center, labeled 'Great Hampton Street Works'. Other labels include 'Shelter', 'LB', 'EI Sub Sta', and various house numbers. A scale bar at the top indicates 132.0m and 133.5m.

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Committee Date:	15/06/2023	Application Number:	2022/08218/PA
Accepted:	03/11/2022	Application Type:	Listed Building
Target Date:	29/12/2022		
Ward:	Soho & Jewellery Quarter		

80-82 Great Hampton Street - rear of, Jewellery Quarter, Birmingham, B18 6EW

Listed Building Consent for conversion of existing building to create 29 residential apartments (C3) including erection of dormer windows to the front, gantry staircase and landscaping to internal courtyard, refurbishment of the exterior, including some replacement windows and removal of staircases. Internal works including removal of staircases, new partition walls, new mezzanine floors and some demolition and repair works.

Applicant: Great Hampton Street Button Works Ltd
Kingsnorth House, Blenheim Way, Birmingham, B44 8LS
Agent: PJ Planning
Cradley Enterprise Centre, Box no 15, Maypole Fields, Cradley, B63 2QB

Recommendation

Approve subject to Conditions

1. **Proposal:**

- 1.1 The is a Listed Building Consent for the conversion of the existing building to create 29 residential apartments (C3), comprised of 20 x 1 bed units and 9 x 2 bed units.
- 1.2 The proposal includes insertion of dormer windows to the front street facing roof slope, roof lights to the rear facing slope and erection of gantry stairs within the rear courtyard, along with other refurbishment works including re-pointing.
- 1.3 Internal alterations proposed to the Listed Building, including the removal of some staircases, the creation of a double height void through the removal of part of a floor, reinstatement of pavement windows, subdivision of space through erection of stud walls, creation of some mezzanine floors, refurbishment of some existing windows and new windows and doors.
- 1.4 The application is supported by: Planning Statement, Design and Access Statement, Heritage Assessment, Mechanical and Electrical detail, and Structural Report
- 1.5 [Link to Documents](#)

2. **Site & Surroundings:**

- 2.1. No.80-82 Great Hampton St comprises the grade II* former Button Works factory, a large Gothic industrial building of 1872. It is figure-of-8 shaped in plan, with the principal four storey range facing Great Hampton St, and two long rear wings

projecting perpendicular to the road, connected by two cross wings. These rear buildings are lower in height and utilitarian in their composition and would traditionally functioned as workshops. Two rear internal courtyards are accessed via an offset coach entrance in the frontage building.

- 2.2. The building is constructed in red/orange Birmingham brick and dressed in blue brick banding and painted cut stone to form window hoods with decorative label stops, carved tympanums, key stones, and pilaster capitals, to execute the three-storeys of Venetian Gothic architecture overlooking the street.

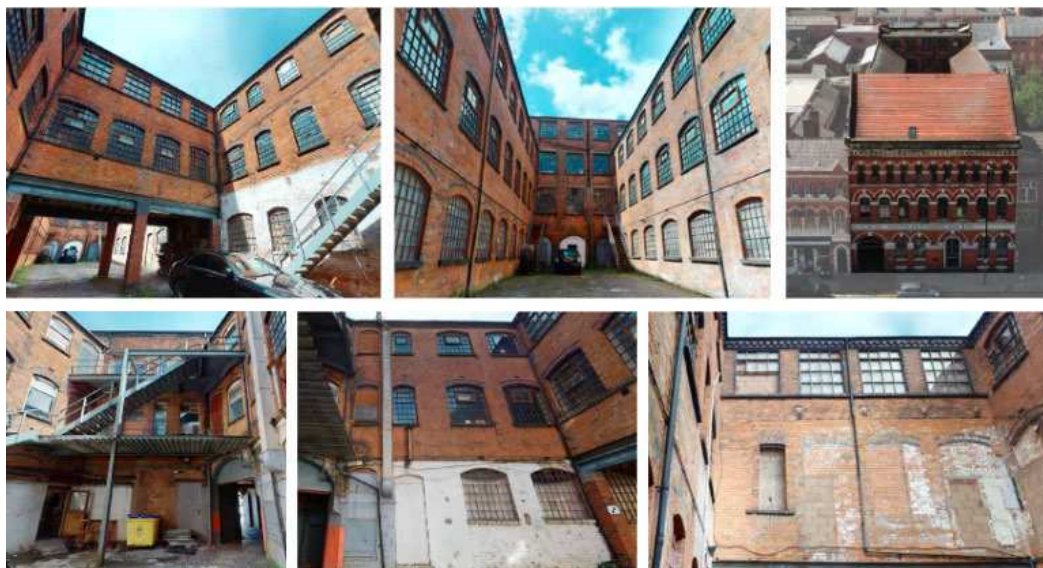


Figure 1. Existing Site images

- 1.1. The site is located in the Great Hampton Street locality of the Jewellery Quarter Conservation Area and is surrounded by numerous heritage assets, including the adjacent grade II nos.83-84 Great Hampton Street and nos.101-113 and 115-121 (odd) Branston Street to the rear. Other assets include the grade II nos.69-70, 60-64 and 44-45 (Pelican Works) Great Hampton St, as well as the locally listed nos.46-47 and 55, 56 and 56a.

- 1.2. [Site](#) location



Figure 2. Site context

2. **Planning History:**

- 2.1. 2000/00052/PA Listed Building Consent for replacement of windows to match original designs, replacement/re-bedding of stone copings, removal of recent window and making good, repairs to various miscellaneous details. Approved Subject to conditions 15/7/2000.
- 2.2. 2022/08218/PA Listed Building Consent for conversion of existing building to create 29 residential apartments (C3) including dormer windows to the front, gantry staircase and landscaping to internal courtyard and refurbishment of the exterior, including some replacement windows – to be decided.

3. **Consultation Responses:**

- 2.1. BCC Conservation – No objection subject to amendments and conditions requiring details of restoration works and mechanical and electrical details
- 2.2. Historic England – No objection
- 2.3. Birmingham Civic Society – Support the application

4. **Third Party Responses:**

- 4.1. The application has been publicised by sending out letters to neighbours, posting a site notice within the vicinity of the site and a press notice
- 4.2. One letter of objection has been received, raising the following points;
 - Once the flats have been made then it would be easier for people to jump over into our property and cause theft. Making our building a more vulnerable target for robbers due to the fact our building is touching next door.
 - In our store we have a lot of items that are very flammable in each of our floors. So if anyone was to throw a cigarette or light a fire then it could easily turn into a major situation.
 - During construction of the flats, the road will be congested, which will make it really difficult for us to load and unload our deliveries. There is already double yellow line on the road, with the flats it will become even more congested and It will also be hard for our customers to park, which could lead us to lose more business and lose our customers.
 - with the construction on going if the doors are open for the site then that could easily attract the attention of burglars. Making our building a more easy target. This is very worrying as we store expensive stock.

5. **Relevant National & Local Policy Context:**

2.4. National Planning Policy Framework

Section 12: Achieving well-designed places - Paragraph 124-132

Section 16: Conserving and enhancing the historic environment - Paragraph 189-202

2.5. Birmingham Development Plan 2017

GA1: City Centre

PG3: Place making

TP12: Preserving the historic environment

2.6. Development Management DPD

DM10: Standards of residential development

DM12: Residential Conversions

2.7. Supplementary Planning Documents & Guidance:

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment - Historic England (2015); Good Practice Advice Note 3: the setting of Heritage Assets – Historic England (2017); Birmingham Design Guide (2022) National Design Guide (October 2019); National Planning Practice Guidance (PPG) (2021) Jewellery Quarter Conservation Area Management Plan (2002) Jewellery Quarter Design Guidelines (2005) DRAFT Jewellery Quarter Neighbourhood Plan

6. **Planning Considerations:**

6.1. The main material considerations of this application are

- The impact upon the Listed Building

Impact upon the Listed Building

6.2. The main material considerations of this application are the impact of the application proposals on the significance and setting of the heritage asset in terms of the proposed residential use, the impact of the external and internal alterations and whether the proposal preserves the significance of the heritage asset.

6.3. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering in whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.4. Policy TP12 of the BDP states that great weight will be given to the conservation of the City's heritage assets and that development affecting a designated or non-designated heritage asset or its setting, will be expected to make a positive contribution to its character, appearance and significance.

6.5. POLICY 2(a): 'Authenticity in the Jewellery Quarter' states that Development in the Jewellery Quarter Neighbourhood Plan area must retain and maintain its historic and cultural character and integrity relevant to its site and context. Development should contribute to the Jewellery Quarter's unique character and function, and demonstrate how it respects, conserves and enhances the existing scale and grain of the built environment, and the unique mixture of uses present. Proposals which support and enhance the variety of jewellery, design and making uses are encouraged.

6.6. POLICY 2(b): Conserving heritage assets outside the Creative District of the neighbourhood plan states that outside of the creative quarter proposals which enable the appropriate conservation and re-use of designated or non-designated heritage assets will be supported. This is also supported by POLICY 4(e): Dereliction and vacancy, which states where development proposals which tackle dereliction of heritage assets and secure their conservation through sensitive repair, restoration, and occupation by an appropriate use is supported.

6.7. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

- 6.8. At present, the site is in a state of dilapidation, with insensitive alterations both internal and external, that have negatively impacted the condition and significance of the asset. Proposals such as this that aim to make-good many of these alterations and carry out holistic repairs are welcomed in the positive conservation of the asset which help restore some of its historic character. The repairs are supported, and while the indicative repairs are welcomed, a formal repairs strategy will need to be conditioned.

Change of Use

- 6.9. The Jewellery Quarter CAAMP (Part 2, section 1.3) states, 'The Council will not normally permit changes of use to buildings where the new use would adversely affect its character and appearance'. Given the current condition of the site, and the fact that its current use does not reflect its historical or intended function, in this case the proposal will restore the full site and secure the future of a grade II* listed building where the original industrial/manufacturing use is no longer viable. Therefore, the change of use proposed would be beneficial to the significance of the listed building, compared to the existing use which is detrimental to the condition and conservation of the listed building. Conversion to residential use will secure a viable long-term occupancy of the Listed Building ensuring management and maintenance.

External Alternations

- 6.10. Restorative works to the site, including to its frontage, will have a positive impact on the Listed building. Some of the external works include;
- Replacement of existing rainwater goods
 - Some new external doors and windows, (like for like replacements)
 - Existing steel stair and gantry to rear to be retained and refurbished
 - Existing brick work and stone work, cleaned and repaired
 - Repair of original windows, and reinstatement of lost opening including pavement lights and roof lights
 - Existing door and cart gate repaired
 - Historic façade sign exposed (subject to inspection)
- 6.11. The asset has been subject to many harmful interventions and alterations, which has eroded its character and significance. Repairs and the undoing of these alterations, as well as the reinstatement of lost features, will help restore the original architecture and in turn the significance of the asset.

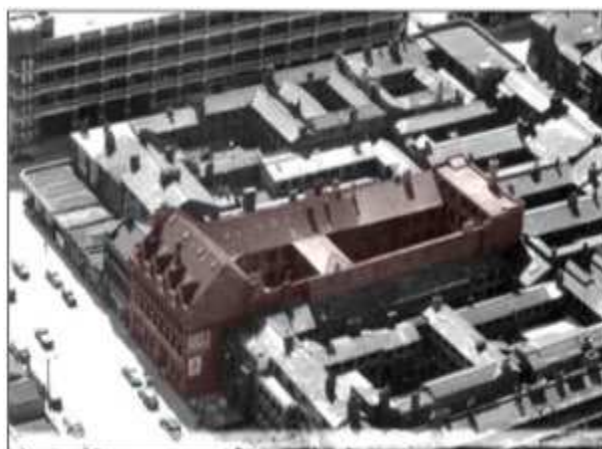


Figure 3. Historic image showing dormer windows to be reinstated



- 6.12. The above elevations showing windows to be repaired (green and pink), new door openings (blue), opening up of blocked windows (orange).
- 6.13. There are also elements of the proposal that cause harm. The introduction of the metal gantry stairs obstruct views of the courtyard elevations and dominate the courtyard space. However, the constraints of space in the workshop wings necessitate an external access solution and the use of such metal stairs provides an industrial aesthetic as well as housing most of the services and utilities in the risers.

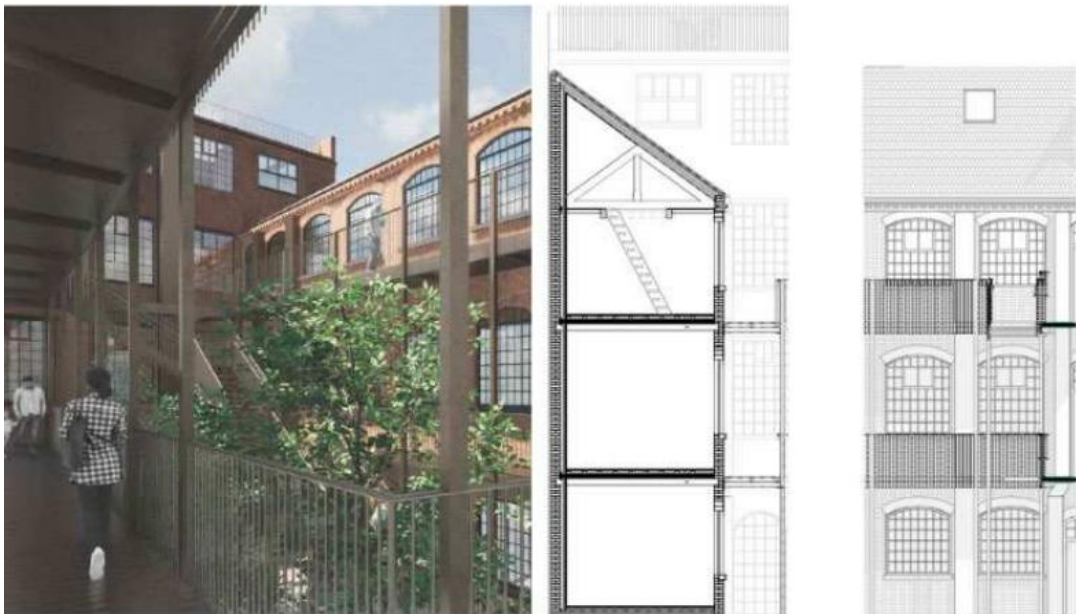


Figure 4 gantry stair design

- 6.14. With regards to the external courtyard, the Conservation Officer considers that the hard surfaces closely resemble its original blue brick paver form. An amended landscape plan was submitted showing the re-use of historic pavers and the new surfacing as Staffordshire blue pavers.

- 6.15. Soft landscaping is not normally found within the industrial aesthetic of the Jewellery Quarter. However, given this is an internal courtyard space offering SUDS and amenity space, subject to the appropriate hard landscaping materials this would not harm the setting of the listed building.



Figure 5. Proposed internal courtyard design

Internal Alterations

- 6.16. Internal alterations are also proposed which see a loss of original fabric.
- Insertion of partition walls (which sees the blocking up of some existing openings)
 - Existing ceilings (lath and plaster) to be removed
 - Insertion of new staircase to basement including removal of some original floor
 - Insertion of mezzanine floors
- 6.17. Some features of interest are retained including
- Chimney breasts and fireplaces
 - Timber staircases in rear building
 - Machinery (removed from second floor but retained within building)
 - Front building roof truss arrangement retained and exposed
- 6.18. Some original windows are enlarged to create doors, some historic (early C20) staircases will be lost and historic lath and plaster ceilings are to be removed. Additionally, the subdivision of historically open plan space is considered harmful to the legibility of the original plan form. While other opening-up works help counter the harm of the subdivision of the site, such as removing later blockwork partitions and lowered ceilings to expose the roof trusses and timber framing.

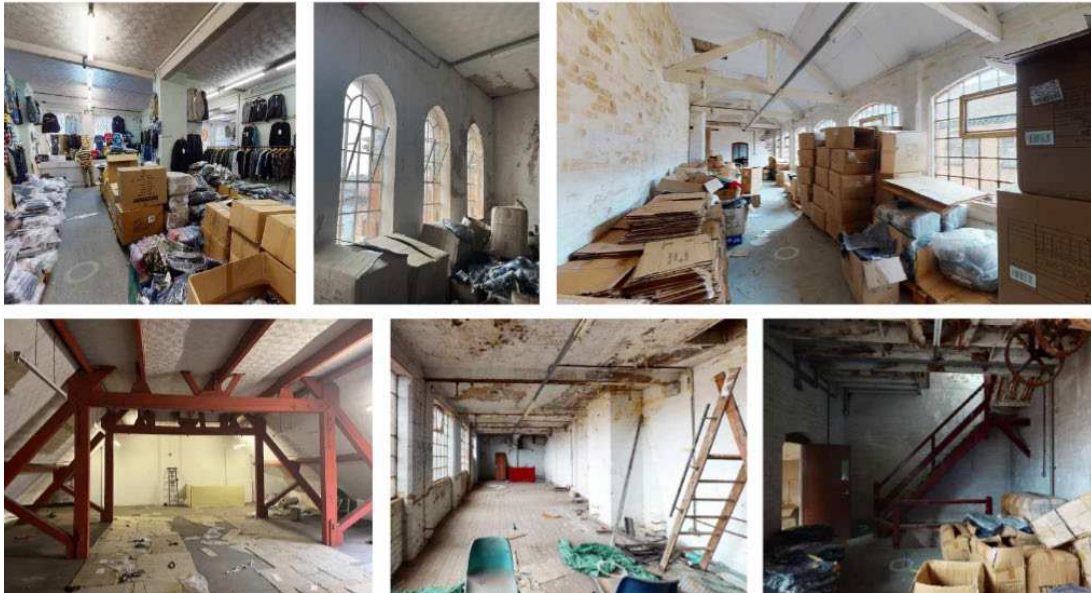


Figure 6. images of existing internal condition

- 6.19. However, the retention of other staircases is considered a positive given the constraints of the site.
- 6.20. The subdivision of space is necessary to secure a use for the site, and while regrettable this is acceptable subject to Historic Building Recording. A future need to be secured for the remaining elements of machinery.
- 6.21. The Conservation Officer queries the need and justification for the creation of the double-height void in the ground floor of the front building, given that there is an existing staircase. However, the architect confirmed that the existing staircase could not be utilised to access residential space as it would not meet current standards. This therefore amounts to less than substantial harm to the asset.



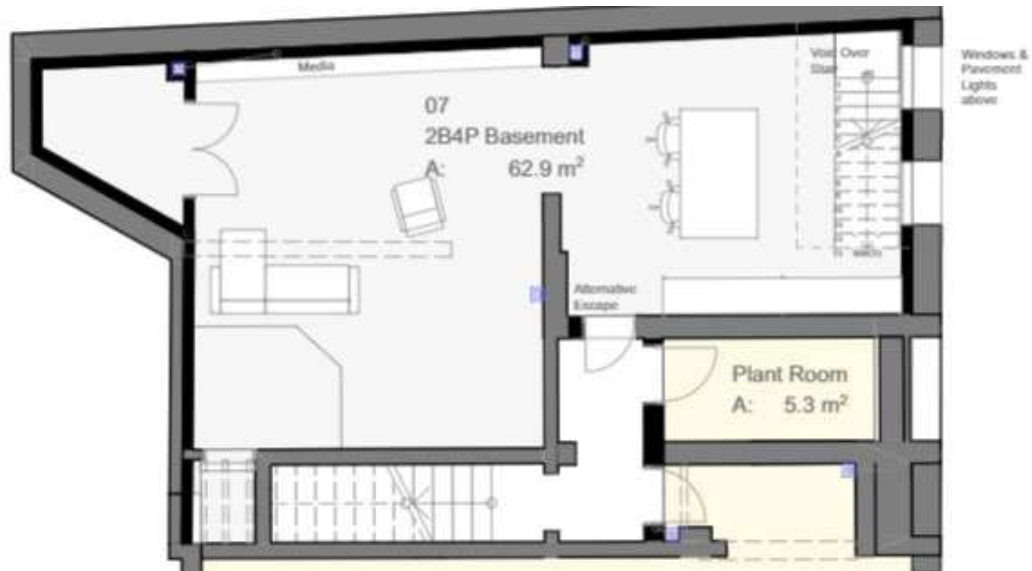


Figure 7. First floor and basement plan with proposed void in floor

- 6.22. Mezzanine floors are added to some units in both the front building and within the rear wings. In the front building this involved removing non original loft flooring to create a double height space and mezzanine deck inserted. Original truss work to be retained.

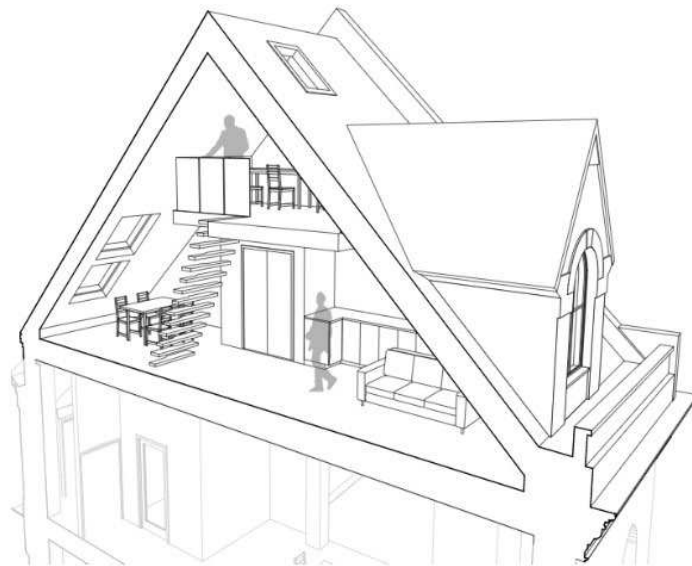


Figure 8. Section showing mezzanine in front building roof space

- 6.23. These alterations do cause a small degree of less than substantial harm to the Listed Building, therefore as per paragraph 202 of the NPPF (2021) the degree of harm must be weighed against the benefits of the scheme.

Planning Balance

- 6.24. The subdivision of internal space, the opening up of the staircase void, loss of historic windows (to create doors) and new rooflights alter the original building form and the loss of commercial use affect its historic significance. Consequently, the proposed development is considered to amount to less than substantial harm to the listed building. This harm must be weighed against the public benefits of the scheme in accordance with Paragraph 202 of the NPPF and Policy TP12 of the BDP.
- 6.25. As set out in the accompanying planning application the public benefits of the proposal are considered to be

Environmental

- Re-use of a largely vacant, run-down building on brownfield land.
- Heritage benefits of repair and long-term use and maintenance of a listed building within a conservation area.

Economic

- Creation of jobs in the construction phase of the project (albeit short term)
- Additional residents supporting local services

Social

- Contribution to the supply of housing and affordable housing in the City Centre.

- 6.26. Substantial weight is given to the contribution towards the housing supply and affordable housing needs of the city and great weight is given to the re-use, repair and future maintenance and therefore conservation of the heritage asset.
- 6.27. These benefits, particularly the positive impacts upon the significance of the Listed Building are considered to outweigh the low level of less than substantial harm, associated with the works necessary to enable conversion.

7. **Conclusion**

- 7.1. The proposal would see the restoration of a Grade II* Listed Building within a Conservation Area.
- 7.2. The restoration and repair works have a positive impact, and while modern proposals such as the new gantry stairs and ground flood void into the basement introduce some harm to the significance of the building, overall, the effect of the proposal is beneficial and will ensure the long term maintenance of the Listed Building.

8. **Recommendation:**

- 8.1 That consideration of planning application 2022/08218/PA be APPROVED subject to the conditions set out below (that may be amended, deleted or added to providing that the amendments do not materially alter the permission).

-
- 1 Implement within 3 years (Full)
 - 2 Requires the scheme to be in accordance with the listed approved plans
 - 3 Requires the prior submission of Building Recording
 - 4 Requires the submission of a Methodology of Works
 - 5 Requires the submission of a Schedule of repair and work to historic fabric:
 - 6 Completion of Repairs Prior to Occupation
 - 7 Requires the submission of details for the retention of existing machinery
-

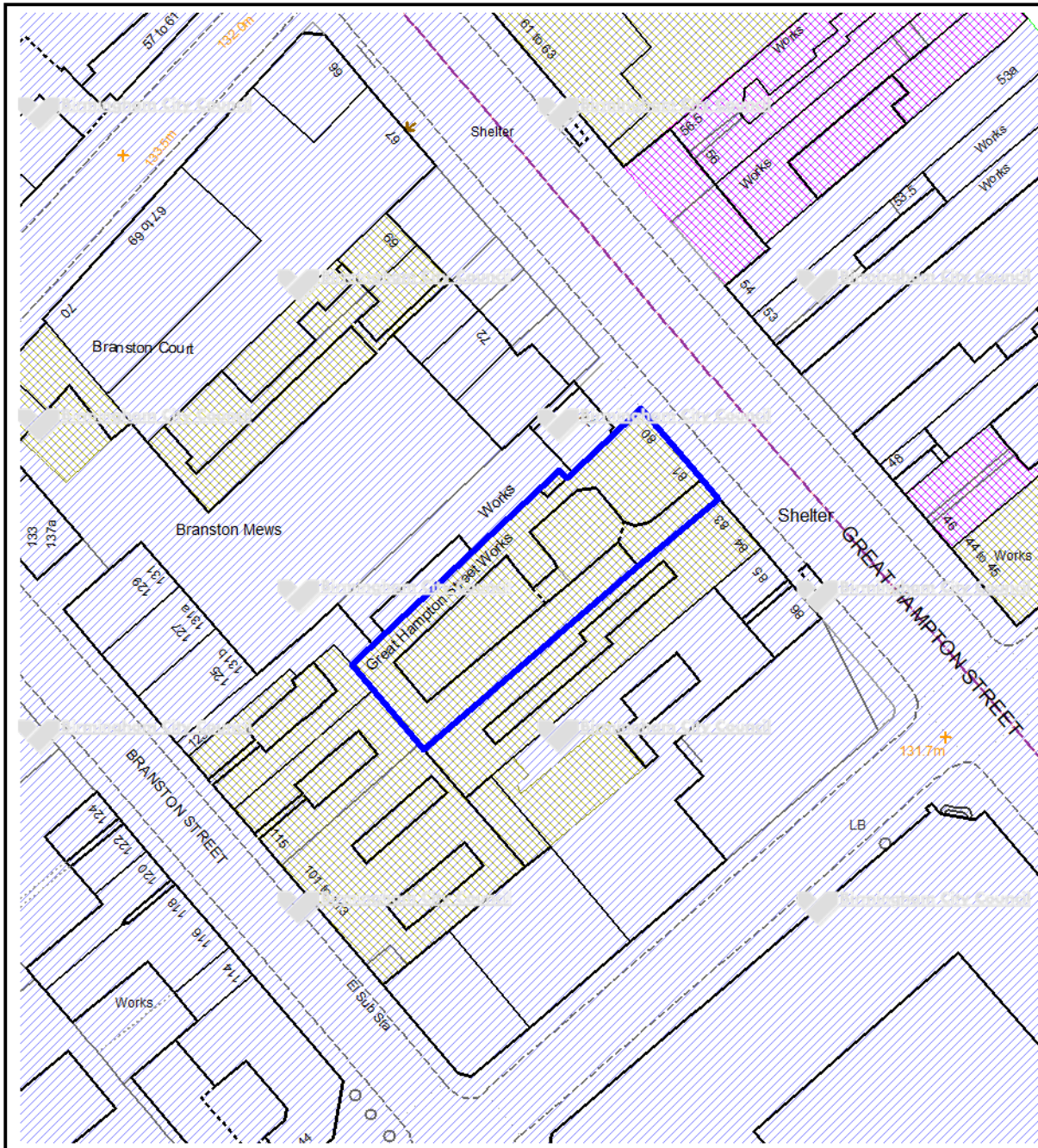
Case Officer: Rhiannon Hill

Photo(s)





Location Plan



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Birmingham City Council

Planning Committee

15 June 2023

I submit for your consideration the attached reports for the **North West** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	11	2023/00872/PA Former BCU City North Campus Franchise Street Perry Barr Birmingham B42 2SU Section 73 application for the Variation of condition nos. 14 and 16 (Approved Plans) attached to planning permission ref 2022/04350/PA to reflect design, layout and unit changes to the scheme, including Plots 3, 4, 5, 10 ,and site-wide.

Committee Date:	15/06/2023	Application Number:	2023/00872/PA
Accepted:	10/02/2023	Application Type:	Variation of Condition
Target Date:	17/06/2023		
Ward:	Perry Barr		

Former BCU City North Campus, Franchise Street, Perry Barr, Birmingham, B42 2SU

Section 73 application for the Variation of condition nos. 14 and 16 (Approved Plans) attached to planning permission ref 2022/04350/PA to reflect design, layout and unit changes to the scheme, including Plots 3, 4, 5, 10 ,and site-wide.

Applicant:	Birmingham City Council C/o Agent
Agent:	Turley 9 Colmore Row, Birmingham, B3 2BJ

Recommendation

Approve subject to Conditions

1. Proposal:

- 1.1 The proposal is made under Section 73 of the Town and Country Planning Act 1990 to vary conditions attached to the full planning permission 2019/10558/PA for the Perry Barr Residential Scheme (PBRs).
- 1.2 Full planning permission for the *Erection of a mixed use residential led development to first serve as the commonwealth games athletes' village, and later converted to 1,146 residential units (Use Class C3), 268 extra care apartments (Use Class C2), 1,237sqm commercial floorspace (Use Class A1 - A3), and a community centre (Use Class D2) with associated parking, landscaping and infrastructure* was originally granted under reference 2018/06313/PA.
- 1.3 The full planning permission permitted the creation of 1,146 residential units, 268 extra care apartments, 1,237 sq. m of commercial floorspace, a community centre, in addition to significant areas of public space, as well as private courtyards and amenity spaces.
- 1.4 Since then, the full planning permission has been subject to a variation of condition application approved under 2019/10558/PA. The permission reflected the design evolution of the scheme, enabled the delivery of each of the development plots pre-Games, and to clarify/rationalise the wording of conditions.
- 1.5 Further to this, permission under application 2022/01958/PA enabled the description of development as originally approved to be amended to reflect the fact that the development will no longer *'first serve as the Commonwealth Games Athletes Village'* and that the residential phases would be coming forward directly.
- 1.6 A Section 73 application (2022/04350/PA) granted approval of minor changes to the

wording of conditions attached to the operative full planning permission 2019/10558/PA for the deletion of redundant conditions and to remove references to 'Games Mode' and 'Legacy Mode,' reflecting the site is no longer to be used to house athletes for the Commonwealth Games.

- 1.7 The proposed description of development is the *"application for the Variation of condition nos. 14 and 16 (Approved Plans) attached to planning permission ref 2022/04350/PA to reflect design, layout and unit changes to the scheme, including Plots 3, 4, 5, 10, and site-wide.*
- 1.8 The principal amendments are –
- Increase in units to 84 homes (from 58) in Plots 3, 4 and 5
 - Design updates to units in Plots 3, 4 and 5 (no external changes on Plot 10)
 - Omission of central route through Plot 4
 - Diversification of housing mix from predominantly 4 bed units to a wider mix
 - Introduction of a 4-storey apartment block on Plots 3 and 4
 - Reduction in units on Plot 10 from 209 to 183
- 1.9 For clarity, the application does not seek to review or change the use or quantum of residential units proposed on the site, these will remain the same; nor do the proposals change the fundamental principle of the approved scheme.
- 1.10 Plots 3, 4 and 5 are shown edged red below, with the drawing showing the original approved layout –



- 1.11 [Link to Documents](#)

2. **Site & Surroundings:**

- 2.1 The site is approx 9.75 hectares and comprises of the former BCU North Campus and land to the west of the A453 Aldridge Road previously occupied by Trucks Direct UK and known as Gailey Park. It is situated to the North West of the City Centre and close to the southern boundary of Perry Barr Constituency. The site has been cleared except for the retained trees and works have started on the site with a number of plots under construction or near completion.

- 2.2 The southern boundary of the site is adjacent to a railway line, with all other site boundaries being to road including Wellhead Lane, Walsall Road and the Aldridge Road. Vehicular access to the eastern part of the site is currently via Franchise Street, with access to Gailey Park from the north off Aldridge Road. There is a mix of residential, industrial and commercial uses including Perry Barr Greyhound Stadium to the north, in the immediate vicinity and the existing adjacent highway network is a dominant feature. The site is opposite the new Perry Barr train station and Perry Barr Bus interchange.
- 2.3 The nearest listed building is the Grade II Gatehouse Building on Wellhead Lane, immediately opposite Franchise Street. The former Wellhead Tavern public house is locally listed building Grade B and is located within the site. The nearest conservation area, Aston Hall and Church Conservation Area, is over 950m to the south east.

3. **Planning History:**

2018/06313/PA – *Erection of a mixed use residential led development to first serve as the commonwealth games athletes village, and later converted to 1,146 residential units (Use Class C3), 268 extra care apartments (Use Class C2), 1,237sqm commercial floorspace (Use Class A1 - A3), and a community centre (Use Class D2) with associated parking, landscaping and infrastructure* – Approved w/conditions

2019/10558/PA – *Section 73 application to vary Condition Nos. 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 21, 22, 25, 26, 34, 35, 37, 40, 42, 43, 44, 46, 48, 49 and 50 and the removal of Condition Nos. 17 and 24 attached to approval 2018/06313/PA to reflect design changes to the scheme* – Approved w/conditions.

2022/01958/PA – *Application for a non-material amendment to planning approval 2018/06313/PA to amend the description of development to remove reference to "the Commonwealth Games Athletes Village" and to reflect the Use Classes Order (2020)* – Approved w/conditions

2022/04350/PA – *Section 73 application to vary Condition Nos. 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 21, 22, 25, 26, 34, 35, 37, 40, 42, 43, 44, 46, 48, 49 and 50 and the removal of Condition Nos. 17 and 24 attached to approval 2019/10558/PA to reflect various design changes to the scheme* – Approved w/conditions.

2022/01211/PA – *Condition 47; SuDS Maintenance Strategy, Plots 1 – 9* – Discharged 29/10/2022

2022/05779/PA – *Condition 8 and 9; Landscape Management Plan and Boundary Treatments, Public Realm areas* – Discharged 14/9/2022

2022/06448/PA – *Condition 2; Contaminated land Verification Report, Plots 8 and 9* – Discharged 18/10/2022

2022/06608/PA – *Condition 2; Contaminated land Verification Report, Public Realm areas* – Discharged 24/2/2023

2022/06623/PA – *Condition 2; Contaminated land Verification Report, Plot 6* – Discharged 4/10/2022

2023/00330/PA – *Condition 12; Habitat/nature Conservation Management Plan, Public Realm areas* – Discharged 27/1/2023

4. **Consultation Responses:**

- 4.1 **Transportation** has no objection and notes tracking analysis has been provided and the proposed disabled parking spaces have been relocated as requested.
- 4.2 **City Design** note amended plans have addressed their comments and have no objections.
- 4.3 **Conservation** has no objection and no harm is identified to the setting of heritage assets.
- 4.4 **Regulatory Services** note *These changes have no environmental significance other than ensuring that the previously approved schemes including noise mitigation are updated accordingly* and have no objection to this application.
- 4.5 The **LLFA** has no objection, however requests an informative is updated relating to flood risk and surface water management related conditions.
- 4.6 **Severn Trent Water** has no objection in principle for the change of surface water from individual soakaways to increase the larger one, and requested they are consulted on the details submitted to discharge the relevant condition.
- 4.7 The **Environment Agency** has *no comments*.

5. **Third Party Responses:**

- 5.1 Public consultation included the displaying of a Site Notice. The appropriate five Ward Members and local MP were notified in writing. A total of 383 adjoining local properties, and Perry Hall Community Association were consulted by notification letter.
- 5.2 No comments have been received at the time of writing.

6. **Relevant National & Local Policy Context:**

a. **National Planning Policy Framework:**

Although read as a whole, the following sections and paragraphs are particularly relevant:

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities - Paragraph 91-92
Section 9: Promoting sustainable transport - Paragraph 104, 110-113
Section 11: Making effective use of land - Paragraph 118
Section 12: Achieving well-designed places - Paragraph 124-132
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment – Paragraph 189-202

Planning conditions and obligations – Paragraphs 55 – 58.

Paragraph 135 – *Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.*

b. Birmingham Development Plan 2017:

Policy PG3: Place making
Policy GA3: Aston, Newtown and Lozells
Policy TP1: Reducing the Cities Carbon Footprint
Policy TP2: Adapting to climate change
Policy TP3: Sustainable construction
Policy TP6: Management of flood risk and water resources
Policy TP7: Green Infrastructure
Policy TP8: Biodiversity and Geodiversity
Policy TP9: Open space, playing fields and allotments
Policy TP12: Historic environment
Policy TP27: Sustainable neighbourhoods
Policy TP30: The type, size and density of new housing
Policy TP31: Affordable housing
Policy TP38: A sustainable transport network
Policy TP39: Walking
Policy TP40: Cycling
Policy TP44: Traffic and congestion management
Policy TP45: Accessibility standards for new development

c. Development Management DPD:

DM1 Air quality
DM2 Amenity
DM3 Land affected by contamination, instability and hazardous substances
DM4 Landscaping and trees
DM5 Light pollution
DM6 Noise and vibration
DM14 Transport access and safety
DM15 Parking and servicing

d. Supplementary Planning Documents and Guidance

Affordable Housing
Birmingham Design Guide
Sustainable Management of Urban Rivers and Floodplains

Perry Barr 2040: *Vision for Legacy* Masterplan

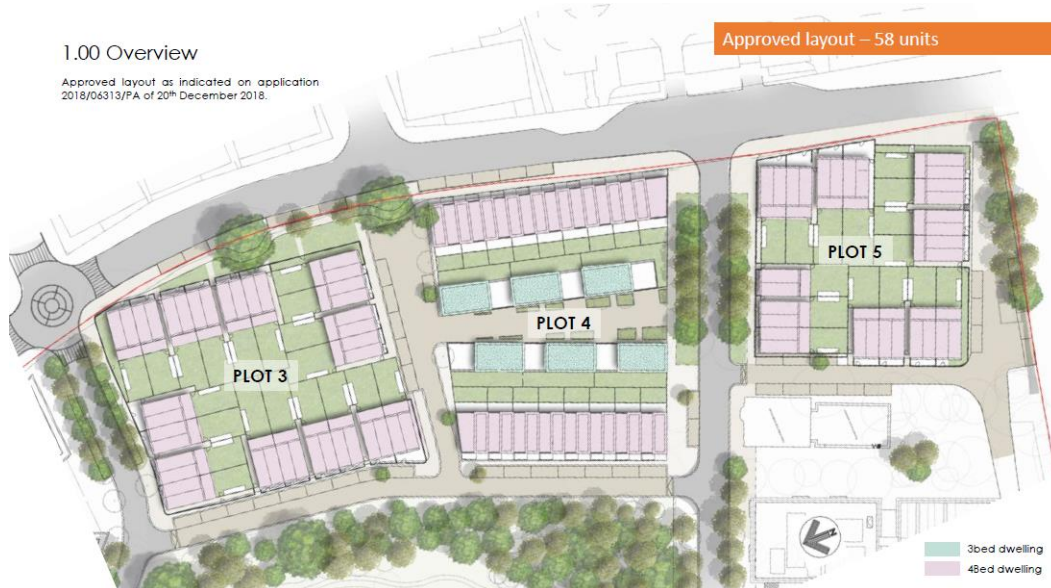
7. **Planning Considerations:**

- 7.1 Condition 14 and 16 require the development to be carried out in accordance with the approved plans in order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. Both conditions incorporate a list of the approved plans for clarity and the avoidance of doubt.
- 7.2 Section 73 of the Town and Country Planning Act 1990 enables an applicant to apply to amend or remove conditions attached to an extant planning permission. It is mainly intended to allow flexibility in the planning system by allowing conditions to a planning permission to be changed without risking the entirety of the consented scheme. The principle of the development is established and it is the changes sought that can be considered only.
- 7.3 The amendments to conditions under this proposal fall under three categories –

- Changes to accommodation types
- Design changes to facilitate the new accommodation schedule
- Increase clarity and precision post development commencing and further to post Permission further applications.

7.4 Plots 3, 4 and 5

7.5 Currently, 58 no. homes are permitted across Plots 3, 4 and 5, predominantly being 4 bed houses with 6 no. smaller mews-style houses being located within the centre of Plot 4. The approved layout is shown below –



7.6 The key proposed amendments to Plots 3, 4 and 5 are summarised –

- Minor amendments to the layout, scale, appearance and unit mix associated with each Plot to optimise the use of the Site, diversify the residential offer for future residents and to reflect the current market demands
- Increase in units to 84 homes
- Diversification of unit mix from predominantly 4-bed units to a range of 2, 3, 4 and 5-bed houses
- Introduction of a 4-storey apartment block on Plots 3 and 4
- Omission of the central route within Plot 4 to create a stronger street edge
- Design updates to the style and typology of dwellings, including amendments to the rooflines on Plot 4 to omit the flat roofs to houses and the omission of first-floor rear terraces to reduce any potential overlooking concerns
- The introduction of a substation to the south of Plot 5
- A minor increase in parking enabling 1:1 parking for houses, 1:4 parking for apartments, and 4 unallocated EV spaces.

7.7 The approved and proposed accommodation schedule is summarised as follows –

Unit Type	Approved	Proposed
2b4p *	0	32
2b4p	0	6
3b5p	6	22
4b8p	52	18
5b8p	0	6
TOTAL	58	84

* 1 Apartment

7.8 The proposed amended layout is shown below, annotated with the housing mix –



7.9 Plot 10

7.10 Plot 10 retains its external massing, scale and appearance, with the key amendment being a reduction in the number of units from 209 to the now proposed 183. This is required to ensure the original quantum of development remains the same and has also enabled a greater variety and size of apartments. These alterations are limited to the internal reconfiguration of the previously approved buildings.

7.11 The previously approved and proposed quantum and mix of accommodation across Plot 10 is as follows –

Unit type	Approved	Proposed
1b2p	54	24
2b4p	105	89
3b5p	50	3
3b6p	-	63
4B8P	-	4

7.12 Site Wide

7.13 There are also minor amendments to the site-wide drainage scheme as discharged under Conditions 46, 48 and 49 of the operative planning permission, respectively. This primarily relates to omitting the individual soakaways previously proposed for Plots 3 - 5 and proposing a small increase to the large communal soakaway in the centre of the development. In respect of Plot 10, the drainage strategy serving this plot has not changed. It is considered suitable that the relevant drainage conditions on the permission, therefore, be re-discharged following the determination of this application (if approved) to reflect this. As the conditions are currently worded as compliance conditions by virtue of the site-wide discharge, these are proposed to be

amended as part of this s73 application. No objection from either the LLFA or Severn Trent Water has been received to this approach or the principle of the amendments.

7.14 Assessment of Amendments

- 7.15 The change in the schedule of accommodation reflects both local housing need and the current market situation. The proposed provision of a greater number of larger units will help meet the evidenced local need for these types of housing and better help create a mixed and balanced community, catering for the needs of a wider section of the population. This accords with Local Plan Policy TP30, Perry Barr 2040: *Vision for Legacy Masterplan*, and paragraph 124 of the NPPF.
- 7.16 The design rationale to incorporate the change in housing mix was to retain the existing approved design as closely as possible whilst adding two small 4 storey apartment blocks to plots 3 and 4. For Plots 3 and 5 this consists of the introduction of 2 and 3 bed units, located to areas of the site where the reduced massing would be appropriate and contextual to its surroundings. The building line to plots 3, 4 and 5 is as close to the plot boundary as possible to create a strong building edge to the street, as well as maximising external private amenity to the rear. This also creates a very clear separation between public accessible areas and private, secure space.
- 7.17 The omission of the central alleyway within Plot 4 allowed the units to respond more favourably to the North and South street scenes, improving security, natural surveillance and increased the size of private gardens.
- 7.18 The two 4-storey apartment blocks introduced to Plot 3 and 4 overlook the park and increase natural and passive surveillance of this public area. The proposed frontages to the park are shown below –





7.19 The mews and 3 bed 'coach houses' to Plot 4 have been omitted in favour of creating a stronger more secure street edge. The omission of the mews street from within Plot 4 is considered to have no detrimental impact on the overall scheme design. The overall amended scale and massing is similar to what was previously approved, and with inclusion of the 4-storey apartment buildings considered appropriate facing the park alongside 3-storey houses. First floor rear terraces have been omitted to reduce overlooking and to address potential long term maintenance issues.

7.20 The proposed frontages from Plots 3, 4 and 5 to Wellhead Lane are shown below –





- 7.21 The same common palette of materials as previously proposed and utilised on those buildings which are either complete or currently being constructed is to be used, notwithstanding the wider design changes. This creates and fosters a sense of place and identity to PBRS, ensuring a coherent appearance to the development as a whole.
- 7.22 Bins for the houses are designed to be stored in enclosures in the front gardens, these are designed as part of the street frontage, behind dwarf walls with railings which form a clear defensible space to the pavement as shown below –



- 7.23 The refuse store to the small apartment blocks are to the rear and bins are required to be brought out onto the adjacent pavement for collection. Refuse lorries can access all dwellings for pick up and swept path analysis has been undertaken as part of the wider Urban Design strategy of the masterplan.
- 7.24 The size of properties is compliant with the DCLG Technical housing standards nationally described space standard document.
- 7.25 It is considered that the proposed amendments continue to accord with Policy PG3 of the BDP, DM2 and DM10 of the DMB and the principles established within the Birmingham Design Guide.

- 7.26 The amended layouts for plots 3, 4 and 5 increase the parking provision from 48 spaces to 64 spaces, which reflects the increase in units across these plots. This layout provides each house with a dedicated parking space, and apartments are provided with one space per four units, together with an additional four unallocated EV Parking bays.
- 7.27 All parking spaces are shown outside the curtilage of properties and a parking management strategy will be introduced. It is highlighted parking provision to Plot 10 remains unchanged from that previously approved. As set out within current parking guidelines, the site is located within Zone B, where the specified parking standards are maximum, and the proposed parking provision would remain within the maximum allowed. The site also has a good level of accessibility to public transport, including the upgraded Perry Barr Train Station.
- 7.28 Due to the minor nature of the drainage amendments, it is intended that the relevant conditions attached to the operative planning permission are re-discharged through the submission of a Drainage Addendum Note following the determination of this application. Therefore, the approval of the minor amendments to the drainage is not sought through this application.
- 7.29 An Energy Statement Addendum has been submitted with the application and illustrates that a review for betterment has taken place. It highlights that through the use of enhanced fabric specifications and Air Source Heat Pumps, a reduction from the Target Emission Rate (TER) as set out in Part L of the Building Regulations (2013) has been met by achieving a reduction of 67.13% carbon emissions (kgCO₂/year). This, therefore, demonstrates general compliance with Policies TP1, TP2, TP3, TP4 and TP5 in terms of energy efficiency and carbon reduction and ensuring PBRS is “*efficient and future ready*” in line with the Birmingham Design Guide SPD.
- 7.30 With regards to heritage assets, it was previously considered the proposed reinstatement of a street frontage would benefit the existing locally listed building, Wellhead Tavern public house and would have no harm to the Grade II Gatehouse Building on Wellhead Lane.
- 7.31 It is concluded the amendments do not alter the proposals to such an extent that the position regarding the impact on heritage assets changes. Indeed, it can be considered given the scale of the proposal is more aligned to the built form historically around these assets, their setting is enhanced. As such Local Plan policies PG3 and TP12, and the aims and objectives of Paragraphs 194 – 203 of the NPPF are satisfied.
- 7.32 The provision of affordable housing across PBRS is secured under Condition 19 and is not affected by this application.
- 7.33 Updated Other Conditions
- 7.34 Further to the intervening period between this application and permission 2022/04350/PA, a number of conditions have been discharged relating to contaminated land, external lighting details, landscape management, boundary treatments, habitat management, and SuDS maintenance. These are detailed under *Planning History* in Paragraph 3, above.
- 7.35 For clarity and monitoring purposes Condition 2 (contaminated land), 7 (lighting details), 8 (landscape management plan), 9 (boundary treatments), 12 (habitat management plan) and 47 (SuDS maintenance plan) have been updated to reflect the details approved to date and plots to which they relate.

8. **Conclusion**

- 8.1 The proposed amendments do not alter or change the previously approved use or quantum of residential units on the site, which remain the same; nor do the proposals change the fundamental principle of the approved scheme. The amended proposal represents a policy compliant sustainable development that accords with the Development Plan and aims and objectives of the National Planning Policy Framework. The proposed amendments reflect the latest position in terms of its function, housing need and viability. Conditions discharged to date and since the previous s.73 application are updated to reflect this position and in the interests of clarity.
- 8.2 The alterations proposed as part of this Section 73 application reflect necessary delivery evolution and are critical to the successful delivery of this strategically important scheme in accordance with policy.
- 8.3 On this basis the amendments are acceptable and planning permission should be approved.

9. **Recommendation:**

Subject to the conditions listed below, approval is recommended.

-
- | | |
|----|------------------------------------------------------------------------------------|
| 1 | Requires the prior submission of a contamination remediation scheme |
| 2 | Requires the submission of a contaminated land verification report |
| 3 | Sets a minimum age of residents for plot 6 |
| 4 | Requires the submission of sample materials in a phased manner |
| 5 | Secures a construction method statement/management plan |
| 6 | Requires the submission of details of green/brown roofs |
| 7 | Requires the submission of a lighting scheme in a phased manner |
| 8 | Requires the submission of a landscape management plan |
| 9 | Requires the submission of boundary treatment details |
| 10 | Requires the submission of hard and/or soft landscape details |
| 11 | Requires the prior submission of details of bird/bat boxes |
| 12 | Requires the prior submission of a habitat/nature conservation management plan |
| 13 | Requires the submission of shop front design details |
| 14 | Requires the scheme to be in accordance with the listed approved plans |
| 15 | Requires the scheme to be in accordance with the listed approved plans (continued) |
| 16 | Requires the scheme to be in accordance with the listed approved plans (continued) |
-

17	Restricts display of vinyls.
18	Requires scheme of noise mitigation in relation to adjacent site
19	Requires provision of affordable housing
20	Requires vibration mitigation
21	Grants a personal permission to Birmingham City Council
22	Requires the submission of a CCTV scheme
23	Requires the prior submission of level details in a phased manner
24	Requires the submission a Noise Insulation Scheme to establish residential acoustic protection
25	Requires a further air quality assessment
26	Requires employment construction plan to be implemented
27	Limits the noise levels for Plant and Machinery
28	Limits delivery time of goods to or from the commercial units (F.2, E(a), (b), (c))(0700-1900).
29	Requires a further noise and vibration assessment
30	Requires the submission of extraction and odour control details
31	Limits the hours of use 0700-2300 (commercial units)
32	Requires the provision of a vehicle charging point
33	Requires vehicular visibility splays to be provided
34	Requires pedestrian visibility splays to be provided
35	Requires Residents Parking Zone
36	Requires Travel Plan.
37	Requires the provision of on site public open space
38	Arboricultural Method Statement and Tree Protection Plan - Implementation
39	Requirements within pre-defined tree protection areas
40	Requires the implementation of the submitted mitigation/enhancement plan
41	Requires the submission of a scheme for ecological/biodiversity/enhancement measures
42	Requires the provision of cycle parking prior to occupation
43	Secures drainage scheme

-
- 44 Requires detail of management company
 - 45 Secures site-specific infiltration testing
 - 46 Requires the prior submission of a sustainable drainage scheme
 - 47 Submission of a Sustainable Drainage Operation & Maintenance Plan
 - 48 Requires amended plans for end unit on Plot 2
 - 49 Secures balcony detail on plot 8
-

Case Officer: Carl Brace

Photo(s)



View North over Plot 5, 4 and 3 furthest away, along Wellhead Lane

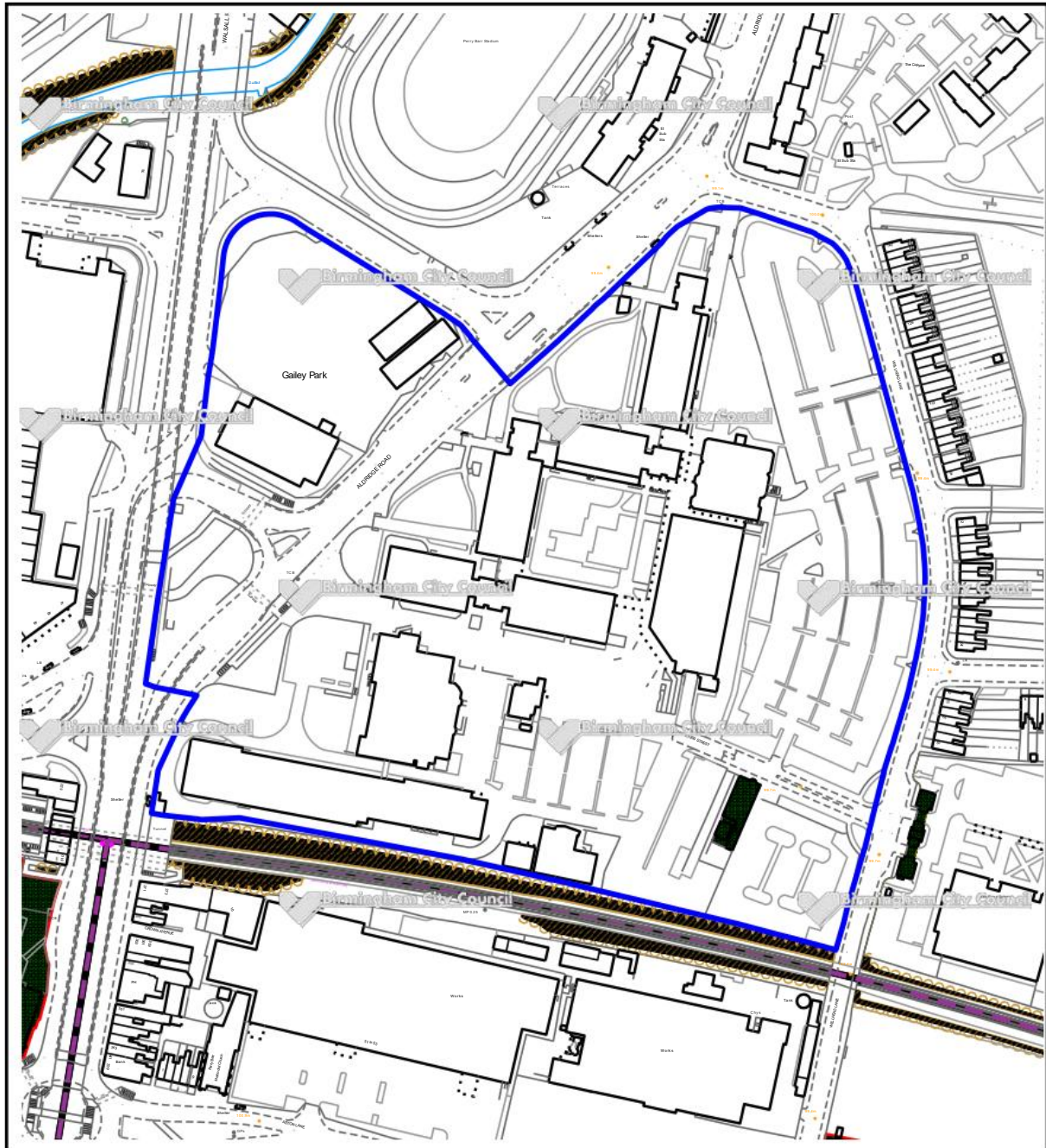


View over Plot 5 from vehicular access point on Wellhead Lane



View East over Walsall Road toward Plot 10, with completed Plots 8 and 9, left.

Location Plan



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Birmingham City Council

Planning Committee

15 June 2023

I submit for your consideration the attached reports for the **East** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	12	2022/08094/PA Unit 7 Tyseley Park Wharfdale Road Tyseley Birmingham B11 2DF Demolition of existing industrial unit and erection of flexible Class E(g)ii, E(g)iii, B2 and B8 industrial units comprising one block of six units (Units 1-6), one block of five units (Units 7-11) and a detached unit (Unit 12) with secure yard; together with replacement sub-station, car/cycle/goods vehicle parking; alterations to vehicular accesses; service road and footways, over-cladding to north-west elevation of adjoining (retained) industrial unit, repairs to retaining wall, new boundary fencing/gates, and other associated works

Committee Date:	15/06/2023	Application Number:	2022/08094/PA
Accepted:	31/10/2022	Application Type:	Full Planning
Target Date:	19/06/2023		
Ward:	Tyseley & Hay Mills		

Unit 7, Tyseley Park, Wharfdale Road, Tyseley, Birmingham, B11 2DF

Demolition of existing industrial unit and erection of flexible Class E(g)ii, E(g)iii, B2 and B8 industrial units comprising one block of six units (Units 1-6), one block of five units (Units 7-11) and a detached unit (Unit 12) with secure yard; together with replacement sub-station, car/cycle/goods vehicle parking; alterations to vehicular accesses; service road and footways, over-cladding to north-west elevation of adjoining (retained) industrial unit, repairs to retaining wall, new boundary fencing/gates, and other associated works

Applicant:	F74 M Chateau SARL C/o Agent
Agent:	Contour Planning Services Limited Unit 3 The Barn, Pirton Grange, Pirton Road, Shillington, Hitchin, SG5 3HB

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1 The application is being reported to Planning Committee as the proposed new industrial units would have a floorspace of 6662sqm and the Scheme of Delegation requires that any new development with floorspace of 5000sqm or more shall be determined by Planning Committee.
- 1.2 This application relates to the demolition of an existing vacant industrial unit (15,262sqm) and erection of flexible Class E(g)ii, E(g)iii, B2 and B8 industrial units comprising one block of six units (Block A, Units 1-6), one block of five units (Block B, Units 7-11) and a detached unit (Unit 12) with secure yard; together with replacement sub-station, car/cycle/goods vehicle parking; alterations to vehicular accesses; service road and footways, over-cladding to north-west elevation of adjoining (retained) industrial unit, repairs to retaining wall, new boundary fencing/gates, and other associated works.
- 1.3 The overall site area measures approximately 1.67hectares.
- 1.4 Block A (which would comprise of Units 1-6) would be located to the north-west of the site along Wharfdale Road. It would comprise units of differing sizes as set out in the Proposed Site Plan (Drawing 4232 PL03 Revision H). The block would measure approximately 123m (Length) x 26.4m (Width) x 10.3m (Height) and have an internal floor area of approximately 2,700sqm.

- 1.5 Block B (which would comprise of Units 7-11) would be located towards the southern boundary of the site. The units would be of differing sizes as set out in the Proposed Site Plan (Drawing 4232 PL03 Revision H). The block would measure approximately 101m (Length) x 24m (Width) x 10.3m (Height) and provide approximately 2,153sqm of commercial floorspace.
- 1.6 Unit 12 comprises a detached unit located to the eastern corner of the site along Wharfedale Road. The unit would measure 49m (Length) x 42.9m (Width) x 12.75m (Height) and would have an internal floorspace of 1,862sqm. A separate yard area is proposed to the western elevation of Unit 12.
- 1.7 Figure 1: Proposed Site Plan



- 1.8 Figure 2: Proposed Elevations 1

- 1.11 The northern part of the site which fronts onto Wharfdale Road would comprise a blank façade (rear of Block A) and a landscaping strip as shown on the Detailed Soft Landscape Proposals (Drawing 22-097-P—01 Revision A). A substation is proposed to the eastern corner of the Wharfdale access, directly in front of Unit 12. The main frontage of Unit 12 including the office, front entrance and parking areas (including cycle parking) fronts onto the Wharfdale access. The western part of the site which comprises the Rushey Lane access would feature blank gables of the side elevations of Unit 1 (Block A) and Unit 7 (Block B). Parking areas (including cycle parking) for these units would front onto the Rushey Lane access. A landscaping strip is proposed along the western boundary. The eastern and southern part of the site comprises units within industrial uses and would not be seen from the public realm.
- 1.12 A total of 79no. car parking spaces are proposed of which 66no. would be standard-sized and 13no. accessible spaces. The car parking spaces would be provided to the unit's frontages. There would also be 5no. motorcycle spaces incorporated across five of the parking areas. Across the site 24 car parking spaces would have access to electric vehicle charging through the provision of 12 dual-outlet charging installations. 30no. covered cycle parking spaces would be provided across the development scheme. The scheme would be supported by a site-wide provision of 13no. HGV loading/parking spaces, each supported by a level access door into the corresponding unit. There would be one such space to the front of each of Units 1-11 to accommodate rigid HGVs up to 10m in length and two such spaces within a separate gated service yard area of Unit 12 to accommodate HGVs up to 16.5m in length.
- 1.13 The proposed units would have a 24hour use.
- 1.14 The units would be in flexible use: Class E(g)ii (Research and development of products or processes), E(g)(iii) (Industrial processes), B2 (General Industrial) and B8 (Storage and Distribution). The units would be built speculatively.
- 1.15 This application has been supported by the following:
- Air Quality Assessment
 - BREEAM Pre-assessment report
 - Planning Statement
 - Design and Access Statement
 - Transport Assessment
 - Draft Framework Travel Plan
 - Drainage Strategy
 - Flood Risk Assessment
 - Energy and Sustainability Statement
 - External Impact Lighting Assessment
 - Noise Assessment
 - Phase 1 Preliminary Environmental Risk Assessment

1.16 [Link to Documents](#)

2. **Site & Surroundings**

- 2.1. The application site is located off Wharfdale Road and is located within Kings Road Core Employment Area and within the Tyseley Environmental Enterprise District (TEED) which is a predominantly industrial area.

2.2. Figure 4: Ariel view of site (Google Maps, May 2023)



- 2.3. The site is currently occupied by a large vacant industrial unit with areas of redundant parking. The boundary treatment is constructed of low-level brick and railings approximately 2-2.5m high which provides views into the site.
- 2.4. The site is predominantly surrounded by industrial and commercial uses including Royal Mail depot to the north-west situated along Wharfedale Road which has a 24hour use.
- 2.5. The nearest residential neighbours are located approximately 20m to the west along Rushey Lane where properties front onto Rushey Lane and would overlook the proposed units.
- 2.6. [Site Location](#)

3. **Planning History**

- 3.1. 1999/03157/PA - Installation of vehicle access gates - Approved subject to Conditions.
- 3.2. 2004/04157/PA - Alterations to existing warehouse to revise northeast elevation and access - Approved subject to Conditions.
- 3.3. 2005/03778/PA - Demolition of canteen to provide 46 car parking spaces - Approved subject to Conditions.
- 3.4. 2014/08547/PA - Erection of aluminium framed loading and unloading building - Approved subject to Conditions.

4. **Consultation Responses**

- 4.1. City Design – No objection to design/scale of industrial units.

- 4.2. Transportation – No objection, subject to conditions.
- 4.3. Regulatory Services - No objection, subject to conditions.
- 4.4. Planning and Growth Strategy – No objection, subject to conditions.
- 4.5. Tree Officer - No objection, subject to conditions.
- 4.6. Ecology - No objection, subject to conditions.
- 4.7. Severn Trent Water –No objection - Developer enquiry letter from STW agrees surface water discharge to a maximum of 6.5 l/s from the development site to a surface water sewer on Wharfdale Road.
- 4.8. Local Lead Flood Authority - No objection, subject to conditions.
- 4.9. Employment Access Team – No objection.
- 4.10. West Midlands Police – No objection.
- 4.11. Leisure Services – No comment

5. **Third Party Responses:**

- 5.1. Ward Members, Resident Associations and Neighbours have been consulted. A site notice has been displayed. No public participation received.

6. **Relevant National & Local Policy Context:**

- 6.1. National Planning Policy Framework:
 - Chapter 2 – Achieving sustainable development.
 - Chapter 6 - Building a strong, competitive economy.
 - Chapter 11 - Making effective use of land.
 - Chapter 12 – Achieving well-designed places.
- 6.2. Birmingham Development Plan 2017:
 - PG3 Place making
 - TP3 Sustainable construction
 - TP4 Low and zero carbon energy generation
 - TP5 Low carbon economy
 - TP15 Location of waste management facilities
 - TP19 Core Employment Areas
 - TP20 Protection of employment land
 - TP26 Local employment
- 6.3. Development Management DPD:
 - DM2 Amenity
 - DM14 Transport access and safety
 - DM15 Parking and servicing
- 6.4. Supplementary Planning Documents & Guidance:
 - National Design Guide 2021
 - The Birmingham Design Guide 2022

- Birmingham Parking SPD 2022

7. **Planning Considerations**

- 7.1. The application has been assessed against the objectives of the policies set out above. The critical issues in the determination of this application are the principle of the development, design and appearance, residential amenity, and highway safety/parking.

Principle of development

- 7.2. The application site is located within Kings Road Core Employment Area and Tyseley Environmental Enterprise District (TEED). Policy TP19 (Core Employment Areas) and Policy TP20 (Protection of Employment Land) of the Birmingham Development Plan (2017) states that land within such areas will be retained for employment use with the definition of employment being as B1b (Research and Development), B1c (Light Industrial), B2 (General Industrial) and B8 (Warehousing and Distribution) and other uses appropriate for industrial areas. The principal of the use of the site for industrial/commercial uses has already been established through the historical use and permissions. As such, it is considered that the proposed use for general industrial, warehouse/distribution as well as Use Class E(g)(ii) (Research and development of products or processes) and E(g)(iii) Industrial Processes complement the employment area and therefore accords with the policies outlined above.

Design and Appearance

- 7.3. The City Design Officer has no objections to the scale/design of the proposed units as productive pre-application engagement with the Council has informed the design of the proposed scheme. The site layout together with improved soft landscaping to the site boundary would help offset the visual impact on the surrounding streetscene. Concerns were raised regarding the proposed boundary treatment which was to be 3.2m high. This element has now been omitted from this application and amended boundary details will be provided (condition attached).
- 7.4. The existing large industrial unit has been vacant for over 1 year. Its demolition would make way for a new modern industrial estate accommodating three buildings offering 12 different sized units for flexible use (B2/B8/eg(ii)/e(g)(iii)), designed for small businesses. It is considered that the development would provide a positive visual presence along Wharfdale Road and Rushey Lane and would improve the visual appearance of the surrounding area by providing contemporary smaller blocks, with landscaping.

Residential Amenity

- 7.5. Residential amenity is considered for neighbouring occupiers. I note that the nearest residential dwellings are approximately 20m to the west, along Rushey Lane. A noise assessment has been submitted which concludes that noise breakout to the nearest noise sensitive residential properties is negligible.
- 7.6. Regulatory Services do not raise any concerns in terms of noise and have suggested conditions which limits the noise levels for Plant/Machinery and delivery times. I concur with the views of my Regulatory Services Officer and conditions have been attached accordingly.

- 7.7. Overall, it is considered that the proposal would have an acceptable impact in terms of noise on nearby residential occupiers.

Highways

- 7.8. The proposed vehicular access would be located on the northern boundary off Wharfdale Road and along Rushey Lane to the west as shown on the Proposed Site Plan. Tracking analysis has been submitted in support of the planning application which demonstrates that access/egress can be achieved. An HGV/car vehicle route is located along the centre of the site which leads to designated parking areas to each unit.
- 7.9. Transportation Development raise no objections and recommends conditions to include details of a construction management plan; measures to prevent mud on highway; parking management strategy and siting/design of access.
- 7.10. I concur with these views and have attached the recommended conditions in order to appropriately safeguard highway safety matters associated with the proposed development.

Other Matters

- 7.11. Ecology – The Ecologist is satisfied that the scheme would deliver a significant biodiversity enhancement given the site's very low baseline ecological value. The Soft Landscape Proposals include a good level of planting mixes which includes a combination of native and ornamental species which would provide a variety of habitat resources for local wildlife. Conditions such as scheme for ecological/biodiversity/enhancement measures and implementation of acceptable mitigation/enhancement for breeding birds as set out in the Ecology Appraisal suggested by my Ecologist is attached.
- 7.12. Drainage – Through extensive engagement with LLFA, the applicant has submitted amended plans and drainage details which has resolved some of the previous concerns LLFA raised regarding proposed surface water discharge rate which has now been agreed with STW. As such, the LLFA raise no objection, subject to conditions relating to the submission of a sustainable drainage scheme and Sustainable Drainage Operation and Maintenance Plan.
- 7.13. Sustainability – An Energy and Sustainability Statement and a BREEAM pre-assessment has been submitted which demonstrates that BREEAM Excellent standard can be achieved by the development scheme. The proposal would include the use of air source heat pumps and solar photovoltaics to reduce energy demand. A condition is attached to ensure this rating is achieved.

8. Conclusion

- 8.1. The application proposals seek planning permission for the erection of flexible Class E(g)ii, E(g)iii, B2 and B8 industrial units at Unit 7, Tyseley Park, located within a core employment area. The proposals are considered to be acceptable in principle and would not have an adverse impact on residential amenity or highway safety. I am satisfied that the proposals would amount to an improvement in visual amenity of the site. For the reasons set out above, I recommend that the application be approved subject to conditions.

9. Recommendation

- 9.1. Approve, subject to conditions as detailed below.

-
- 1 Implement within 3 years (Full)
 - 2 Requires the scheme to be in accordance with the listed approved plans
 - 3 Requires the submission of sample materials
 - 4 Requires the submission of boundary treatment details
 - 5 Requires the submission of hard and soft landscape details
 - 6 Prevents the use from changing within the Use Class E
 - 7 Requires the provision of a vehicle charging point
 - 8 Limits delivery time of goods to or from the site
 - 9 Limits the noise levels for Plant and Machinery
 - 10 Requires the prior submission of a contamination remediation scheme
 - 11 Requires the submission of a contaminated land verification report
 - 12 Requires the prior submission of a construction method statement/management plan
 - 13 Requires the submission of details to prevent mud on the highway
 - 14 Requires the submission of the siting/design of the access
 - 15 Requires the submission of a parking management strategy
 - 16 Requires the applicants to sign-up to the Birmingham Connected Business Travel Network
 - 17 Requires the prior submission of a sustainable drainage scheme
 - 18 Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan
 - 19 To ensure energy and sustainability measures are delivered in accordance with statement
 - 20 To ensure that the development achieves BREEAM rating level
 - 21 Requires the submission of a scheme for ecological/biodiversity/enhancement measures
 - 22 Requires the implementation of the submitted mitigation/enhancement plan
 - 23 Arboricultural Method Statement - Submission Required
 - 24 Requires the prior submission of level details
-

Case Officer: Hiteshree Kundalia

Photo(s)

Image 1: Aerial View of the Site (Google maps, 2023)]



Image 2: View North of the Site (from Wharfedale Road) (Site Visit photograph, 2023)



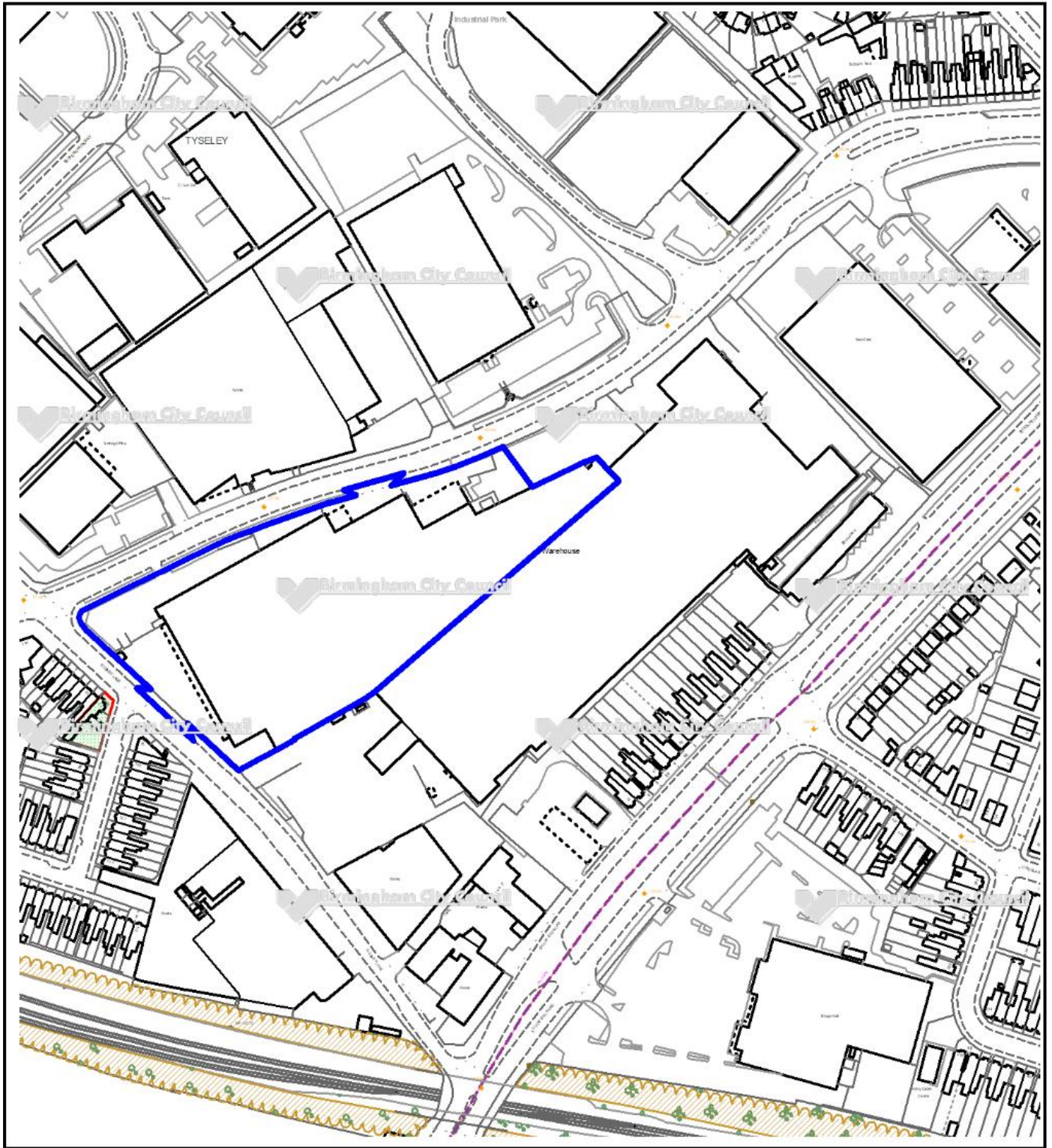
Image 3: View west of the site (Rushey Lane) (Site Visit photograph, 2023)



Image 4: View from corner of Rushey Lane/Wharfedale Road (Site Visit Photograph, 2023)



Location Plan



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Birmingham City Council

Planning Committee

15 June 2023

I submit for your consideration the attached reports for the **South** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	13	2022/06194/PA Land at the junction of Trescott Road and Tudbury Road Northfield Birmingham B31 Construction of 10no. affordable dwellings (100% social rent) with associated parking.

Committee Date:	15/06/2023	Application Number:	2022/06194/PA
Accepted:	08/08/2022	Application Type:	Full Planning
Target Date:	16/06/2023		
Ward:	Allens Cross		

Land at the junction of Trescott Road and Tudbury Road, Northfield, Birmingham, B31

Construction of 10no. affordable dwellings (100% social rent) with associated parking.

Applicant: Birmingham Municipal Housing Trust
1 Lancaster Circus, Queensway, Birmingham, B4 7DJ
Agent: BM3 Architecture Ltd
28 Pickford Street, Birmingham, B5 5QH

Recommendation

Approve subject to Conditions

1. Proposal:

- 1.1. The application seeks planning permission for the construction of 10no. affordable dwellings (100% social rent) with associated parking on land at the junction of Trescott Road and Tudbury Road. The application has been submitted by Birmingham Municipal Housing Trust (BMHT).
- 1.2. The proposed layout seeks to provide 4no. semi-detached dormer bungalows each on the Trescott Road and Tudbury Road frontages (8no. in total), with an additional 2no. two-storey semi-detached dwellings in between on the junction of the two roads, completing the corner location and continuing the existing building lines along Tudbury Road. The two units nearest to no.60 Trescott Road would be slightly set back from the building line to ensure they would not impact on the root protection area of the existing street tree.



Image 1: Proposed Site Plan

- 1.3. The proposed 8no. bungalows would have two bedrooms. They would each have a total floor area of 82.7sqm and would provide for a kitchen/dining/living area, shower room and bedroom 1 on the ground floor and bedroom 2 and a bathroom on the first floor. The proposed 2no. two-storey dwellings would have three bedrooms each and a floorspace of 93.9sqm. Internally, they would provide for a kitchen/dining area, separate living room and WC on the ground floor and 3no. bedrooms and a family bathroom on the first floor.



Image 2: Front Elevations of 2-bed dormer bungalow and 3-bed two-storey dwelling

- 1.4. Each dwelling would have an external rear amenity space, ranging in size from 65sqm to 274sqm. In addition, each two-bedroom unit would be provided with 1no. off-road vehicular parking space, whilst the three-bedroom units would be provided with 2no. parking spaces. Plots 3-10 would be accessed directly off the main adjoining road, whilst plots 1-2 would have a short private access drive with parking set back from the road.
- 1.5. The application is supported by the following documents:
- Design and Access Statement including Sustainable Construction/Energy Statement
 - Affordable Housing Statement
 - Phase I and II Site Appraisal
 - Open Space Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Planning Statement
 - Arboricultural Appraisal
 - Pre-development Tree Survey
 - Phase 1 Preliminary Ecological Appraisal
 - Preliminary unexploded ordnance (UXO) Risk Assessment

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises an existing open space, approximately 0.3ha in size and located on the corner junction of Trescott Road and Tudbury Road, within the Allens Cross Ward, on the northern edge of Northfield and approximately 9miles south of the city centre. There is an existing path crossing the site, this is not a public right of way, however, is classified as highway maintained at public expense (HMPE).

- 2.2. The character of the surrounding area is defined by mid-century properties which dominate the area, allied with the street pattern in which they are situated. The properties are two-storey forms, with hipped roofs in semi-detached or terraced clusters. Brick is the primary material, although render has been applied to a number of properties. Roofscapes are a mix of slate and tiles and all contain chimneys. Houses are set back from the road, with generous front gardens contributing to the landscape character of the streetscene which contains a number of mature street trees.
- 2.3. The site is situated within a sustainable location within an existing residential area, with the nearest bus stop situated adjacent to the site on Trescott Road to the west. The nearest local centre, Northfield, is situated approximately 780m to the east of the site.

[Site Location](#)

3. Planning History

- 3.1. None.

4. Consultation Responses

- 4.1. Transportation – No objections subject to conditions for pedestrian visibility splays on all access points, EV charging points, secure and sheltered cycle storage to be installed and informatives for works to public highway (S278 Agreement)
- 4.2. LLFA – No objections subject to conditions for a sustainable drainage scheme and sustainable drainage operation and maintenance plan, including relevant informatives.
- 4.3. City Design – No objections subject to conditions for hard and/or soft landscape details, earthworks/ level details, boundary treatment details, landscape management plan, sample materials and architectural details.
- 4.4. Ecology – No objection subject to a condition for a scheme for ecological, biodiversity, enhancement measures.
- 4.5. Leisure Services – No objections subject to the provision of £30,000 to improve existing children's play facilities at Walmesley Way playground or Allens Cross recreation ground.
- 4.6. Public Rights of Way – The footpath within the site is not a public right of way but classified as highways land maintained at public expense (HMPE) and requires stopping up in accordance with S257 of the Town & Country Planning Act prior to development commencing.
- 4.7. Regulatory Services – No objections subject to conditions for contamination remediation scheme, contaminated land verification report, noise insulation scheme, EV charging points and construction method statement/ management plan.
- 4.8. Severn Trent – No objections subject to conditions for drainage plans for disposal of foul and surface water flows.

- 4.9. Trees – No objections subject to conditions for tree protection plan and arboricultural method statement including pre-commencement site meeting to discuss working procedures and tree protection.
- 4.10. West Midlands Fire Services – No objections.
- 4.11. West Midlands Police – No objections. Comments in relation to building control matters, including secured by design.

5. Third Party Responses:

- 5.1. MP, Ward Councillors, Residents Associations and local residents were consulted on the scheme. The application was also publicised for 21 days by way of a Site Notice and Press Notice.
- 5.2. Gary Sambrook MP raises an objection on the following grounds.
- Concerned about loss of green public open space in area with insufficient provision.
 - Development is over-intensive for the site.
 - Development would lead to an increase in traffic and parking on existing residential roads.
 - Proposal breaches policy TP9 of the BDP 2017 which is in place to protect green spaces from inappropriate development.
- 5.3. In addition, a petition with 14 signatures (submitted by Gary Sambrook MP and Councillor Adrian Delaney) and an additional 13 individual letter of objections have been received, raising the following concerns:
- The land is not considered brownfield land or waste land
 - Land was given by the landowners of Frankley Lodge Farm when the Allen's Cross Estate was built as a park and play area for the local children
 - When residents first moved here the area of land was a park with roundabouts and grassed play area for local children. It was safe and time was spent playing and having picnics on this land.
 - The area used to have swings but has never been maintained properly since the 70s.
 - At some point during the years the council removed the roundabouts, but council continued to mow the grass
 - A few years ago the council stopped mowing the grass and it would appear this was a deliberate attempt to let the land get wild and unkempt so that they could say the land was waste land and has become an abandoned area that could possibly be an area for flytipping. These were total lies.
 - The council provided letters to surrounding residents before covid that they wanted to build houses on this land and we objected already at that time. No response was ever received on that objection.
 - Council has no right to take this local green space from the community and from local children to play on
 - The site has never been prone to fly tipping or rubbish
 - The area already has very little green space and this would take even more away
 - Local roads do not need more cars
 - The area is already very busy
 - Area is already significantly developed, including the Hollymoor Hospital and the golf course adjacent to Frankley Beeches Road. Even with significant objections, this development is going ahead.

- Noise, mess and disruptions are a daily reality of life
- Area cannot sustain another development, there is insufficient infrastructure
- Why are we allowing our green spaces to be destroyed in the grip of a climate catastrophe
- Proposal would impact on mental health by blocking views and light into surrounding houses
- Area is used for walking dogs
- Space where the community comes together. When it last snowed various families came together and built snowmen here which gave a great sense of community.
- Strongly against the government's current strategy of building on any and all green land areas.
- Proposal will cause drainage issues and flooding
- Council is happy to charge use for clean air zones but we cannot have our own natural zones.
- Disruption during construction causing stress and frustration amongst residents and builders who will block roads and drives.
- The site notices have been poorly placed around the site.
- Only safe crossing when children come home from school
- Place is safe for elderly to walk
- Question what would happen to the wildlife and trees
- Question who would be living here
- Question who is responsible for boundary fence and would it impact on future extensions to adjoining houses
- Better suited as a recreational facility

6. Relevant National & Local Policy Context:

6.1. National Planning Policy Framework (2021)

Chapter 2: Achieving sustainable development
 Chapter 5: Delivering a sufficient supply of homes
 Chapter 8: Promoting sustainable transport
 Chapter 11: Making effective use of land
 Chapter 12: Achieving well-designed places

6.2. Birmingham Development Plan 2017:

PG 3 Place Making
 TP3 Sustainable Construction
 TP4 Low and zero carbon energy
 TP9 Open space, playing fields and allotments
 TP27 Sustainable Neighbourhoods
 TP28 The location of new housing
 TP30 The type, size and density of new housing
 TP31 Affordable Housing
 TP44 Traffic and Congestion Management

6.3. Development Management in Birmingham DPD 2021

DM1 Air Quality
 DM2 Amenity
 DM4 Landscaping and Trees
 DM6 Noise and Vibration
 DM10 Standards for Residential Development
 DM14 Highways safety and access
 DM15 Parking and servicing

- 6.4. Supplementary Planning Documents & Guidance:
Birmingham Design Guide 2022
Birmingham Car Parking Standards SPD 2021
National Design Guide
Technical Housing Standards – nationally described space standards (2015)

7. Planning Considerations

- 7.1. The application has been assessed against the objectives of the policies as set out above. The main matters for consideration are as follows:

Five Year Housing Land Supply

- 7.2. NPPF paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, paragraph 11 d) states that where the policies which are the most important for determining the planning application are considered out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 8 of the NPPF confirms that in considering whether the policies that are most important are indeed out-of-date, this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.3. The Birmingham Development Plan became 5 years old on 10th January 2022. In accordance with NPPF paragraph 74, BDP policies PG1 and TP29 are considered out of date, and the Council's five-year housing land supply must now be calculated against the Local Housing Need figure for Birmingham. As of 10th January 2022, the Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11d) of the NPPF is engaged and the tilted balance applies for decision taking.

Background and Principle of Development

- 7.4. The 0.3ha site is classed as public open space and is located on the prominent junction of Trescott Road and Tudbury Road in the Allens Cross Ward, at the northern edge of Northfield in South Birmingham. It is understood that the site was originally used as informal playing fields and open space by local residents, however, over time, public use of the site has decreased, and the site is currently largely vacant and overgrown with limited public activity. A footpath, which is classed as highways land, runs through the site.
- 7.5. Considering the land is classified as open space, the scheme would need to be assessed against policy TP9 of the Birmingham Development Plan 2017. The policy outlines that permission would not normally be granted for development of open space except where it can be shown by an up to date assessment of need that the open space is surplus taking account of the minimum standard of 2ha per 1000 population and the accessibility criteria listed within the policy.
- 7.6. The accessibility criteria and quality standards require:
- All residents should have access within 400m, (5 to 10 minutes walk) to an area of publically accessible open space which should have grass and trees and be at least 0.2 ha in size. Similarly, there should be children's play facilities within 400m of all residents
 - Within 1km (15 to 20 minutes walk) of all residents there should be an area of publically accessible open space of at least 2 ha in size. This should have paths, seating, bins, trees and landscape features. It should be capable of accommodating differing and potentially conflicting recreational activities

without problem e.g. space for football and for those who want to sit and relax

- Within 3km of all residents there should be access to a publically accessible park which has a wide range of facilities and features which may include water features, children's play facilities, cafés and formal landscaping. These spaces should be capable of holding local, or in some instances national events. These sites should be more than 2 ha in size and should also have good access for public transport and for walkers and cyclists. Some of these parks will have additional facilities and will be of a size which allows them to be used for major events and celebrations. It will be priority to ensure that these parks have good access by public transport and adequate car parking.

- 7.7. As per the most recent figures, the Allens Cross Ward currently provides 1.28ha of open space per 1000 population. It is acknowledged this is below the requirement set out within the policy. In terms of the accessibility criteria, the scheme complies with the standards, however, falls marginally short of the required distance to a children's play area which is approximately 430m away.
- 7.8. Whilst it is acknowledged that the Allens Cross Ward already falls short of the required minimum open space provision and the proposal would further reduce this provision, in this instance it should be highlighted that the scheme would provide 100% affordable housing, for which there is a significant need within the local and city wide area. In addition, it is noted that the Allens Cross Ward is located on the boundary with neighbouring Bromsgrove District Council, with the entire land along the boundary classed as Green Belt land with various public footpaths and open spaces nearby (approximately 150m walking distance). However, considering these are not within the same Ward, the open spaces within Bromsgrove or surrounding Wards could not be included within the calculation. In addition, larger open spaces, including Ley Hill Recreation Ground, Meadow Brook Recreation Ground, Manor Farm Park, Victorian Common and Allens Cross Recreation Ground are all located within relatively short distance to the site. Therefore, in reality, there are areas of open space in close proximity, although these cannot be included in the open space calculation for the Ward. Furthermore, the site is of a modest size and the LPA cannot currently demonstrate a 5-year housing land supply which would act in favour of the scheme.
- 7.9. It should also be highlighted that Leisure Services has been consulted on the scheme and raises no objections to the loss of the open space. Considering the marginal shortfall to the access requirement to children's play facilities, as stated within policy TP9, they have requested a compensation payment of £30,000 to allow for the improvement of the nearby children's play areas at Walmesley Way playground or Allens Cross recreation ground, both situated within the same Ward. The provision is considered appropriate and a condition in this regard has been attached accordingly.
- 7.10. Whilst concerns with regard to the loss of the open space are noted, having carefully assessed and weighed up the benefits and matters for concern arising from the scheme, it is considered that on balance, the provision of 100% affordable on this open space, in an area where there is a significant need for such accommodation, would be acceptable in principle, subject to consideration of technical matters as discussed below.

Design and Impact on Visual Amenity

- 7.11. The application site is situated within a mid-century housing estate within a prominent corner junction position at the north-eastern edge of Trescott Road. The scheme proposes the erection of 10no. dwellings with a mix of 8no. semi-detached dormer bungalows and 2no. semi-detached two-storey dwellings.
- 7.12. In terms of the proposed layout, the scheme has been designed to front the existing highway and follows the alignment of existing houses on Trescott Road and Tudbury

Road, with housing turning to address the junction. The proposed bungalows would be situated along Trescott and Tudbury Road whilst the two-storey dwellings would be situated in between, on the junction of the two roads. The scheme would largely follow the existing building line, however, plot 1 and 2 would be marginally stepped back from this building line in order to avoid the street tree root protection areas and existing services boxes and provide appropriate outlook and day light for the adjoining existing dwelling. Considering this would not impact on the visual amenity of the streetscene, and the buildings would continue the existing street pattern, the proposed layout would be acceptable.

- 7.13. In terms of the proposed scale, height and massing, the surrounding area is characterised by two storey houses. The proposed scheme seeks to provide 8no. semi-detached dormer bungalows with 2no. two-storey dwellings on the vista terminating position. The proposed bungalows would be a direct response to the existing housing need within the area and considering the general height and massing is in line with the existing, and the main views along the vista would be onto the proposed two-storey dwellings, the proposed scale would be appropriate for the site within the existing area.



Image 3: Proposed Trescott Road Street Scene



Image 4: Proposed Tudbury Road Street Scene



Image 5: Junction of Trescott and Tudbury Road Street Scene

- 7.14. The main materiality would be red brick to take account of the character of the existing area with dark grey roof tiles and windows/ doors. In addition, the proposed dwellings would include additional architectural detailing on their projecting and flank walls, including the provision of brick detailing and additional windows, to take account of the existing surrounding.
- 7.15. In summary it is considered that the scheme would be acceptable in terms of its layout, scale, design and massing, has appropriately taken account of the surrounding character of the streetscene and would not negatively impact on the visual amenity of the local area. City Design has reviewed the scheme and raises no objection, subject to conditions for detailed architectural details and sample materials which has been imposed accordingly.

Density and Proposed Dwelling Mix

- 7.16. Policy TP30 of the BDP 2017 states that housing should be provided at a target density responding to the site and its context with a density of at least 40 dwelling per hectare 'elsewhere' (i.e. outside of the city centre and not situated on transport routes). The scheme, with the provision of 10no. dwellings on a site of approximately 0.3ha would provide a density of 33 dwellings per hectare. It is acknowledged this is marginally below the requirement of the policy, however, noting the layout of the existing site and surrounding area where dwellings comprise of relatively plots with long rear gardens, it is considered that the density would be acceptable in this instance.
- 7.17. The policy further states that new housing should seek to deliver a range of dwellings to meet local needs and support the creation of mixed, balanced and sustainable communities. The scheme would provide 8no. semi-detached two-bed dormer bungalows and 2no. semi-detached two-storey three-bed dwellings, all to be provided as social rent. This mix is proposed to address a specific need for the type of affordable accommodation within the area and is therefore considered to be appropriate.

Impact on residential amenity

- 7.18. The scheme is located within a wholly residential area, with nearest dwellings situated to the north and west (on the opposite side of the road) along Trescott Road and to the east and south (on the opposite side of the road) along Tudbury Road. Plot 10 would be situated on the same building line as no.43 Tudbury Road and there are no habitable windows within the existing side elevation. In addition, the scheme would not breach the 45 degree code at the rear. Plot 1 would be set back from the building line with no. 60 Trescott Road, and therefore, would not impact on the outlook or day light provision of the side facing windows within this adjoining dwelling. In addition, the scheme would not breach the 45 degree code with the nearest rear habitable windows. Furthermore, the rear gardens of plots 1 and 2 would be a minimum length of 26m and therefore, would not result in overlooking or loss of privacy to other adjacent dwellings and their rear gardens. Overall it is therefore considered that the scheme would not negatively impact on the residential amenity of surrounding occupiers by way of loss of light, outlook, privacy or day light provision and would be acceptable.
- 7.19. In terms of future occupiers, all residential units proposed within the site would comply with the minimum spacing standards as set out within the Technical Housing Standards – nationally described spacing standards (2015). In addition, all bedrooms are appropriately sized and all habitable rooms would achieve appropriate outlook and day light provision. In addition, the scheme would provide external amenity space to all residents, comprising of private rear gardens for the proposed houses which

comply with the minimum requirements as set out within the Birmingham Design Guide.

- 7.20. Regulatory Services has been consulted on the application and raises no objections to the scheme on grounds of noise, air quality or contamination risks. They recommend conditions for a contamination remediation scheme, contaminated land verification report, noise insulation scheme, EV charging points and construction method statement/ management plan. The majority of conditions are considered to be appropriate to protect the residential amenity of existing and future occupiers; however, it is not considered that the provision of a noise insulation scheme would be reasonable in this instance, noting that the adjoining roads are of generally quiet nature, typical for a residential area.

Impact on highway safety

- 7.21. The application site is situated within a sustainable location within a wholly residential area. There are a number of bus stops situated within short walking distance of the site, connecting the site to Birmingham City Centre and surrounding neighbourhoods and local centres.
- 7.22. The application site would provide 12no. vehicular parking spaces for the 10no. dwellings, with the three-bed units being provided with 2no. spaces (200%) each and the three-bed units (bungalows) being provided with 1no. space (100%) each. All dwellings would be accessed directly of the adjacent roads, with units 1 and 2 having a small private forecourt with a shared access to ensure there would be no unacceptable impact on any street trees or services.
- 7.23. Whilst concerns from local residents with regard to the proposed access and increased traffic provision are noted, it should be highlighted that Transportation raises no objections to the scheme. They recommend conditions for appropriate visibility splays to the access drives, EV charging points and secure and sheltered cycle storage to be installed to the individual units which have been imposed accordingly. In addition, an informative for highway works has been attached to cover the requirements for dropped kerbs and footway crossings.
- 7.24. The footpath crossing through the site is not a public right of way, but is classed as highways land maintained at public expense (HMPE), and therefore would require stopping up under Section 257 of the Town & Country Planning Act 1990 prior to commencement of any development. An informative in this regard has been attached accordingly.
- 7.25. In summary, it is considered that the proposed layout of the scheme, in terms of its parking provision, access and impact on surrounding highway network would be acceptable and would not negatively impact on pedestrian or highway safety.

Other matters

8. Ecology and Landscaping

- 8.1. The existing site comprises of open space with an improved, formerly regularly mown amenity grassland with existing trees along the road frontages. The scheme is supported by a pre-liminary ecological appraisal, arboricultural assessment and proposed planting plan. The documents have been reviewed by the Council's Ecologist and they raise no objections subject to a condition for a biodiversity enhancement scheme. In addition, it is considered to attach conditions for hard and/or soft landscaping details, a landscape management plan, boundary treatment details and earthwork/level details.

- 8.2. In addition, the Council's Tree Officer was consulted on the scheme. It was highlighted that appropriate tree protection measures would be required prior to any works commencing. In addition, an arboricultural method statement would be required to ensure the existing trees and proposed trees would be suitably protected and cared for. Relevant conditions would be imposed in this regard.
- 8.3. Flood Risk and Drainage - The application site is located within Flood Zone 1 and the applicant has submitted a detailed Flood Risk Assessment and Drainage Strategy. The LLFA and Severn Trent have reviewed the relevant documents and raised no objections. Concerns from local residents that the site may be prone to flooding are noted, however, it is considered that relevant conditions for a sustainable drainage scheme, drainage operation and maintenance plan as well as appropriate connections to the existing sewer system would be acceptable, addressing potential concerns and would not increase the flooding to surrounding areas any further.
- 8.4. Energy and Sustainability – A Sustainable Construction and Energy Statement has been submitted with the application. The scheme proposes to use sustainable construction materials and design, high fabric efficiency and triple glazing with larger windows to maximise solar gain. The dwellings would not use gas, but instead air source heat pumps which would be situated within the rear gardens, contributing to zero carbon. In addition, the properties would also have low water usage features. A condition would be imposed to ensure the scheme is delivered in line with the proposed Energy Strategy.
- 8.5. Community Infrastructure Levy (CIL) – The proposed development would not be liable to the provision of CIL.
- 8.6. Other matters: Concerns were raised that there is already too much development happening within the local area, with other recent developments having been granted permission. Consequently, the local infrastructure, including GP practices, dentists and shops not being able to cope. However, the provision of a further 10 dwellings would unlikely significantly increase the pressure on such services. Other issues raised are considered to be covered in the report.

9. Conclusion

- 9.1. The application seeks planning permission for the proposed construction of 10no. affordable dwellings (100% social rent) with associated parking on land at the junction of Trescott Road and Tudbury Road. Taking all relevant matters into account, on balance it is considered that, whilst the scheme would result in the loss of public open space, it would provide 100% affordable housing, addressing a clear local need within the area. In addition, the design would be appropriate and would not negatively impact on the visual amenity of the area. Furthermore, the scheme is acceptable in terms of impact on residential amenity, highway safety, and matters such as ecology, sustainability and flood risk/drainage. The application is therefore recommended for approval, subject to conditions.

10. Recommendation

- 10.1. That no objection be raised to the stopping up of the footpath within the application site and that the Department for Transport be requested to make an Order in accordance with Section 257 of the Town & Country Planning Act 1990.
- 10.2. That Planning Permission be granted, subject to the following conditions.

1	Requires the scheme to be in accordance with the listed approved plans
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-
- 2 Implement within 3 years (Full)
 - 3 Requires the submission of sample materials and architectural details
 - 4 Requires the submission prior to occupation of hard and soft landscape details
 - 5 Requires the prior submission of earthworks/levels details
 - 6 Requires the submission of boundary treatment details
 - 7 Requires the submission of a landscape management plan
 - 8 Requires pedestrian visibility splays to be provided
 - 9 Requires the provision of a vehicle charging point
 - 10 Requires the provision of cycle parking prior to occupation
 - 11 Requires the prior submission of drainage plans for disposal of foul and surface water flows
 - 12 Requires the prior submission of a sustainable drainage scheme
 - 13 Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan
 - 14 Requires the submission of a scheme for ecological/biodiversity/enhancement measures
 - 15 Requires the prior submission of a contamination remediation scheme
 - 16 Requires the submission of a contaminated land verification report
 - 17 Requires the prior submission of a construction method statement/management plan
 - 18 Requires prior submission of Arboricultural Method Statement
 - 19 Requires pre-commencement meeting to discuss tree protection
 - 20 Energy and Sustainability measures in accordance with submitted statement
 - 21 Requires the prior payment of a financial contribution of £30,000.00 towards improvements of children's play facilities at Walmesley Way playground or Allens Cross recreation ground
-

Case Officer: Laura Shorney

Photo(s)



Photograph 1: Aerial View of Site (@Google Maps)



Photograph 2: View onto site from Tudbury Road

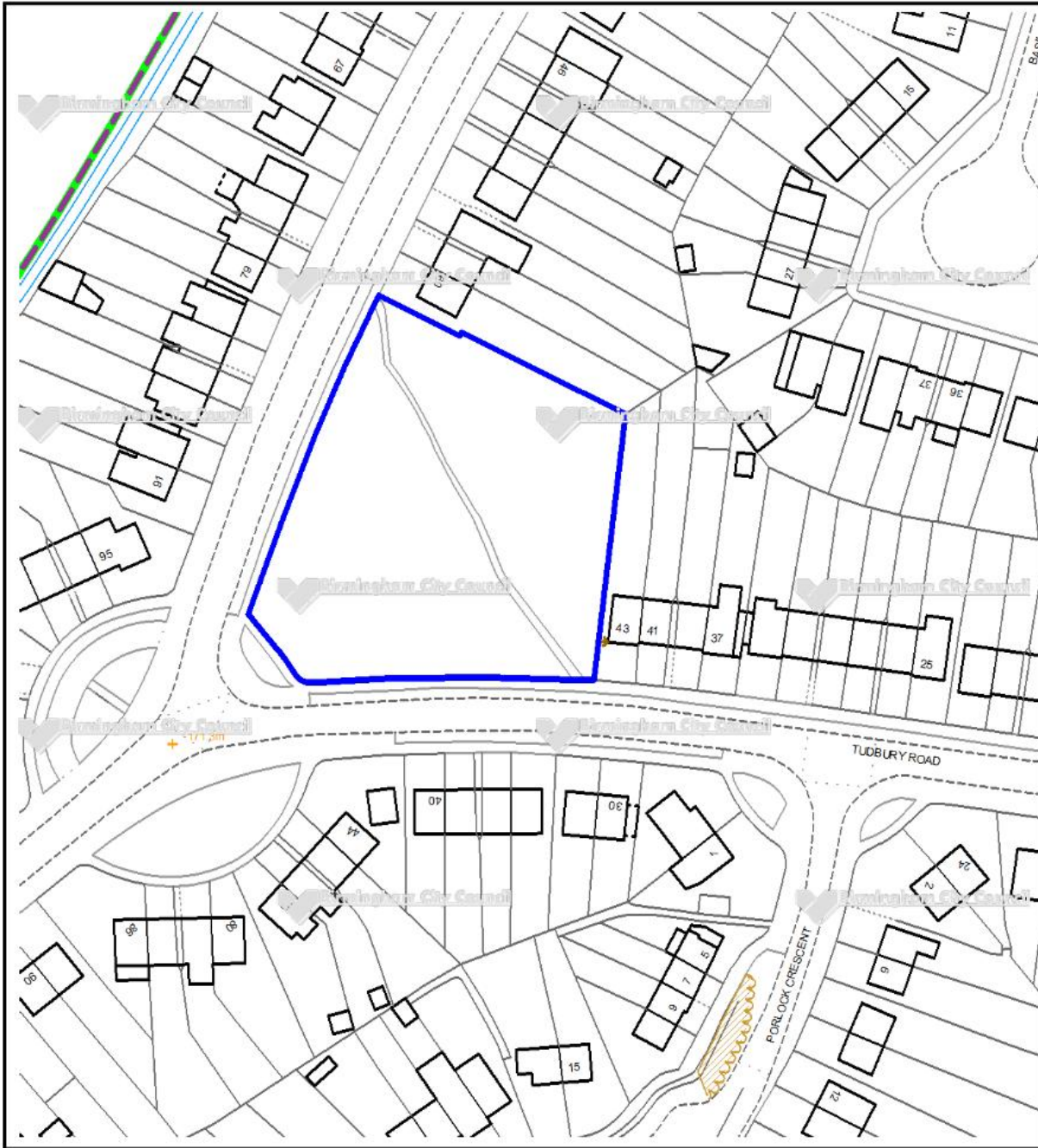


Photograph 3: View onto site from Trescott Road



Photograph 4: View from junction of Trescott and Tudbury Road

Location Plan



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Birmingham City Council

Report to Planning Committee

15 June 2023

Subject: Enforcement Performance

Report of Ian MacLeod - Director of Planning Transport and Sustainability, Place, Prosperity & Sustainability Directorate. Email Address: Ian.MacLeod@birmingham.gov.uk

Report author: Mark Franklin - Principal Enforcement Officer, Planning & Development.
Email Address: mark.franklin@birmingham.gov.uk

Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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If relevant, provide exempt information paragraph number or reason if confidential:

1. Executive Summary

It was agreed at Planning Committee on 29 April 2021 that bi-annual reports would be provided to committee as stated in the Birmingham Local Enforcement Plan. It was also agreed at Economy & Skills Overview & Scrutiny Committee on 2 March 2022 that the report would be sent to all Councillors. This report shows performance/data for the financial year half, 1 October 2022 to 31 March 2023.

2. Recommendations:

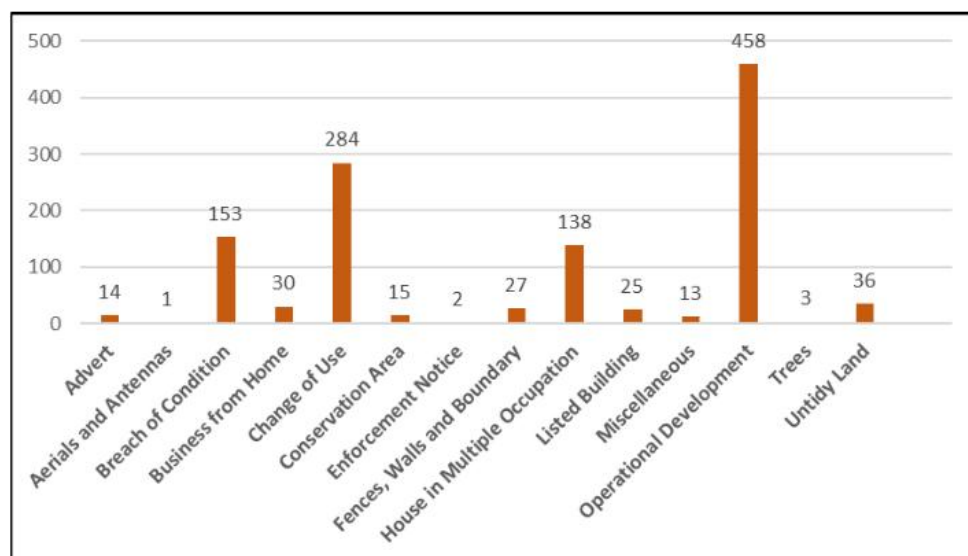
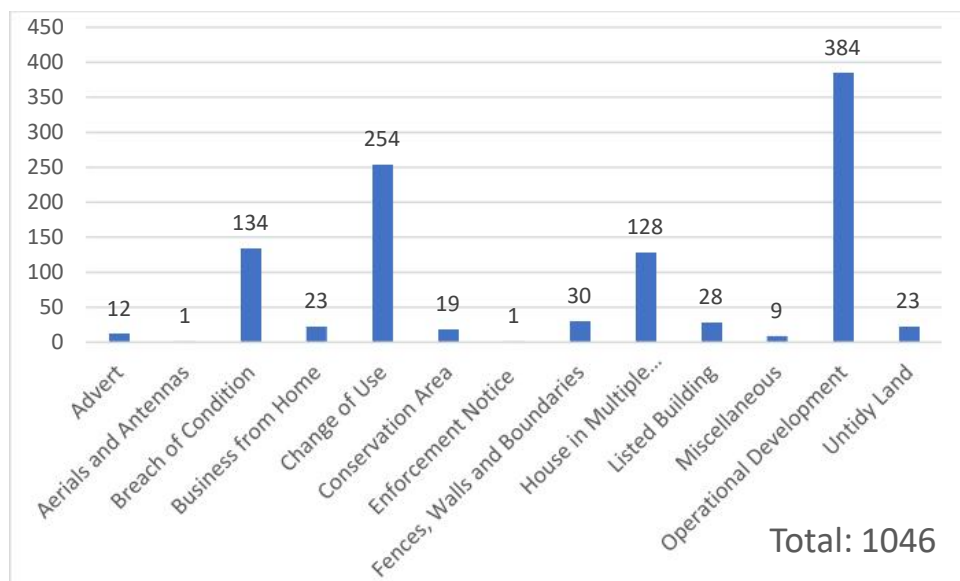
- 2.1. The report is for information only and recommended that Planning Committee note the continued high volume of live case work within the Enforcement team and the positive actions in terms of cases closed; notices served and negotiated solutions.

3. Background:

- 3.1 As members will recall from previous reports the overall management responsibility for enforcement sits with James Wagstaff. The team is divided into North and South teams. There are eight senior enforcement officers (SEO) (two are part time) who investigate complaints received and one enforcement officer (EO) who registers the complaints and has a small caseload.
- 3.2 Staffing has slightly changed since the last report. Our graduate officer has left due to her graduate contract expiring and a new graduate, Marcel Grater has joined the team on a 2 year fixed term graduate scheme. One team member has been on long term sick leave and is due to return shortly. Maria Franklin has joined the team to look solely at supported exempt accommodation planning cases. Her position is temporary for 12 months and is funded by the Pilot SEA project. There maybe scope to extend this if there is external funding available. SEA is a significant national priority and Birmingham is playing a key role in leading on this national project which this post feeds in to.
- 3.3 Previous report at committee members raised request to have previous six month stats in order to compare and contrast, therefore members will be pleased to see this has been adopted in the report below.

4. Performance/Data:

4.1 The blue chart below outlines the total number of live cases as of 31 March – 1046 live cases. Previous half year figure (orange graph) was 1199 live cases. The live cases can be categorised as the following:



4.2 The table below illustrates the number of live cases per ward the number in brackets is the last half year figure:

WARD	Count
Acocks Green	25 (36)
Allens Cross	2 (5)
Alum Rock	36 (48)
Aston	16 (21)
Balsall Heath West	14 (12)
Bartley Green	10 (12)
Billesley	14 (17)
Birchfield	17 (27)

Bordesley & Highgate	25 (33)
Bordesley Green	22 (25)
Bournbrook & Selly Park	40 (42)
Bournville & Cotteridge	10 (10)
Brandwood & King's Heath	15 (18)
Bromford & Hodge Hill	24 (21)
Castle Vale	4 (3)
Druids Heath & Monyhull	5 (3)
Edgbaston	12 (19)
Erdington	25 (33)
Frankley Great Park	3 (4)
Garretts Green	5 (7)
Glebe Farm & Tile Cross	31 (23)
Gravelly Hill	13 (24)
Hall Green North	17 (23)
Hall Green South	8 (12)
Handsworth	22 (23)
Handsworth Wood	18 (25)
Harborne	26 (27)
Heartlands	13 (23)
Highter's Heath	1 (5)
Holyhead	6 (12)
King's Norton North	5 (5)
King's Norton South	2 (2)
Kingstanding	10 (11)
Ladywood	13 (16)
Longbridge & West Heath	5 (10)
Lozells	18 (20)
Moseley	43 (41)
Nechells	9 (8)
Newtown	12 (12)
North Edgbaston	32 (40)
Northfield	5 (2)
Oscott	18 (18)
Perry Barr	17 (21)
Perry Common	7 (6)
Pype Hayes	14 (15)
Quinton	16 (15)
Rubery & Rednal	3 (3)
Shard End	4 (8)
Sheldon	15 (13)
Small Heath	18 (18)
Soho & Jewellery Quarter	46 (42)
South Yardley	11 (13)
Sparkbrook & Balsall Heath East	42 (57)
Sparkhill	31 (36)
Stirchley	9 (10)
Stockland Green	32 (36)
Sutton Four Oaks	5 (7)
Sutton Mere Green	1 (1)
Sutton Reddicap	6 (7)
Sutton Roughley	5 (2)

Sutton Trinity	11 (9)
Sutton Vesey	11 (19)
Sutton Walmley & Minworth	10 (10)
Sutton Wylde Green	7 (6)
Tyseley & Hay Mills	12 (8)
Ward End	25 (24)
Weoley & Selly Oak	15 (14)
Yardley East	11 (11)
Yardley West & Stechford	11 (10)
Total	1046 (1199)

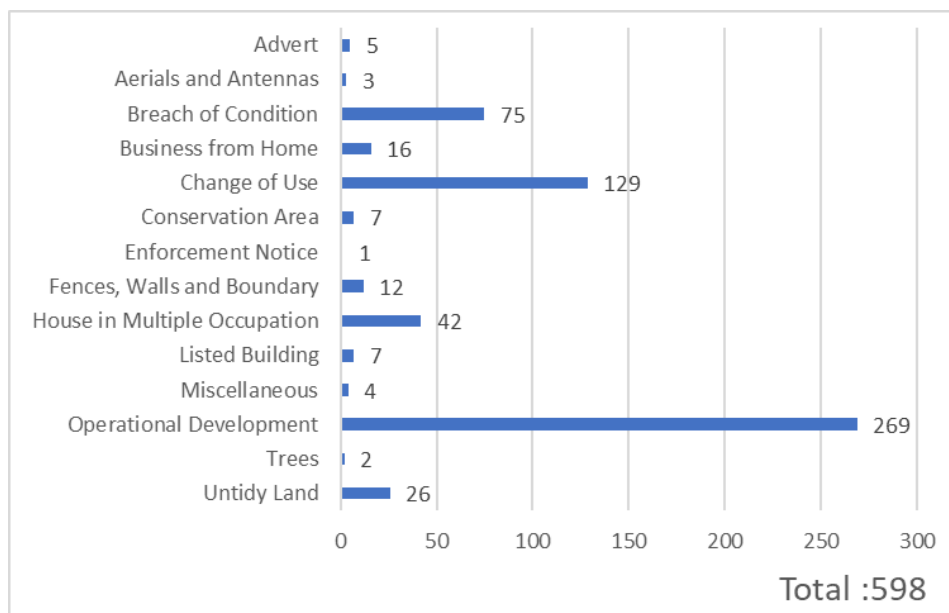
4.3 There has been a total of 598 cases closed during the final six months of the financial year (FY). The first six months of the FY had 398 case closures. The table below shows the number of closed cases per ward during the final six months of the FY. The figures in brackets are the first six months of the FY, meaning 996 cases closed in a 12 month period.

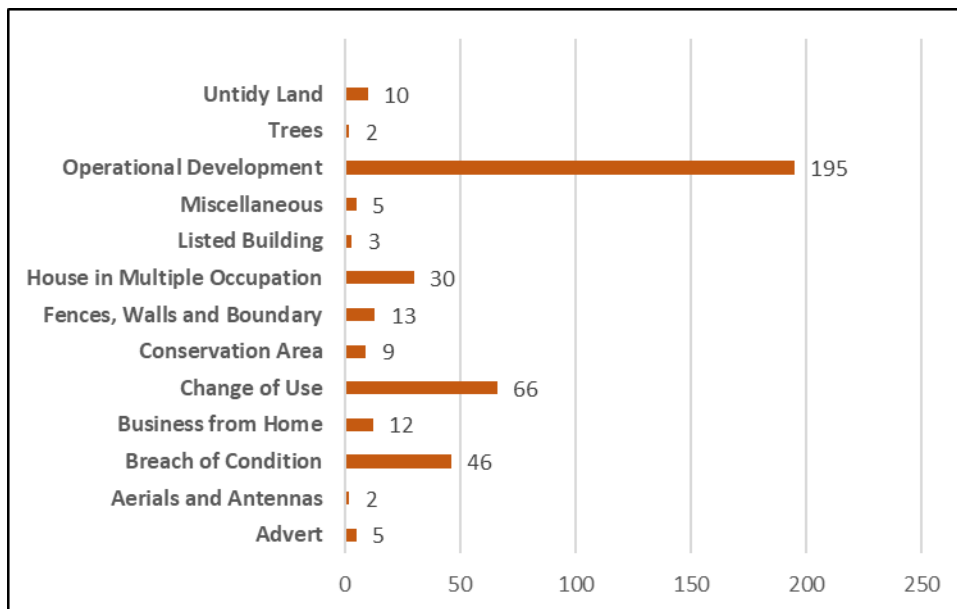
WARD	Count
Acocks Green	22 (13)
Allens Cross	3 (5)
Alum Rock	19 (11)
Aston	7 (4)
Balsall Heath West	4 (1)
Bartley Green	6 (40)
Billesley	9 (40)
Birchfield	16 (2)
Bordesley & Highgate	11 (4)
Bordesley Green	13 (12)
Bournbrook & Selly Park	15 (16)
Bournville & Cotteridge	7 (7)
Brandwood & King's Heath	9 (16)
Bromford & Hodge Hill	7 (7)
Castle Vale	6 (2)
Druids Heath & Monyhull	0 (2)
Edgbaston	14 (12)
Erdington	20 (19)
Frankley Great Park	3 (2)
Glebe Farm & Tile Cross	9 (5)
Gravelly Hill	16 (10)
Hall Green North	15 (15)
Hall Green South	8 (8)
Handsworth	7 (5)
Handsworth Wood	14 (10)
Harborne	12 (13)
Heartlands	10 (1)
Highter's Heath	4 (2)
Holyhead	8 (1)
King's Norton North	1 (1)
King's Norton South	2 (2)
Kingstanding	5 (3)
Ladywood	8 (4)
Longbridge & West Heath	5 (3)

Lozells	6 (0)
Moseley	19 (17)
Nechells	2 (1)
North Edgbaston	(14)
Northfield	0 (2)
Oscott	5 (2)
Perry Barr	11 (2)
Perry Common	1 (2)
Pype Hayes	8 (5)
Quinton	8 (11)
Rubery & Rednal	6 (1)
Sheldon	7 (5)
Small Heath	9 (8)
Soho & Jewellery Quarter	13 (6)
South Yardley	6 (7)
Sparkbrook & Balsall Heath East	24 (9)
Sparkhill	20 (4)
Stirchley	14 (4)
Stockland Green	11 (8)
Sutton Four Oaks	6 (11)
Sutton Mere Green	2 (5)
Sutton Reddicap	4 (4)
Sutton Roughley	4 (1)
Sutton Vesey	14 (12)
Sutton Walmley & Minworth	2 (9)
Sutton Wylde Green	9 (3)
Tyseley & Hay Mills	2 (4)
Ward End	9 (4)
Weoley & Selly Oak	5 (6)
Yardley East	8 (3)
Yardley West & Stechford	4 (2)

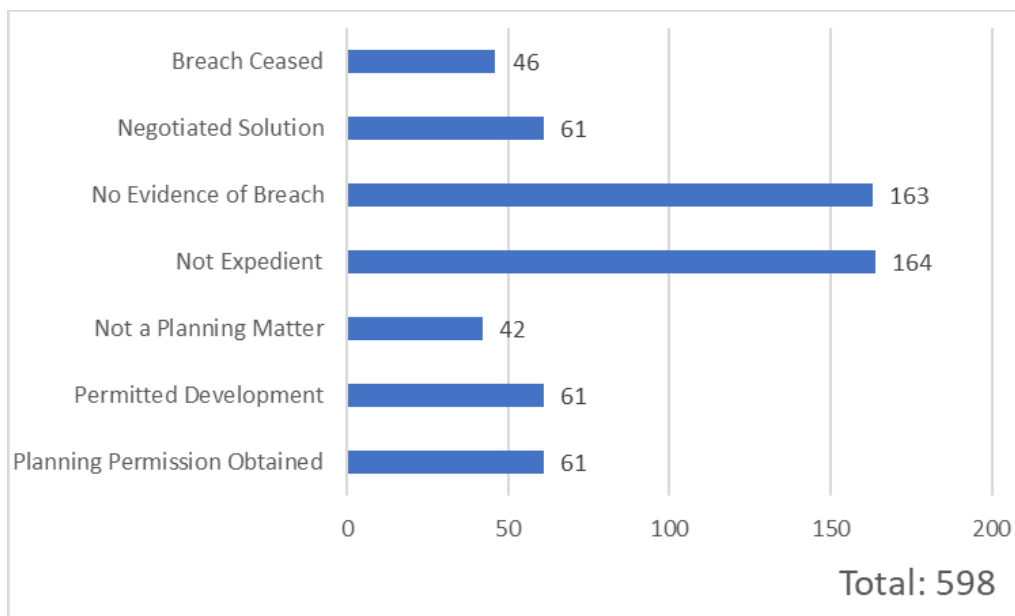
598 (398)

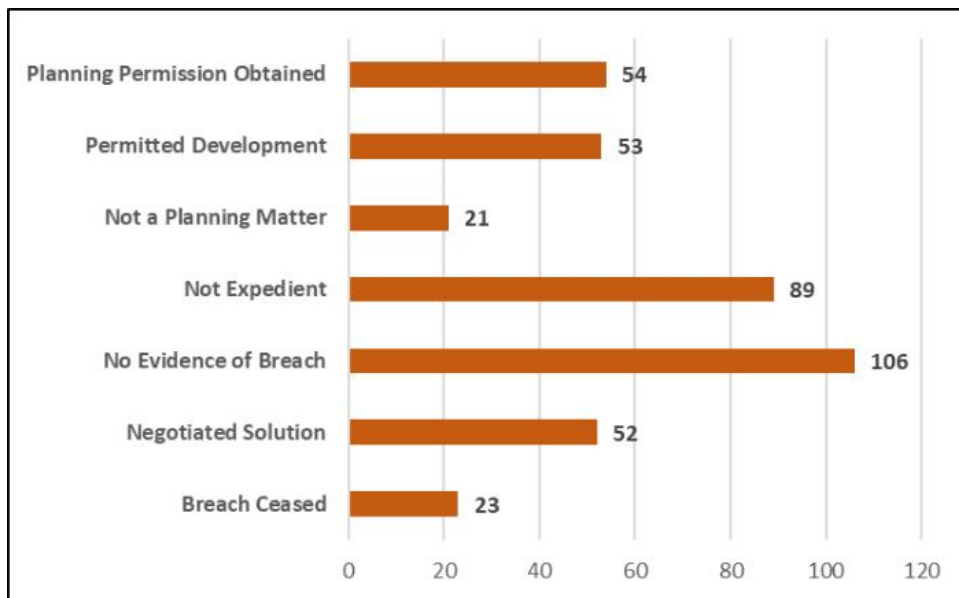
4.4 The blue chart below shows the categories of those cases closed. Operational development is by far the main source of complaint, followed by a change of use. The orange chart below shows previous figures for comparison.



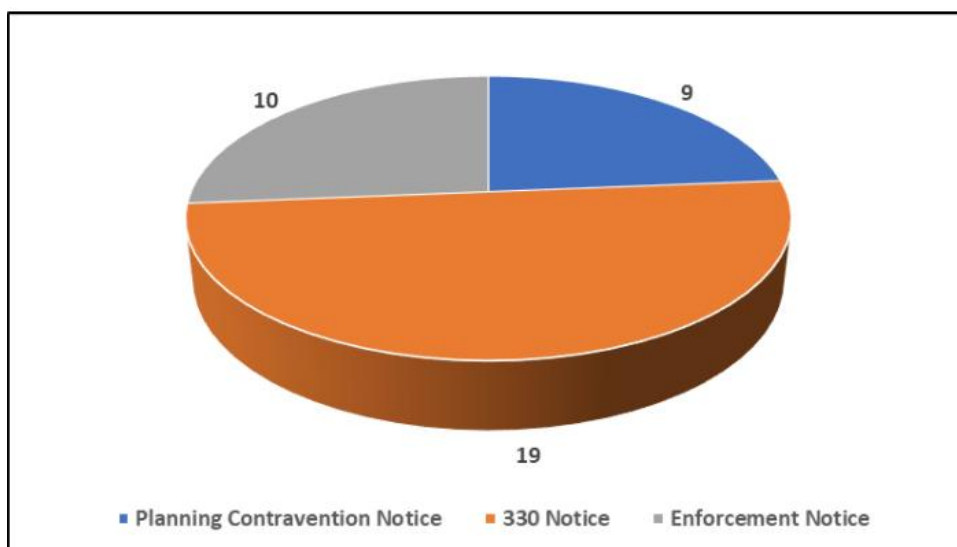
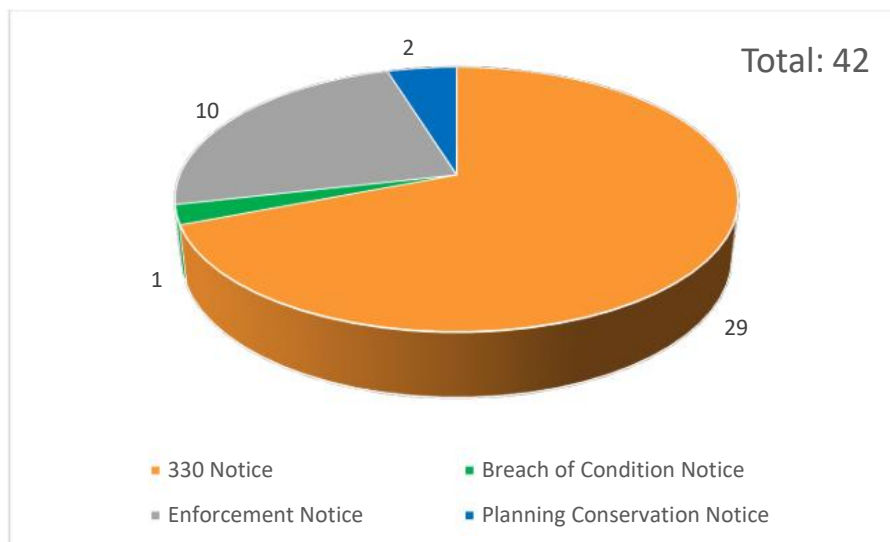


4.4.1 The blue chart below shows the categories why those cases were closed. It is pertinent to note over 60 cases were resolved by officer negotiation, without the need for formal action. Also, to note, the increase in number of cases closed that were either no breach identified or permitted development. This enforces the need for the online complaint form to be completed fully when either members of the public or councillors want to allege a breach. A significant proportion of officer time is spent in registering cases, conducting history checks and site visits only to identify no breach when this resource could be targeted at harmful breaches. This of course has an impact on team resource and financial resource. The orange chart below shows the previous figures for comparison.





4.5 The chart below displays the number of notices and type of notice issued during the period. The second chart below shows previous figures for comparison.



4.6 Since 2018 the local planning authority has referred several cases, where appropriate, to Crown Court to obtain a confiscation order under the Proceeds of Crime Act. The table below shows our success to date. A total of **£427,981.89** has been awarded to the Council. The Planning Enforcement Team receive roughly 1/6th of that figure, so over £71,000 which must be reinvested into prevention/detection of crime and separating offenders from the proceeds of their crimes.

<u>Date</u>	<u>Payment</u>	<u>Breach</u>
02/01/2018	£5,004.38	Unauthorised erection of a first-floor extension
04/01/2019	£114,000.00	Unauthorised change of use to a hot food takeaway
27/03/2019	£50,000.00	Unauthorised change of use to a hot food takeaway
02/04/2019	£5,896.00	Unauthorised change of use to a hot food takeaway
10/03/2020	£25,000.00	Unauthorised change of use to shisha cafe
11/03/2020	£25,000.00	Unauthorised change of use to shisha cafe
12/03/2020	£19,000.00	Unauthorised change of use to shisha cafe
14/04/2020	£28,000.00	Unauthorised rear extension
15/04/2020	£9,433.39	Unauthorised rear extension
05/03/2021	£15,000.00	Unauthorised first floor extension
10/03/2021	£14,648.12	Unauthorised first floor extension
01/10/2021	£50,000.00	Unauthorised change of use to a HMO
15/12/2022	£67,000.00	Unauthorised basement flat
	£427,981.89	

- 4.7 There are a number of cases being considered by our Legal team as to whether or not the Council is in a position to issue summons. One summons has recently been issued.
- 4.8 There have been 2 appeals dismissed by the Planning Inspectorate during this period (5 during last period) relating to enforcement notices issued. This continues the Team's success at the appeal stage. The matters won were:
- Removal of a shopfront on a conservation area
 - Storage of shipping containers
- 4.9 Team members have been part of a joint warrant execution at a premises in North Edgbaston and have also assisted in obtaining a closure order at a property in Lozells. Also to note, was the successful member engagement session held at the Council House and officers attending ward meetings.
- 4.10 As the Committee are aware from 4.4.1 above the Team resolve many cases through negotiation - "Negotiated Solution". This work generally goes unnoticed. Therefore, I continue to provide below, a few examples of this work for your information and to demonstrate what can be achieved through the perseverance of our officers.

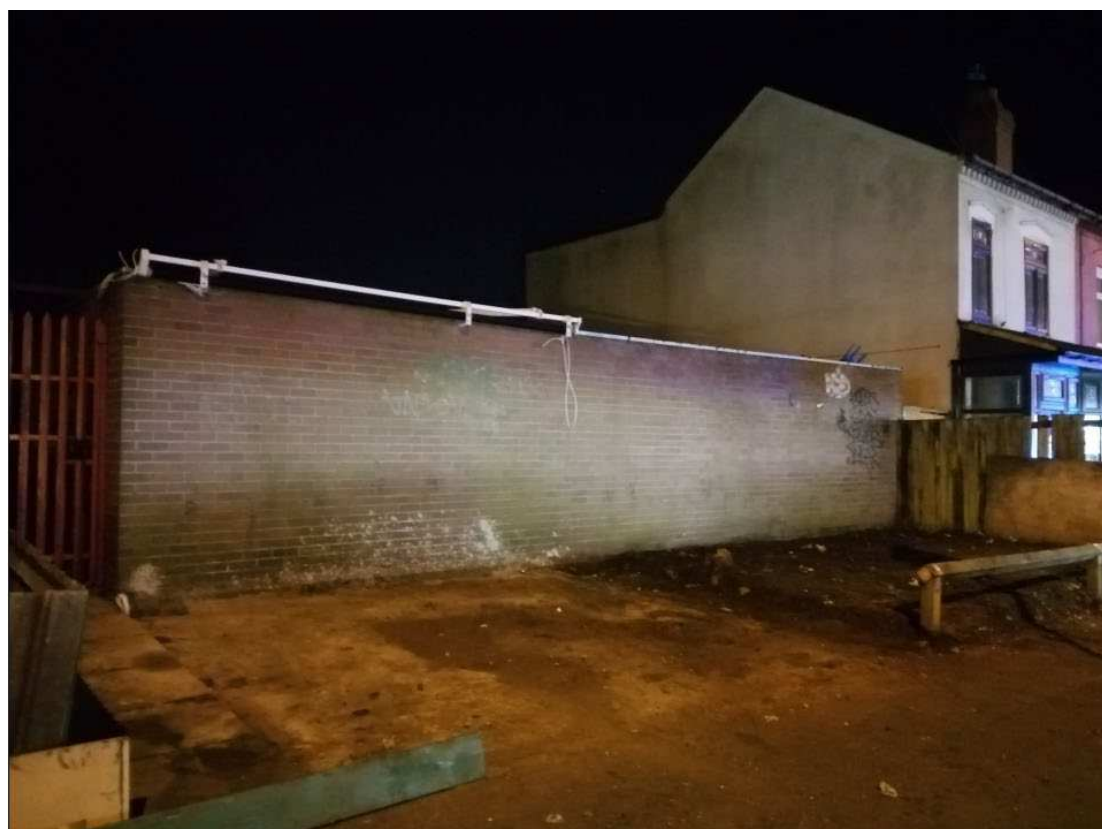
Untidy site - before and after:



Gabel to Hip roof alteration and reduction of rear dormer in a conservation area:



Makeshift shop – before and after:



Front boundary fencing reduced in height:



UPVC windows to sliding sash windows in an Article 4 area:



Removal of a take-away hut:



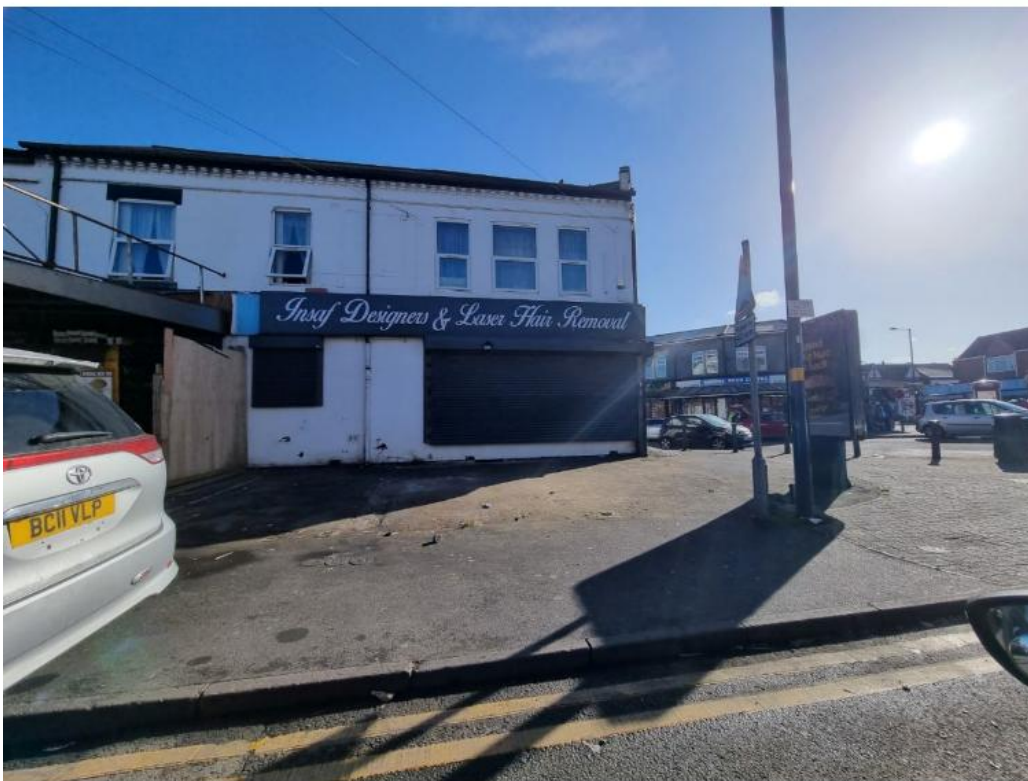
Large garden building to host parties demolished:



Bungalow reduced in size and all fixtures and fittings removed to change it to an incidental garden building:



Unauthorised business extension removed:



5.0 Recommendation

- 5.1 That the report be noted, and bi-annual reports continue to be presented to Planning Committee in accordance with the Birmingham Local Enforcement Plan.

Ian MacLeod
Director of Planning Transport and Sustainability

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