

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE

THURSDAY, 09 JULY 2015 AT 11:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

2 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will make announcements, if any.

3 APOLOGIES

To receive any apologies.

4 MINUTES - PUBLIC - 25 JUNE 2015

To note the public part of the Minutes of the last meeting.

5 MATTERS ARISING

To discuss matters arising.

6 NOTIFICATION BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE

To receive notifications from Members.

4 - 15

7 **PETITION(S)**

To consider petitions relating to planning applications submitted by Councillors on behalf of local residents.

PLANNING APPLICATION(S) IN RESPECT OF THE EAST AREA

16 - 27 8 **AVALON HOTEL, 48 SHERBOURNE ROAD, ACOCKS GREEN - 2015/01963/PA**

Report of Director of Planning & Regeneration

28 - 38 9 **BALDMOOR LAKE ROAD, LAND TO THE REAR, FORMER COURT LANE ALLOTMENTS, ERDINGTON - 2015/03116/PA**

Report of Director of Planning & Regeneration

39 - 48 10 **BRITISH LEGION, 16 BOTTEVILLE ROAD, ACOCKS GREEN - 2015/03105/PA**

Report of Director Of Planning & Regeneration

49 - 60 11 **LAND OFF FARNBOROUGH ROAD, CASTLE VALE - 2015/02540/PA**

Report of Director Of Planning & Regeneration

61 - 66 12 **62 MONTGOMERY STREET, SPARKBROOK - 2015/00988/PA**

Report of Director of Planning & Regeneration

PLANNING APPLICATION(S) IN RESPECT OF THE SOUTH AREA

67 - 76 13 **LAND AT LONGBRIDGE WEST, NORTH OF BRISTOL ROAD SOUTH, LONGBRIDGE - 2015/03066/PA**

Report of Director of Planning & Regeneration

77 - 83 14 **20 WAKE GREEN ROAD, MOSELEY - 2015/01804/PA**

Report of Director of Planning & Regeneration

84 - 88 15 **NOS. 1-19 (ODDS) DEE GROVE, FORTH GROVE, AND 2-36 (EVENS) ITHON GROVE, KINGS NORTON - 2015/04954/PA**

Report of Director of Planning & Regeneration

PLANNING APPLICATION(S) IN RESPECT OF THE NORTH WEST AREA

89 - 100

16 **PLANTSBROOK SCHOOL, UPPER HOLLAND ROAD, SUTTON COLDFIELD - 2015/02634/PA**

Report of Director of Planning & Regeneration

101 - 107

17 **36 UPPER CLIFTON ROAD, SUTTON COLDFIELD - 2015/03668/PA**

Report of the Director of Planning & Regeneration

18 **VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS**

To authorise available Members to visit sites in connection with planning applications and to submit recommendations as appropriate.

19 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

20 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

21 **EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted which includes exempt information of the category indicated the public be now excluded from the meeting:-

Minutes - Exempt Paragraph 3

P R I V A T E A G E N D A

22 **MINUTES - PRIVATE - 25 JUNE 2015**

Item Description

23 **MATTERS ARISING - PRIVATE**

To discuss matters arising.

24 **ADVERTISING CONTRACT**

Item Description

25 **OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
25 JUNE 2015

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON
THURSDAY, 25 JUNE 2015 AT 1100 HOURS IN COMMITTEE ROOMS 3
AND 4, COUNCIL HOUSE, BIRMINGHAM**

PRESENT:-

Councillor Sharpe in the Chair;

Councillors Azim, Beauchamp, Booton, J Clancy, Cornish, Douglas Osborn, Fazal, Griffiths, C Jones, M Khan, Moore, Straker Welds and F Williams.

PUBLIC ATTENDANCE

- 3852 The Chairman welcomed members of the public to the meeting, indicating that a leaflet had been circulated explaining how the Committee operated. He stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

NOTICE OF RECORDING

- 3853 The Chairman advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and members of the press/public could record and take photographs. The whole of the meeting would be filmed except where there were confidential or exempt items.

CHAIRMAN'S ANNOUNCEMENTS

Planning Committee Meetings

- 3854 The Chairman informed Members that meetings were scheduled to take place on 9, 23 July, 6 and 20 August 2015. He added that Members' training was due to be held on 2 July 2015.

APOLOGIES

- 3855 Apologies were submitted on behalf of Councillor Linnecor.

MINUTES

3856 **RESOLVED:-**

That the Minutes of that part of the last meeting of the Committee open to the public be noted.

MATTERS ARISING

3857 There were no matters arising.

NOTIFICATIONS BY MEMBERS OF PLANNING APPLICATIONS THAT THEY CONSIDER SHOULD BE DETERMINED BY COMMITTEE

3858 No notifications were raised.

PETITION

3859 No petitions were received.

The business of the meeting and all discussions in relation to individual planning applications including issues raised by objectors and supporters thereof was available for public inspection via the web-stream.

REPORTS OF THE DIRECTOR OF PLANNING AND REGENERATION

The following reports were submitted:-

(See document No 1)

Planning Applications in Respect of the North West Area

Report No 8 – Arthur Road, Handsworth – 2015/02619/PA

The Area Planning Manager (North West) advised that an additional letter, objecting to the proposal, had been received.

Objectors spoke against the application.

Supporters spoke in favour of the application.

The Area Planning Manager (North West) responded to comments made by the objectors and supporters.

Members commented on the application and it was suggested that conditions be added regarding the entrance and emergency exits and also a school travel plan.

The Area Planning Manager (North West) and Head of Planning Management responded thereto explaining that, in order to restrict an entrance to an emergency exit only by condition, the Committee would need to be satisfied that imposing such a restriction would not pose a risk. It was, therefore, agreed that only an extra condition be included regarding the school travel plan and upon being put to a vote it was unanimously agreed that it be:-

3860 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report and amended below:-

New Condition 10:

Requires the submission of a school travel plan

No development shall take place until a detailed school travel plan has been submitted to and approved by the Local Planning Authority. This should include clear objectives to influence and encourage reduced dependency on the private car with a package of measures to meet this objective.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005.

Report No 9 – Land at the Corner of Aston Lane/Wellhead Lane and to the Rear of Aston Lane, Perry Barr – 2015/01779/PA

The Committee was advised that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

3861 **RESOLVED:-**

That it be noted that the application had been withdrawn from the agenda by the Director of Planning and Regeneration.

Report No 10 – George Street (Land at Former Wattville Infant and Nursery School), Handsworth – 2014/04477/PA

The Committee was advised that the application had been withdrawn from the planning register by the applicant.

3862 **RESOLVED:-**

That it be noted that the application had been withdrawn from the planning register by the applicant.

Report No 11 – Land at the Junction of Park Lane, Sutton Street and Dunsfold Croft, Aston – 2015/03573/PA

3863 **RESOLVED:-**

- (i) That planning permission be granted subject to the conditions set out in the report;
 - (ii) that no objection be raised to the stopping up of the areas of public highway within the application site and that the Department for Transport be requested to make an Order in accordance with Section 247 of the Town and Country Planning Act 1990.
-

Report No 12 – 53 Thornhill Road, Handsworth – 2015/02360/PA

A Member commented on the application and the Area Planning Manager (North West) responded thereto.

Upon being put to a vote it was 11 in favour, 2 against and 0 abstentions:-

3864 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 13 – Land to Rear of 125 Hill Village Road, Sutton Coldfield – 2015/02068/PA

Members commented on the application and the Head of Planning Management and Area Planning Manager (North West) responded thereto.

Upon being put to a vote it was 8 in favour, 4 against and 1 abstention:-

3865 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 14 – Greenholm Primary School, Greenholm Road, Perry Barr – 2015/01898/PA

The Area Planning Manager (North West) advised that he wished to amend the condition regarding the school travel plan.

Members commented on the application and, in response to a request, it was agreed that a briefing note concerning travel plans be submitted to the next meeting.

The Head of Planning Management and the Area Planning Manager (North West) responded to Members' comments.

3866

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report and amended below:-

Amended Condition 13:

Requires the submission of an updated school travel plan

No development shall take place until a detailed school travel plan has been submitted to and approved in writing by the Local Planning Authority and thereafter reviewed annually (or other agreed frequency), including monitoring/ review/introduction of necessary traffic management measures and appropriate parking enforcement on the local highway network required as a result of the operation of the expanded school. This should include clear objectives to influence and encourage reduced dependency on the private car with a package of measures to meet this objective. The development shall thereafter be undertaken in accordance with the approved travel plan.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with paragraphs 3.8, 3.10, 6.17 and 6.20 of the Birmingham UDP 2005.

Report No 15 – Greenholm Primary School, Greenholm Road, Perry Barr – 2015/03612/PA

3867

RESOLVED:-

That temporary planning permission be granted subject to the conditions set out in the report.

Report No 16 – St Joseph’s Catholic Primary School, Little Sutton Lane, Sutton Coldfield – 2015/03132/PA

An objector spoke against the application.

At this point in the meeting Councillor Sharpe, Chairman, left the room and, in his absence, Councillor J Clancy, Deputy Chairman, assumed the Chair.

COUNCILLOR J CLANCY IN THE CHAIR.

A supporter spoke in favour of the application.

The Area Planning Manager (North West) and the Transport Manager responded to comments made by the objector and supporter.

Members commented on the application and the Head of Planning Management, Area Planning Manager (North West) and the Transport Manager responded thereto.

The Head of Planning Management undertook to liaise with education officers to try to ascertain further information regarding pupils’ needs and school places within Birmingham and neighbouring authorities.

Upon being put to a vote it was 7 in favour, 3 against and 2 abstentions:-

3868

RESOLVED:-

That temporary planning permission be granted subject to the conditions set out in the report.

Councillor Sharpe returned to the meeting and resumed the Chair.

COUNCILLOR SHARPE IN THE CHAIR.

Planning Applications in Respect of the South Area

Report No 17 – Land Adjacent 37 Longwood Road, Rubery – 2015/03424/PA

The Area Planning Manager (South) advised that an additional petition, objecting to the proposal, had been received.

He pointed out that he wished to amend condition 2 and add an extra condition concerning cycle storage.

An objector spoke against the application.

The Area Planning Manager (South) and Transport Manager responded to comments made by the objector.

Members commented on the application and the Area Planning Manager (South) responded thereto.

Upon being put to a vote it was 7 in favour, 3 against and 3 abstentions:-

3869

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report and amended below:-

Amended Condition 2:

Requires the scheme to be in accordance with the listed approved plans

Development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers 006 Rev A, 007 Rev B, 008 Rev B, 009 Rev B, 010 Rev B, 005 Rev C ('the approved plans'). The reference to 'four apartments' is incorrect.

Reason: In order to define the permission in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

New Condition 9:

Requires the prior submission of cycle storage details

No development shall take place until details of the provision for the secure and covered storage for cycles have been submitted to and approved in writing by the Local Planning Authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.

Report No 18 – Land Off Milford Road, Harborne – 2015/02275/PA

Members commented on the application and the Head of Planning Management, Area Planning Manager (South) and Transport Manager responded thereto.

Upon being put to a vote it was 8 in favour, 2 against and 2 abstentions:-

3870 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 19 – Ark Kings Academy, Shannon Road, Kings Norton – 2015/02637/PA

The Area Planning Manager (South) advised that Severn Trent Water had raised no objection to the proposal.

Members commented on the application and the Area Planning Manager (South) responded thereto.

3871 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 20 – 287-299 Pershore Road South, Kings Norton – 2015/00036/PA

Members commented on the application and the Head of Planning Management and Area Planning Manager (South) responded thereto.

Upon being put to a vote it was 7 in favour, 6 against and 0 abstentions:-

3872 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 21 – 48 Colebourne Road, Billesley – 2015/03583/PA

3873 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Planning Application in Respect of the East Area

Report No 22 – 68 Nansen Road, Sparkhill – 2015/02374/PA

The Committee was advised that the application had been withdrawn from the planning register by the applicant.

3874 **RESOLVED:-**

That it be noted that the application had been withdrawn from the planning register by the applicant.

Report No 23 – Battery Way, Tyseley – 2015/02506/PA

3875 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Report No 24 – 205 Formans Road, Sparkbrook – 2015/02317/PA

3876 **RESOLVED:-**

That planning permission be granted subject to the conditions set out in the report.

Planning Applications in Respect of the City Centre Area

Report No 25 – Land at Florence Street, Windmill Street and Bow Street, Holloway Head, City Centre – 2014/09582/PA

The Area Planning Manager (City Centre) advised that she wished to amend the recommendations and add an extra clause. She also wished to amend the conditions.

Members commented on the application and the Area Planning Manager (City Centre) responded thereto.

3877 **RESOLVED:-**

- (i) That consideration of the application be deferred pending the completion of a suitable legal agreement as set out in the report;
- (ii) that, in the event of the above legal agreement not being completed to the satisfaction of the local planning authority by 31 August 2015, planning permission be refused for the reasons set out in the report;

- (iii) that, in the event of the legal agreement being completed to the satisfaction of the local planning authority by 31 August 2015, favourable consideration would be given to the planning application subject to the conditions set out in the report and amended below:-

New Condition 21:

Prior to the first occupation of the development a scheme of CCTV shall be installed on the site in accordance with a scheme that has first been submitted and approved in writing by the Local planning Authority.

Reason: In the interests of the safety and security of future occupiers in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

- (iv) that the Director of Legal and Democratic Services be authorised to prepare and seal the appropriate legal agreement;
- (v) that no objection be raised to the stopping up of part of Ernest Street and Exeter Street and that the Department for Transport be requested to make an order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.
- (vi) New Recommendation 8.5: that, in the event of the planning obligation being completed by 31 August 2015, planning permission be granted subject to the conditions set out in the report.

Report No 26 – The Gas Retort House, Gas Street, City Centre – 2015/01576/PA

The Area Planning Manager (City Centre) advised that condition 4 had been updated to reflect the proposed hours for amplified music.

Members commented on the application and the Area Planning Manager (City Centre) responded thereto.

3878

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report.

POLICY REPORTS

ISSUES REPORT – 103 COLMORE ROW

The following report of the Director of Planning and Regeneration was submitted:-

(See document No 2)

The Area Planning Manager (City Centre) highlighted that there were some inaccuracies in the report and gave details of the corrections.

Representatives of the agent, GW Planning Limited, and the applicant, Sterling Property Ventures Limited, gave a powerpoint presentation outlining the proposal.

Members commented on the proposal and the Head of Planning Management, Area Planning Manager (City Centre), the agent and the applicant responded thereto.

3879 **RESOLVED:-**

That the report be noted.

**APPEAL DECISIONS RECEIVED FROM THE PLANNING INSPECTORATE
IN MAY 2015**

The following schedule was submitted:-

(See document No 3)

The Head of Planning Management reported on the decisions received from the Planning Inspectorate in May 2015.

3880 **RESOLVED:-**

That the schedule of appeal decisions received from the Planning Inspectorate in May 2015 be noted.

VISITS TO SITES IN CONNECTION WITH PLANNING APPLICATIONS

3881 There were no site visits pending.

OTHER URGENT BUSINESS

3882 No other urgent business was raised.

AUTHORITY TO CHAIRMAN AND OFFICERS

3883

RESOLVED:-

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

EXCLUSION OF THE PUBLIC

3884

RESOLVED:-

That, in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting:-

Agenda Item etc

**Paragraph of Exempt
Information Under Revised
Schedule 12A of the Local
Government Act 1972**

Private section of the Minutes of the last meeting 3

Committee Date:	09/07/2015	Application Number:	2015/01963/PA
Accepted:	22/05/2015	Application Type:	Full Planning
Target Date:	17/07/2015		
Ward:	Acocks Green		

Avalon Hotel, 48 Sherbourne Road, Acocks Green, Birmingham, B27 6EA

Retention of change of use from a hotel (Use class C1) to a HMO (Sui Generis)

Applicant: Mr Dean Woodward
22 Liththorne Rd, Solihull, West Midlands, B91 2BD
Agent:

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This planning application seeks consent for the change of use of an existing hotel (C1 use), known as the Avalon Hotel at 48 Sherborne Road in Acocks Green, to a House of Multiple Occupation (HMO) (Sui Generis Use) that would provide 11 separate bedrooms with en-suite bathroom facilities to be used to provide residential accommodation with a maximum of 11 occupants at any one time.
- 1.2. The proposal does not seek any internal or external modifications to the buildings as part of the change of use proposal and the applicant has stated that they intend to use the buildings existing layout (as a former hotel) to service the needs of the HMO and its occupants.
- 1.3. In addition to the 11 bedrooms with en-suite bathrooms facilities, of which 3 would be located on the ground floor and 7 on the first floor with stair and lift access, the building would also provide internal circulation space, communal kitchen facilities for occupants with a separate dining area, a communal lounge and an office space.
- 1.4. In addition, there is an existing parking area to the rear of the site that is currently used for the parking/storage of vehicles which the applicant has indicated upon submitted plans that 16 parking spaces could be accommodated within this area.
- 1.5. The applicant has indicated that residents who would occupy the building would be free market tenants (i.e. any person is able to rent subject to affordability and referencing checks) and that no care provision of any kind is to be provided (i.e. social care, etc.).
- 1.6. The planning submission has made reference within its written text and upon the submitted plans that the building has 12 bedrooms. However, other parts of the written submission have indicated that the property has 11 bedrooms. Upon viewing

the plans, the property does indeed have 11 existing bedrooms and the proposal does not seek to change this set up. As such, the application has been assessed and advertised as having 11 bedrooms.

1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is located fronting onto Sherbourne Road and is located within Acocks Green. The application is located in a predominantly residential area with a mix of tenures and housing types, including dwelling houses, HMO's and flats with the immediate area to the application site outlined below;

Western Side of Road.

- 50 Sherbourne Road – House of Multiple Occupation,
- 48 Sherbourne Road – Application site (proposed HMO),
- 46 Sherbourne Road – Single Occupied Dwelling House,
- 44 Sherbourne Road – House converted in three apartments,
- 34-38 Sherbourne Road (Sherbourne Court) – Purpose Built Apartment Blocks,
- 1-5 Sherbourne Drive – Single Occupied Dwelling Houses.

Eastern Side of Road.

- 45-49 Sherbourne Road – Quality Inn Hotel,
- 37-43 Sherbourne Road – 4 no. houses converted into flats,
- 35 Sherbourne Road – Day Nursery (Education).

- 2.2. There are a number of public transport links in the vicinity of the application site with Sherbourne Road served by a number of bus routes and a greater number of bus routes serving the Acocks Green neighbourhood centre which is approximately 500m away. In addition, Acocks Green Train Station that provides services through Birmingham and the West Midlands region is located approximately 50m away along Sherbourne Road.
- 2.3. The application site measures approximately 950sqm in area and the topography of the site is predominantly flat with vehicular access gained from Sherbourne Road to a paved area to the front of the building and also a rear car park area using an access road to the east of the property that is shared with 50 Sherbourne Road and is within their ownership and control.
- 2.4. The building itself is a two storey semi-detached 19th century building (attached to adjacent property at the rear of the property) that is double fronted (with a bay window to the ground floor eastern window) and is of a brick built construction with a tiled, pitched roof which has previously been used as a hotel, known as the Avalon Hotel.
- 2.5. The building is a local listed, grade B property and local groups have made a statutory listing application for the property, to secure a grade II listing, has been made to Historic England who will determine whether the building is worthy of such designation.

- 2.6. The rear of the property also benefits from a garden area that is accessed directly from the rear of the property and would remain as such as part of this current application.
- 2.7. [Site Location](#)
3. [Planning History](#)
- 3.1. None.
4. [Consultation Responses](#)
- 4.1. M.P, residents associations and adjoining occupiers were notified with the following comments received.
- 4.2. Arden Residents Association – Objection, received on the following points;
- We feel strongly that Acocks Green already has more than its fair share of HMOs and care homes and houses converted into flats, to such an extent that the character of the area is changing to the detriment of social cohesion and a feeling of community.
 - The fabric of this house will inevitably be changed, risking the loss of elegant plasterwork and valuable stained glass. The importance of this house to its setting, linked as it is to the development of the railway through Acocks Green, cannot be overlooked.
- 4.3. Acocks Green Neighbourhood Forum – Objection, received on the following points;
- Whilst it is acknowledged that having buildings occupied and in use is to be preferred, there are strong misgivings with the type of use proposed.
 - This building is considered to be of Local Architectural Interest, from around the 1850s, including it is reported fine period fixtures and fittings and particularly a very interesting stained glass window.
 - We are of the opinion that this current proposal would put at risk the fabric of the building and its position as part of Acocks Green heritage.
 - There are further ongoing local concerns with the rise in this type of change of use, that we are experiencing of the type which come under the title of 'Houses in Multiple Occupation' or unsupported social service type accommodation.
 - Such proposals result in a distinct change of character of an area and ever rising pressures on existing services.
 - Often seen as an unneighbourly form of development and endless pressures that are placed upon established areas from the intensification from such changes of use.
- 4.4. Acocks Green Focus Group – Objection, received on the following points;
- The Group voted unanimously to oppose the planning application for 48 Sherbourne Road.
 - We are moving forward with an application for a statutory (Grade II) listing of the building.
 - The house is to be purchased and then occupied by 11 unrelated occupants who are expected to share kitchen and communal facilities which we consider to be unworkable both for those that would be living at the property as well as the owners.

- Even with supervision (which we don't have here), we have direct experience within our group to demonstrate that the property is likely to become chaotic and problematic for everyone concerned.
 - It is our assertion that this proposal puts at risk the fabric of the building which includes some very fine period fixtures and fittings, in particular some very fine stained glass windows.
 - There are a number of alternatives that could be explored when looking at how this building could be utilised and this particular suggestion ranks as one of the least attractive.
 - The planning application for this property is, in our opinion, without any discernible merit, lacks imagination and would be to the detriment of this wonderful building.
- 4.5. Cllr Roger Harmer – Objection, received on the following points;
- I am aware that Acocks Green Focus Group have objected to this application. I attended the meeting where they discussed it and have seen their comments which I fully endorse.
 - In particular the plan to let this property to 11 potentially unrelated occupants who are expected to share kitchen and communal facilities would be a disaster. It is an unworkable suggestion both for those that would be living at the property as well as the owners. Even with supervision (which isn't suggested in the plans), the property is likely to become chaotic and problematic for everyone concerned.
 - The proposal also puts at risk the fabric of the building which includes some very fine period fixtures and fittings, in particular some very fine stained glass windows.
- 4.6. West Midlands Police – No objection to this proposal.
- 4.7. Regulatory Services – No objection subject to the imposition of conditions related to the provision of noise insulation within the property and the provision of an electric vehicle charging point.
- 4.8. Transportation Development – No objection, subject to site boundary being amended to include footway crossing access and driveway leading to rear parking area plus safeguarding conditions relating to parking layout and the provision of cycle storage facilities.
- 4.9. 3 letters of objection to the proposal from local residents who have stated the following points;
- The proposal is so intensive that it is likely, if implemented, to lead to degradation of the interior features of the house.
 - I understand that a proposal for the statutory listing of the building is being prepared, and I support this proposal, which I believe is justified.
 - I have several serious concerns about the limited scope, paucity of information and failure to reference any intention to improve the fabric of the property and its environs, contained within this Planning Application.
 - The property and its land is in a state of very serious and general disrepair with the rear of the property used for unlicensed business activities including vehicle repairs.
 - The external waste pipe running from the properties commercial kitchen discharges waste directly onto an adjacent driveway and the public highway.

- Nothing in the submission would allow me or the City Council to determine whether or not the interior is in a suitable condition for the proposed use.
- The submission states that the existing hotel has twelve bedrooms, although the plans indicate only eleven.
- I have seen no evidence of hotel use for some years - only evidence of permanent occupation by a number of residents.
- The applicant has not submitted any evidence to justify the change of use and the requirement for such accommodation in the area.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan (UDP), Draft Birmingham Development Plan, Car Parking Guidelines (SPD), Special Residential Needs (SPG) and the National Planning Policy Framework (NPPF).

6. Planning Considerations

- 6.1. The main issues to take into consideration are whether the proposed change of use would be acceptable in this location, whether the scheme is of a satisfactory quality, whether it would cause any harm to the surrounding area and neighbours or would prejudice highway safety.
- 6.2. This application will be assessed in accordance with policies 3.8, 3.10, 8.23, 8.24 and 8.25 of the UDP (2005) and Specific Needs Residential Uses (SPG).
- 6.3. Policies 3.8 and 3.10 of the UDP (in summary) seek to protect and enhance what is good in the City's environment and to improve what is less good. Policy 3.10 identifies that proposals which would have an adverse effect on the quality of the built environment will not normally be allowed.
- 6.4. Policy 8.23 applies to dwellings which are either let in one or more separate tenancies or are occupied by persons who do not form a single household.
- 6.5. Policy 8.24 states the following criteria will be referred to in determining planning applications:
- The effect of the proposal on the amenities of the surrounding area, and on adjoining premises;
 - The size and character of the property;
 - The floor space standards of the accommodation;
 - The facilities available for car parking;
 - The amount of provision in the locality.
- 6.6. Policy 8.25 states the following guidelines will also apply:
- Where a proposal relates to a site in an area which already contains premises in similar use, and/or properties converted into self-contained flats, and/or hostels and residential care homes, and/or other non-residential uses, account will be taken of the cumulative effect of such uses upon the residential character and appearance of the area.
- 6.7. Principle of Development

- 6.8. The application property is set in a predominantly residential area, albeit one with various occupation types, with the property in question previously used as a hotel which has now closed. The proposal seeks to remove the transient nature of the hotel use and replace it with a more settled style of accommodation which is considered appropriate in this location. For these reasons, the principle of development is acceptable.
- 6.9. Design and Layout
- 6.10. The proposed change of use does not seek any elevation changes to an otherwise attractive double fronted, brick building. Also, the proposal does not seek to change the internal layout and instead intends to make use of the hotels previous internal layout which provides en-suite accommodation, communal kitchen and dining facilities along with lift access to the first floor.
- 6.11. As no amendments to the internal hotel layout are proposed, the proposed bedroom sizes, shared facilities and communal areas are of a good size and all of the rooms comply with the councils guidance upon accommodation sizes as identified within the 'Specific Needs Residential Uses' Supplementary Planning Guidance.
- 6.12. Also, whilst there are no minimum guidelines for the provision of private amenity space for the proposed use contained within the council's 'Specific Needs Residential Uses' (SPG) the existing property currently has a mature garden area to the rear of the property that is fenced off from the car park area which measures approximately 220sqm and is considered sufficient to accommodate residents of the proposed use should they wish to use it.
- 6.13. A number of councillors, local residents, residents associations and local action groups have raised concerns regarding the proposed use and its occupants adversely impacting upon the fabric of the building which is considered to be of local historic value, hence the local grade B listing.
- 6.14. Such is the concern that a statutory listing application has been submitted to Historic England by a local action group in order to pursue a Grade II listing of the building and its curtilage. However, the proposed change of use does not seek to make any internal or external alterations to the building as part of this application and would therefore not adversely impact upon the fabric of the building.
- 6.15. Local concerns regarding the occupant's impacts upon the fabric of the building are a management issue between the resident and landlord, a similar scenario to the previous set up between a hotel guest and a proprietor, and are something that the planning authority should not seek to resolve through the determination of this application.
- 6.16. However, should the statutory listing application made to Historic England be accepted then it would become an offence to destroy or remove any listed structure which would then be dealt with under separate legislation. Also, the general maintenance of a property is not a material planning consideration in the determination this application.
- 6.17. As such, it is considered that the design and layout is acceptable and planning permission would be acceptable in this regard.
- 6.18. Residential Amenity

- 6.19. The level and nature of concern raised by local residents in relation to noise and disturbance are noted. However, it is recognised that the application premises is substantial in size and can adequately accommodate the maximum of 11 residents sought with this application which when compared to the buildings previous use as a hotel catering for a similar number of guests would not cause noise and disturbance to neighbours to such a level that could support a reason for refusal.
- 6.20. Regulatory Services have also been consulted upon the proposal and have stated that whilst they have no objections to the proposal in principle they have requested that a planning condition requiring noise insulation to be installed at the property be imposed which would limit potential adverse impacts upon neighbouring properties and to those occupants within the building from other occupants.
- 6.21. In addition, Regulatory Services have requested the imposition of a planning condition requiring the provision of an electric vehicle charging point within the site. However, on balance it is not considered necessary or reasonable to request the provision of such facilities given that the proposal does not seek to provide any additional built accommodation.
- 6.22. Concerns have also been raised by objectors that occupants within the 11 separate bedrooms living together within one building would be unworkable. However, the building provides sufficiently sized accommodation with bedroom and bathroom facilities along with sufficient communal space and the behaviour of residents between each other is a management issue that should be managed between residents and their landlord.
- 6.23. As such, it is considered that subject to the imposition of planning conditions as discussed above that the proposal would not adversely impact upon residential amenity of both occupants and surrounding neighbours and planning permission would be acceptable in this regard.
- 6.24. Cumulative Impact
- 6.25. Other material considerations include the cumulative effect of the proposed use upon the residential character and appearance of the area. The application site is a large semi-detached property that has previously operated as a hotel with 11 en-suite rooms with parking provision for said guests.
- 6.26. The surrounding area contains a varied mix of single occupation residential properties, commercial properties, purpose built apartment blocks, house conversions into flats and HMO's.
- 6.27. Sherbourne Road, between the railway line and the junction with Station Road, contains a numbering off differing uses which are shown in Fig 3.
- 6.28. Based upon an assessment of nearby properties and land uses it is considered that the provision of the proposed HMO would not result in an adverse cumulative impact upon the residential character and appearance of the locality and in conjunction with the properties previous commercial use to provide hotel accommodation and as such would not result in the loss of private residential accommodation and the fact that the proposal does not seek to change the layout or capacity of the building, no objection is raised in principle to the provision of a HMO in this location.
- 6.29. Highway Safety

- 6.30. The supplementary planning document on Car Parking Standards does not provide maximum parking standards for Houses of Multiple Occupation. However, it is deemed that the proposed parking provision to the rear of the property is acceptable given that the proposed change of use would provide the same number of rooms as the previous hotel use.
- 6.31. Also, it is considered that the level of car ownership by occupants of this type of accommodation would be lower than the previous hotel use and the site is served with excellent high frequency public transport services including buses and the adjacent railway station.
- 6.32. Transportation Development raises no objection to the proposal with the access drive leading to the rear parking area likely to be able to accommodate the level of parking demand associated with this use.
- 6.33. They have however requested a number of planning conditions be imposed should permission be approved, which relate to the provision of an amended footway crossing where the access drive meets the public highway along with the provision of cycle storage facilities for use by residents and the provision of a layout plan for the rear car parking area to ensure that parking provision is provided in a structured and useable manner.
- 6.34. Given that the current hotel use would generate more vehicle movements than the proposed HMO use and that an existing footway crossing is already in existence to serve the application site it is considered unreasonable and unnecessary to impose a planning condition related to the provision of an amended footway crossing.
- 6.35. However, it is considered that subject to the imposition of planning conditions related to car parking layout and cycle storage facilities that the proposal would not adversely impact upon highway safety and planning permission would be acceptable in this regard.

7. Conclusion

- 7.1. Within the parameters of the planning system, it is concluded that the proposal would not cause undue harm to neighbour amenity to such an extent that a reason for refusal could be sustained.
- 7.2. Furthermore, there would be no adverse impact upon the residential character and appearance of the area or upon highway safety.

8. Recommendation

- 8.1. Approve, subject to conditions.

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of cycle storage details |
| 3 | Requires the prior approval of an amended car park layout |
| 4 | Limits the maximum number of residents to 11 at any one time. |
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|---|---|
| 5 | Requires the prior submission of noise insulation to the bedrooms |
| 6 | Limits the approval to 3 years (Full) |
-

Case Officer: Mohammed Nasser

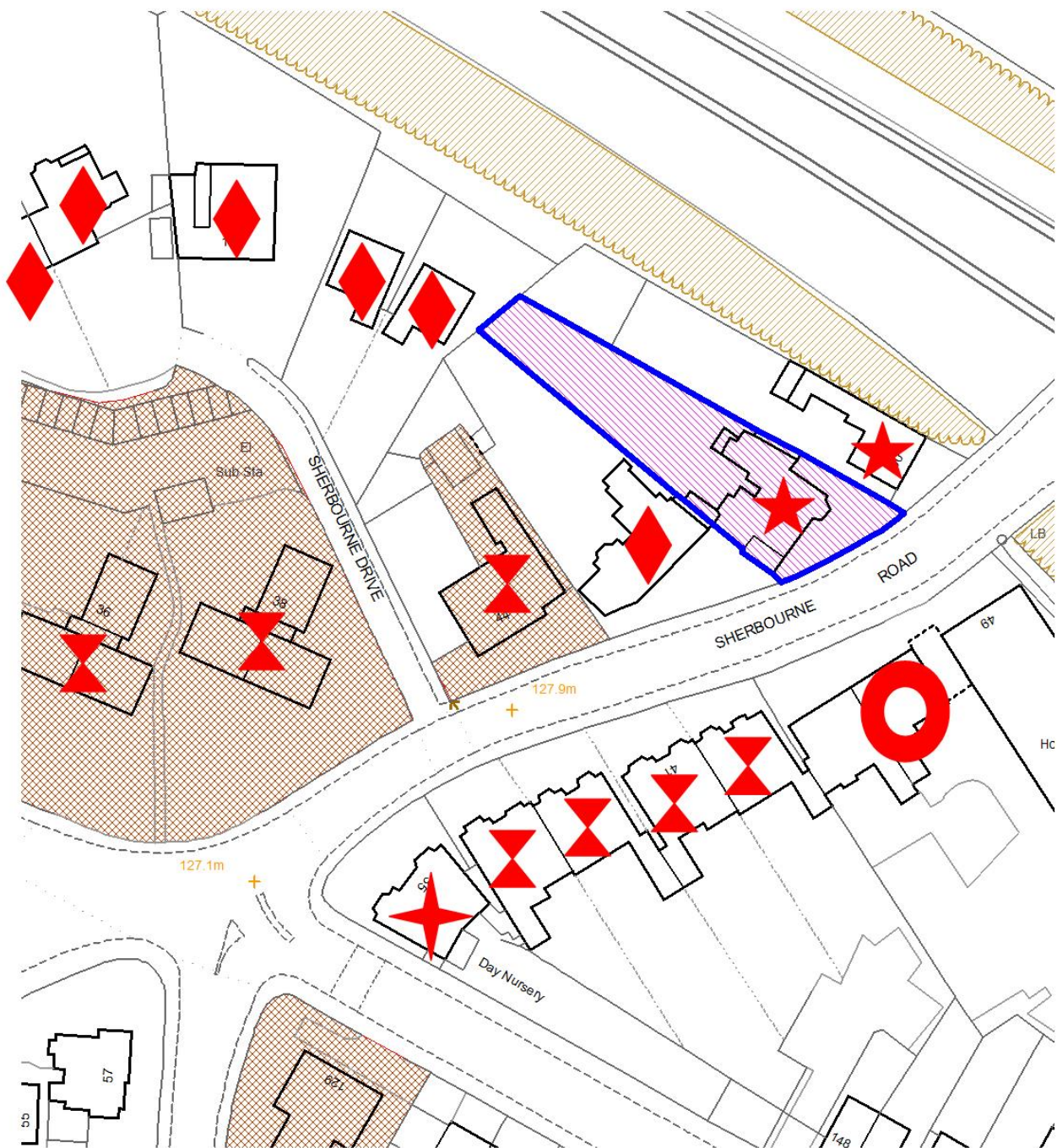
Photo(s)



Fig 1. Front Elevation of Avalon Hotel



Fig 2. Rear of Avalon Hotel.

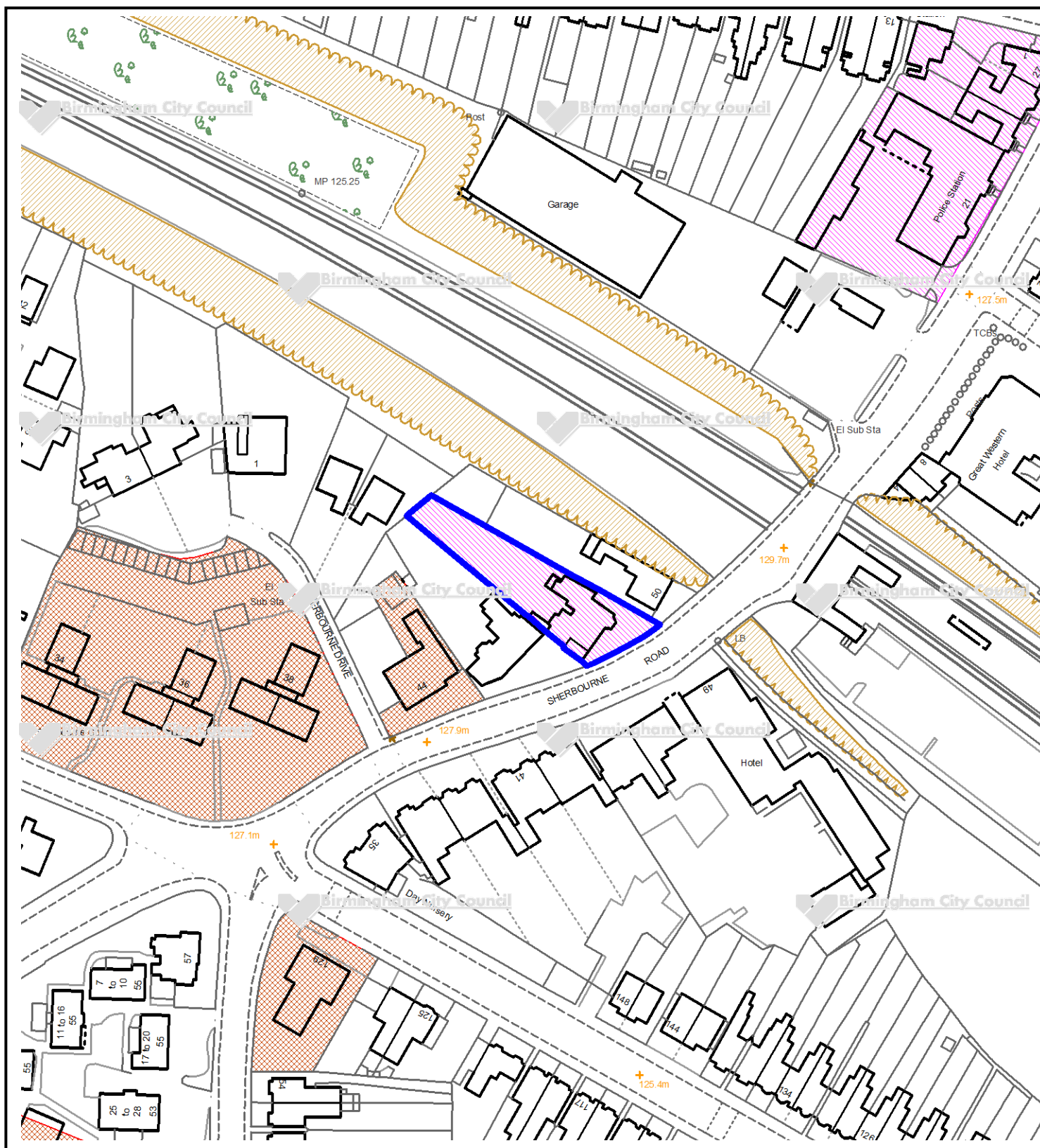


★	House of Multiple Occupation (HMO)
◆	Single Occupied Dwelling House
✕	Flats
★	Day Nursery (Education)
○	Hotel

1:750

Fig 3. Map of Land Uses in Vicinity of Application Site.
Page 27 of 108

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/03116/PA
Accepted:	21/04/2015	Application Type:	Reserved Matters Development
Target Date:	21/07/2015		
Ward:	Erdington		

Baldmoor Lake Road, Land to the rear, Former Court Lane allotments, Erdington, Birmingham

Reserved matters application for the erection of 116 new dwellings with associated public open space, landscaping and parking associated with outline planning permission 2010/06527/PA

Applicant:	Birmingham City Council Housing Regeneration and Development, Department of Planning and Regeneration, 1 Lancaster Circus, Birmingham, B1 1TU
Agent:	Axis Design Architects Ltd Crosby Court, 28 George Street, Birmingham, B3 1QG

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This Birmingham Municipal Housing Trust application is for the outstanding reserved matters (appearance, landscaping, layout and scale) for the residential development of this former allotment site. The proposals amount to a total of 116 new dwellings which consists of 58 affordable and 58 private sale units divided as follows:
- 58 no. two bed (46 no. houses and 12 no. bungalows)
 - 49 no. three bed
 - 9 no. four bed
- 1.2. The scheme largely proposes to establish street blocks of perimeter development that provide an active frontage to streets with private gardens behind. Generally properties are 2 storeys in height, although there are a limited number of bungalows to the south of the proposals. The development would also deliver an enlarged and greatly improved area of public open space to the north between the proposed new houses and the tower blocks of Cranleigh and Repton House with new play equipment part of the proposals.
- 1.3. As required by conditions of the outline consent the proposed layout is broadly in accordance with the approved masterplan although the number of units has dropped from 124 dwellings. It should be noted that a small area of the outline application site is not within the applicant's control and therefore does not form part of these proposals; however the proposals provide a master plan for this section showing an additional five dwellings taking the overall development up to 121 dwellings.
- 1.4. As per previous consents, the layout has been informed by the desire to retain as many of the existing trees as possible.

- 1.5. The proposed dwellings would have a traditional styling and palette of materials, with brick the principal choice. The dwellings incorporate ground floor bay windows, chimneys, stone sills, eaves dentil coursing, fanlights and string courses.
- 1.6. Overall parking is provided on a 149% basis, although where opportunities allow additional spaces are proposed. Additional unallocated visitor/communal spaces are provided across the development.
- 1.7. An addendum to the Design and Access Statement; a Tree Survey; Travel Plan and addendum to the Transport Assessment, Contaminated Land Desk Study, Habitat Survey and full detailed plans have been submitted in support of this application.

1.8. [Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The application site consists of nearly 4ha of former allotment land which is now largely overgrown with on site features limited to bases of former buildings associated with the sites former use and a network of pathways across the site. Pedestrian access through the site is currently possible via a number of routes connecting Baldmoor Lake Road to the North with Jarvis Lane to the south. An existing footpath runs along the southern boundary of the site which links through to Goosemoore Lane to the east.
- 2.2. The wider area is largely in residential use with tower blocks to the north and south. Retained allotments are situated directly to the west of the application site, whilst the Cookes furniture store and a church are situated directly to the east within an otherwise residential street. Aside from the tower blocks, development is largely two storey in height in this part of the city.

[Site Location](#)

3. [Planning History](#)

- 3.1. 28.01.2011 – 2010/06527/PA – Approval - Outline application for around 124 new dwellings and new public open space with associated highways. All matters reserved for subsequent approval excluding access to be from Jarvis Road and Baldmoor Lake Road.

4. [Consultation/PP Responses](#)

- 4.1. Transportation Development – Raise concerns regarding the level of on-plot parking and consider that this combined with the carriageway width will result in residents experiencing difficulty in parking whilst maintaining passable carriageway widths. This could also create a poor pedestrian environment.
- 4.2. Regulatory Services – No objection but recommend a condition is imposed that requires a further contaminated land study / remediation / verification.
- 4.3. Leisure Services – Raise no objection and note that they accepted the principle of the development at outline stage subject to 0.38ha of new public open space being provided.

- 4.4. Drainage Team – Either full details of Sustainable Drainage are required or a condition requiring full details is necessary.
- 4.5. Children, Young People and Families – Request a financial contribution of £763,638.22 towards the provision of school places in this area which is under sustained pressure for places.
- 4.6. Environment Agency – No objection in principle but have made detailed comments in relation to the proposed surface water drainage requirements controlled by condition 2 of the outline planning consent.
- 4.7. West Midlands Police – Raise no objections but recommend adoption of Secured by Design principles and make detailed recommendations on the proposed layout.
- 4.8. Severn Trent – No objection subject to a condition requiring drainage details.
- 4.9. Site and Press Notices displayed. Neighbouring occupiers, Ward Members, the MP and Residents' Associations consulted with four responses received from local occupiers. Three residents object raising the following concerns:
- The main access road will remove greenery and create a traffic hazard.
 - Other opportunities to Jarvis Road for access points exist
 - Close proximity of the main access road and parking to their garden creating noise and anti-social behaviour problems.
 - Will devalue their property
 - Impact upon the security of their property
- 4.11 A resident of Gravelly Lane raises no objection in principle but raises concerns regarding the position of the main access road on the basis of noise, impact upon property values and construction impact.
- 4.12 The church fronting Goosemoor Lane has commented that they welcome the opportunity to be part of the developing community and welcome a conversation to see how their development proposals can be aligned with the housing scheme.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005; the submission draft Birmingham Development Plan; Places for Living (2001) SPG; Car Parking Guidelines (2012) SPD; and the National Planning Policy Framework 2012.

6. Planning Considerations

BACKGROUND

- 6.1. The principle of the development has been established by the previous outline planning permission, with consent for the site accesses approved in detail. As required by condition of the outline consent, the development is in general accordance with the previously approved master plan and represents a refinement of the development proposals as additional detail has been added with some

realignment of roads within the scheme. This includes the 3,815 sq.m public open space improvements and extension to the north of the site, which was set as a minimum of 0.38ha by the outline consent.

- 6.2. Children, Young People and Families' request for a financial contribution is noted. However this application is at a reserved matters stage and such a contribution should have been secured at outline stage. Notwithstanding this, the scheme is to be carried out by the City through the BMHT programme with the aim of providing social homes for rent. The private houses proposed help finance the provision of the social housing and therefore there is no surplus (that, in a private scheme, would be developer's profit) to fund such a contribution. Finally, I note the extensive investment in public open space that forms part of the scheme. I am therefore satisfied that such a contribution is not necessary or appropriate in this instance.

DESIGN

- 6.3. The proposed design represents an evolution of the approved masterplan and shows perimeter development with the principle of front-to-front development followed through. The scheme would continue to provide pedestrian connectivity through the site and beyond with an appropriate hierarchy of streets throughout the development, including a shared surface along the southern boundary.
- 6.4. This largely two-storey development is of an appropriate scale to its context with the mix of semi-detached, link detached, detached and bungalows (some incorporating dormers) providing visual interest.
- 6.5. The traditional design is appropriate and acceptable and the level of detailing provided secures a high architectural quality. The use of red brick and slate coloured roof also respects the wider context. Safeguarding conditions in relation to materials and boundary treatment are attached to the outline consent.
- 6.6. My City Design Officer supports the amended proposals and notes that the housing layout and design have been developed to create a cohesive continuous frontage onto the public realm, using garages to create built links in some locations, while also contributing to parking provision. The layout provides two parking spaces on plot for most 3 bedroomed and all 4 bedroomed properties and one on plot parking space for all two bedroomed properties, without parking being over dominant in the street scene.
- 6.7. Care has been taken with the architecture which includes window, door, porch and roof detailing that draws on the local built vernacular and integrates the design with the wider area, detailed drawings of these elements should ensure implementation to an appropriate specification.
- 6.8. The highway and footway layout has been designed to facilitate controlled movement around the site for vehicles and easy safe movement through the site and across the public open space for pedestrians. This is delivered through the design of the highway, footpaths and parking. Careful design of highway widths that have not been over engineered enables vehicles to manoeuvre safely and easily but at low speeds. On street parking is provided in laybys in addition to on plot parking that can be used by visitors or residents. Tree planting on the main access road would create greater enclosure of the street designed to slow traffic speeds, as would raised intersections and textured thresholds in key locations.
- 6.9. I therefore consider the design of the proposals acceptable.

AMENITY

- 6.10. In terms of the amenity of local occupiers the development would not overlook or overshadow existing properties. The development is in accordance with Places for Living separation guidelines.
- 6.11. Turning to the amenity of future residents, overall the development offers relatively spacious accommodation with the majority of rear gardens well in excess of Places for Living guidelines. The perimeter block layout provides security to the rear, with exposed boundaries secured by quality brick walls. I note the presence of the first floor window in the rear of the adjacent Cookes' building. However given the length of gardens within the vicinity (plots 76-78) and with suitable planting (a hedgerow which could attain the height of 4m is shown on the proposed landscaping plans, together with the retained Lime and Sycamore trees) to this boundary, I consider this acceptable and note that this arrangement is similar to the consented masterplan.
- 6.12. Regulatory Services recommend a condition requiring the submission of a contaminated land study. However I note that at outline stage a report was submitted that concluded that there was no contamination present and no remediation was required. Regulatory Services accepted this conclusion at that time and did not consider that a condition would be required. There have been no material changes on the site and therefore I do not consider such a condition reasonable or necessary.
- 6.13. I therefore raise no amenity-based concerns.

ECOLOGY

- 6.14. The City's ecologist notes that the new public open space together with the decent sized gardens will provide ecological 'stepping stones' towards Jarvis Road. It is concluded that the recommendations set out in the supporting habitat survey would need to be given due regard when conditions attached to the outline planning permission are applied to be discharged. The outline consent requires a bat survey, reptile survey, an ecological mitigation plan for construction and an ecological enhancement strategy.
- 6.15. I therefore raise no additional ecological concerns and concur with my Ecologist's conclusion that the layout provides opportunities for the ecological enhancement envisaged at outline stage.

TREES / LANDSCAPING

- 6.16. As with the previous consent, the development seeks to retain as many trees as possible. The Tree Survey has been updated in light of the latest development proposals showing that there are no A category trees on site. A number of individual and groups of B and C category trees would be lost as a consequence of the development, however a significant proportion on the site's boundaries would be retained. Opportunities to introduce new tree planting and landscaping are taken where possible, with a substantial number (85) of new trees proposed within front and rear gardens, the new public open space and incidental landscaping. A scheme showing a much enhanced public open space has been developed which shows children's play facilities, paths, landscaping. This would provide a resource for the wider community.

- 6.17. Conditions are attached to the outline consent requiring tree protection measures and the replacement of and planting that fails within two years of the completion of the development. I therefore raise no arboricultural or landscaping concerns.

HIGHWAY MATTERS

- 6.18. Transportation Development raises significant concerns regarding the level of on-plot parking provision across the site. The outline consent indicated a likely overall parking provision of 166% and approved the details of the access points and the number of homes to be accessed from the two access points (Baldmore Lake Road and Jarvis Road). The current scheme averages 149% with bungalows and two bedroom properties with 100% provision; 3 bedroom properties averaging 171% provision and the 4 bedroom properties averaging 200%. A total of 13 visitor spaces are also shown across the development.
- 6.19. Therefore, across the development the majority of 3 and 4 bedroom units benefit from two off-road spaces, including a number of garages (largely on the private units). Two bedroom units generally benefit from one off-road parking space. Both formal and informal on-street parking opportunities would be provided across the scheme without hindering circulation. Circulation plans for refuse vehicles have been provided that demonstrate satisfactory vehicle movements. I therefore consider the proposed parking provision adequate.
- 6.20. The outline consent includes conditions requiring details of cycle storage, a residential Travel Plan, details of the site accesses from Baldmoor Lane Road and Jarvis Road and limits the number of dwellings accessed from Jarvis Road to 90. I consider that an additional condition requiring a suitable highways agreement is necessary in order to ensure that the new streets are constructed to an acceptable standard.
- 6.21. Since the application's submission amended plans to avoid the need to stop up highway land (HMPE) to the north of the site on Baldmoor Lake Road have been received. However, given the extremely close proximity of the proposals to HMPE a resolution to allow for the stopping up of this is recommended.

DRAINAGE

- 6.22. Severn Trent's request for a condition requiring drainage details is noted and I note condition 2 of the outline consent requires a scheme of surface water drainage but not foul. The Environment Agency raises no objection to the development in principle but has provided specific comments in relation to surface water drainage that will require consideration in relation to condition 2 of the outline consent. I consider that the issue of foul drainage is a matter for Building Regulations and therefore no additional drainage-based conditions are recommended.

7. Conclusion

- 7.1. This application is substantially in accordance with the parameters established at outline stage and the relevant policy context. The proposals represent an appropriate design that will deliver high quality homes to the area. I therefore recommend that planning permission is granted subject to suitable safeguarding conditions.

8. Recommendation

8.1. That no objection be raised to the stopping up of part of Baldmoor Lake Road, and that the Department for Transport (DFT) be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act.

8.2. That approval be granted subject to the following conditions:

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|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | TRAN26 Requires the prior submission and completion of works for the S38/S278/TRO Agreement (equivalent). |
-

Case Officer: Nicholas Jackson

Photo(s)



Figure 1 – The site looking west

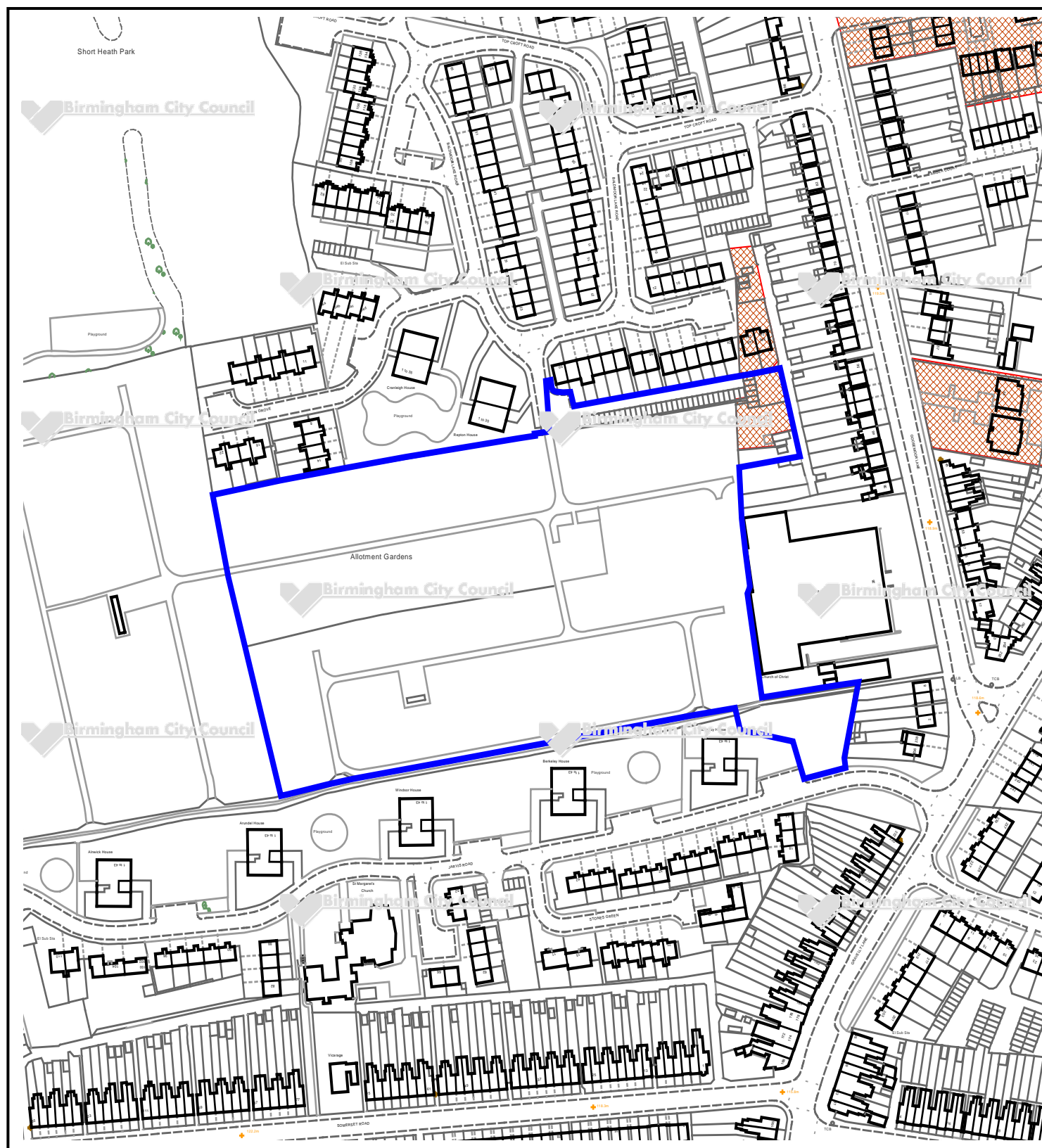


Figure 2 – The rear access along Baldmoor Lake Road



Figure 3 – Existing public open space – Cayton Grove in the distance

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/03105/PA
Accepted:	11/05/2015	Application Type:	Full Planning
Target Date:	06/07/2015		
Ward:	Acocks Green		

British Legion, 16 Botteville Road, Acocks Green, Birmingham, B27 7YD

Demolition of the existing British Legion building, the construction of eight dwelling houses (C3) and a replacement club building (Sui Generis) with flat above

Applicant: ERNE Build
British Legion, 16-18 Botteville Road, Acocks Green, Birmingham, B27 7YD

Agent: AJ Carter Consulting
5 Royston Court, Wake Green Park, Moseley, Birmingham, B13 9YN

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

- 1.1. Full planning application for the demolition of the existing British Legion building and loss of associated bowling green, erection of replacement club building with parking and eight new dwellinghouses.
- 1.2. The proposed replacement club building would occupy the western third of the application site, consisting of a 2-storey structure fronting Botteville Road (9.8m high) and an elongated single storey rear flat roof wing, which would have a ground floor level some 1m below current ground levels. This would result in the rear wing being approximately 2.1m in height above existing and adjoining ground levels. The opening hours would be 1100-2300 Monday to Saturday and 1100-2230 on Sundays and Bank Holidays and are consistent with the current opening hours of the club. The new club building would continue to function as per the existing club for its current 200 members. The proposal does not seek to replace the existing bowling green, which is to be lost.
- 1.3. The ground floor would accommodate a snooker room, member's bar, toilets, kitchen as well as the George Davis Room, which would have a capacity for 60-80 people and host events and entertainment associated with the club. The first floor would accommodate an office and 2-bedroom flat for on-site residence for the operators of the club. The kitchen extraction units would be located on the roof of the single storey rear flat roof wing above the kitchen area, which would be housed within acoustically treated spaces.
- 1.4. The external appearance of the new club building is a pastiche of the Georgian building currently occupying the site. Access to the club building would be via the existing footway crossing to the western end of the site's Botteville Road frontage

with a side access road leading to 13 car parking spaces, including 2 disabled spaces, to the rear of the site.

- 1.5. The remaining two thirds of the site would be redeveloped to accommodate eight houses. Four 4/5bedroom semi-detached houses would front Botteville Road with a centrally located new access road leading to a new small cul-de-sac consisting of two 4/5bedroom semi-detached houses and two 4bedroom detached houses. The houses fronting Botteville Road would be 2.5-storey in height and those within the cul-de-sac would be 2-storey with the roof space utilised to accommodate bedrooms.
- 1.6. The external appearance of the new housing adopts a traditional approach, replicating Victorian housing found on Botteville Road and includes important architectural features such as ground floor bay windows and an appropriate hierarchy to the upper floor windows. 200% on-plot parking would be provided to the new housing accessed via the new access drive or footway crossings off Botteville Road. The residential element of this scheme represents a density of 35.5 dwellings per hectare.
- 1.7. The application includes a Design and Access Statement, Tree Survey, Noise Statement, Bowling Green Assessment and Transport Statement. The proposal also includes a financial contribution of £48,300, to be secured by means of a Section 106 agreement, as compensation for the loss of the bowling green.

[Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The application site measures some 0.3ha and is located within a tree-lined and predominantly residential area consisting of traditional Georgian, Victorian, Edwardian and inter-war housing as well as a modern purpose built flatted development at Botteville Road's junction with Shirley Road. A number of the houses have been converted into flats. To the opposite side of the junction is the Acocks Green Methodist Church and vacant former Neighbourhood Office. To the rear of the application site is the Archbishop Ilsley Catholic Secondary School and beyond that to the north is Acocks Green District Centre. The majority of the properties have off-street parking and on-street parking is also available.

[Site location](#)

3. [Planning History](#)

- 3.1. This site: none of relevance.
- 3.2. 8 Botteville Road:
- 3.3. 14/02/2011 - 2010/06541/PA – Partial demolition of 8 Botteville Road and 11 two-storey dwellings, comprising 7 3-bedroom dwellings and 4 two-bedroom dwellings with associated access and parking. Approved
- 3.4. 08/01/2013 - 2012/06960/PA - Material minor amendment of application 2010/06541/PA for alternations to layout and provision of 6, 3-bed and 5, 4-bed dwellings – Refused – Proposed layout would adversely affect character of the existing residential area and fail to create a sense of place.

- 3.5. 06/10/14 – 2014/04956/pa – Variation of Condition 5 (plans schedule) attached to planning approval 2010/06541/PA to allow minor alterations to housetypes and site layout. Approved.
4. Consultation/PP Responses
- 4.1. Transportation Development – No objection subject to conditions - amended parking layout, cycle parking provision, siting / design of means of access, parking areas laid out, pedestrian visibility splays and a S278/TRO Agreement to secure a package of highway measures.
- 4.2. Regulatory Services – No objection subject to conditions relating to hours of use, noise insulation to club building, noise levels for plant and machinery, extraction and odour control details, and occupancy of flat to be occupied solely in conjunction with the club.
- 4.3. Severn Trent Water – No objection subject to drainage condition.
- 4.4. West Midlands Police - No objection and recommends 'Secured by Design'.
- 4.5. Leisure Services – No objection.
- 4.6. Neighbouring properties, residents associations, local Councillors and MP consulted.
- 4.7. Representation received from the current Secretary for the Acocks Green Bowls Club, making the following observations on the submitted Bowling Green assessment:
- Contents are inaccurate and out of date.
 - The bowls club did not make the decision to move to another facility.
 - Bowling green was well maintained.
 - Majority of members have moved to the Tyseley Working Mens Club.
 - Will the compensation be made available to the Acocks Green Bowls Club?
 - Discrepancies in the capacity/availability of other venues to take on further members.
 - The Bowls Club wish to remain as the Acocks Green Bowls Club.
 - There is a demand for bowling greens.
- 4.8. 1 objection received from local resident objecting on the following grounds:
- Loss of privacy
 - Adverse impact on character
 - Overdevelopment in the area
 - Increased congestion and parking issues
 - Noise and disturbance
 - Anti-social behaviour
5. Policy Context
- 5.1. Birmingham UDP, Draft Birmingham Development, Places for All SPG, Places for Living SPG, Mature Suburbs SPD, Car Parking Guidelines SPD, 45 Degree Code and the NPPF.

6. Planning Considerations

6.1. Principle:

6.2. The provision of a British Legion club on the site is already established and as such no objection is raised in principle to a replacement club building on the site. The current building does not benefit from any restrictions relating to opening hours and noise levels and this proposal offers the opportunity to provide some appropriate safeguarding conditions in light of its close proximity to residential properties.

6.3. Furthermore, the application site is located within an established residential area within walking distance of Acocks Green District Centre and the provision of housing suitable for family occupation on the remainder of the site is considered acceptable.

6.4. Visual appearance:

6.5. The existing buildings on the application site consist of a Georgian property and a significant 2-storey flat roof post-war extension. The buildings are in a poor state of repair and whilst the Georgian property has architectural merit and makes a positive contribution to the streetscene, the extension is a poor example of a building of its time. The proposal would clear the site of existing building and no objection is raised with the loss of the post-war extension. The demolition of the existing Georgian property would represent the loss of a non-designated heritage asset. Options have been investigated into converting this property into flats or a single house, none of which have been identified as being suitable or economically viable. In light of the property's non-statutory protected status and within the context of the overall proposal including its appearance and impact on the overall streetscene (discussed in greater detail later in the report) it is considered that the loss of the existing building would not represent a reason for refusal.

6.6. The external appearance of the new club building and housing adopts a traditional approach, with the club building being strongly influenced by the existing Georgian building and the housing influenced by surrounding Victorian housing. The proposals are well-designed, incorporating architectural features that make a positive contribution to the overall character of this mature suburb. Furthermore the scale and massing of the buildings are appropriate to their context with the creation of a strong built frontage to Botteville Road and the breaking up of the existing expanse of hardstanding with generous front gardens represents an improvement on the character and appearance of the streetscene.

6.7. The creation of a cul-de-sac behind the Botteville Road frontage is a similar approach to a housing scheme currently under construction to the rear of 4-12 Botteville Road with a comparable width to the new access and flanking walls of adjoining houses (7m). The proposed layout achieves an appropriately designed cul-de-sac with a contribution to the public realm that is in keeping with the character of the existing mature suburb.

6.8. The submitted tree survey identifies the value of the three street trees (Lime – Cat B2) fronting the site as well as a Sycamore within the boundary of 20 Botteville Road (Cat B1) and an Oak (Cat B2) to the north tip of the site along the rear boundary with the adjoining school. These would be retained with the exception of the removal of one street Lime tree to facilitate the new access. The Tree Officer accepts the removal of this tree, within the existing context of the tree-lined street, with the replacement planting for two new street trees.

- 6.9. Residential amenity:
- 6.10. A Noise Statement has been submitted in support of the application, which identified that the new club would have the same opening hours as the existing club on the site. The application offers the opportunity to control these hours by means of a planning condition as well as apply suitable safeguarding conditions relating to noise insulation to the new club building, extraction equipment and noise levels from any associated plant and machinery. Whilst the proposal would relocate the existing club building closer to 14 Botteville Road from its current position, in light of its current presence on the site and the opportunity to apply some safeguarding conditions to a purpose-built structure, it is considered that the impact on neighbour amenity by means of noise and disturbance would be acceptable and could not justify a reason for refusal. Regulatory Services raise no objection subject to a number of safeguarding conditions.
- 6.11. The rear single storey flat roof wing to the new club would stand some 2.1m above the existing ground level on the site and that at the closest adjoining property (14 Botteville Road). The current boundary treatment is a 1.8m high panel fence and the proposed rear wing would only stand 0.3m and 0.1m above the existing fence or what could be erected under permitted development rights respectively. Whilst this breaches the 45 degree code and separation distances, in light of the building only standing 0.1m above a permitted development fence (and only 0.3m above the existing fence), it is considered that the resulting harm on residential amenity by means of loss of light and outlook would be negligible
- 6.12. The new housing complies with the 45 degree code and separation distances given in 'Places for Living' SPG in relation to existing neighbouring housing. Roof lights are positioned at a high level to prevent direct overlooking into neighbouring gardens, in particular with unit 5 and 20 Botteville Road. In addition, the proposed houses would provide adequate private garden space for family accommodation and the bedroom sizes exceed those given in 'Places for Living' SPG. Six of the eight gardens would exceed the 70sqm guideline (70-151sqm) whilst two would measure 57sqm and 62sqm. These gardens are affected by the radius of the turning head, which also contribute to the sense of openness and the public realm of the cul-de-sac and therefore their shortfalls are justified in terms of urban design.
- 6.13. Highways and parking:
- 6.14. The new housing would provide 200% on-plot parking provision which is considered appropriate for the proposed family accommodation. The width of the shared surface access drive and size of the turning head is suitable for refuse vehicles as well as passing vehicles. Furthermore, the on-site parking for the new club building is considered appropriate for its identified demand. In addition, there is some on-street parking capacity available, particularly the further away from the road's junction with Shirley Road. Transportation Development raises no objection.
- 6.15. Loss of bowling green:
- 6.16. The NPPF identifies that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.17. Bowling greens are classed as playing fields in the UDP, which advises that their development will not normally be allowed particularly in areas which fall significantly below the standard 1.2ha playing field provision per 1000 population. Where, in exceptional circumstances, permission is granted for the development of a sports field this will be subject to the provision of equivalent long-term recreational community benefit. Planning permission will not be granted for development simply because a playing field has fallen out of use and become derelict.
 - 6.18. The UDP also advises that the proposals which would result in the loss of open space will only be permitted in exceptional circumstances, for example taking into account the availability of public open space nearby, its quality and how well it meets local needs. Where able to demonstrate that exceptional circumstances exist to justify the release of open space, appropriate recreational community benefit of equal value to compensate for the open space loss, that is at least as accessible to current and potential users, and at least of equivalent in terms of size, usefulness, attractiveness and quality will be sought.
 - 6.19. A Bowling Green Assessment has been submitted in support of the application, which identifies that the site has been the home of the Acocks Green Legion Bowling Club since 1944 but in 2014 the club took the decision to move to another facility (College Arms Club). The assessment highlights that membership at the club had been falling and the poor state of repair of the bowling green and club house facilities further informed the club's decision to relocate.
 - 6.20. In terms of quantity, the assessment identifies a number of existing bowling green clubs with capacity for new members (College Arms, Three Magpies Public House, Hall Green Bowling Club, Moseley Cricket Club and Beaufort Club). Within Acocks Green Ward, the total amount of playing fields is 0.29ha per 1000 population, significantly below the 1.2ha per 1000 population standards. The existing facility is in a relatively poor state of repair, inaccessible to members of the public and with little passive surveillance.
 - 6.21. Experience has shown that due to difficulties in scale and management, there tends to be no interest in utilising these types of sites for any other sports. As such it is considered that the applicant has demonstrated exceptional circumstances. In accordance with policy, a compensatory sum of £48,300 is proposed for the loss of the bowling green, which will be used for the provision, improvement and maintenance of sports, recreational and community facilities in the Acocks Green Ward. Planning Strategy and Leisure Services raise no objection to the application. This approach would comply with the requirements of relevant policies relating to loss of open space and playing fields.

7. Conclusion

- 7.1. The application has demonstrated exceptional circumstances for the loss of the existing bowling green and the compensation sum would provide long-term recreational community benefit. The proposed comprehensive redevelopment of the site would enable a new purpose-built club as well as provide new housing suitable for family occupation in a design that would reinforce local positive characteristics, safeguard existing neighbour amenity and provide adequate amenity for future occupiers, as well as have no adverse impact on highway safety. The application is

in accordance with relevant policy and guidance and subject to the completion of a suitable planning obligation, planning permission should be granted.

8. Recommendation

8.1. That consideration of application number 2015/03105/PA be deferred pending the completion of a suitable planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

a) The payment of £48,300 (index linked to construction costs from 9th July 2015 to the date on which payment is made) towards the provision, improvement and maintenance of sports, recreational and community facilities in the Acocks Green Ward or to be spent on any other purpose that shall be agreed in writing between the Council and the party responsible for paying the sum provided that any alternative spend purpose has been agreed by the Council's Planning Committee.

b) Payment of a monitoring and administration fee of £1,500 associated with the obligation which is due on completion of the obligation.

8.2 That in the event of the above obligation being completed to the satisfaction of the Local Planning Authority on or before the 9 August 2015, favourable consideration be given to the application subject to the conditions listed below.

8.3 That in the event of the above obligation not being completed to the satisfaction of the Local Planning Authority on or before the 9th August 2015, planning permission be REFUSED for the following reasons;

l) In the absence of a financial contribution towards the provision, improvement and maintenance of sports, recreational and community facilities in the Acocks Green Ward the proposed development conflicts with paragraphs 3.57, 8.51 and 8.52 of the Birmingham Unitary Development Plan 2005 and with policies 73 and 74 of the National Planning Policy Framework 2012.

8.4 That the Director of Legal and Democratic Services be authorised to prepare seal and complete the appropriate planning obligation

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|---|---|
| 1 | Requires the prior submission of a drainage scheme |
| 2 | Requires the prior submission of hard and/or soft landscape details |
| 3 | Requires the prior submission of hard surfacing materials |
| 4 | Requires the prior submission of boundary treatment details |
| 5 | Requires the prior submission of a lighting scheme |
| 6 | Requires the prior submission of level details |
| 7 | Limits the hours of use of the British Legion Club to 1100-2300 Monday to Saturday and 1100-2230 on Sundays and Bank Holidays |
| 8 | Requires the prior submission of extraction and odour control details to the British Legion Club |
-

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- 9 Limits the noise levels for Plant and Machinery at the British Legion Club
 - 10 Limits the hours that plant and machinery can be used at the British Legion Club
 - 11 Requires the prior submission of noise insulation to the new British Legion Club premises
 - 12 Requires the prior submission of cycle storage details at the British Legion Club
 - 13 Limits the use of the residential accommodation within the new club building to incidental occupation only
 - 14 Removes PD rights for the installation of gates to the new residential access drive
 - 15 Requires the implementation of tree protection
 - 16 Requires the prior submission of an arboricultural method statement
 - 17 Requires the prior approval of an amended car park layout
 - 18 Requires the prior approval of the siting/design of the access
 - 19 Requires the provision of cycle parking prior to occupation
 - 20 Requires the parking area to be laid out prior to use
 - 21 Requires pedestrian visibility splays to be provided
 - 22 Requires the prior submission and completion of works for the S278/TRO Agreement
 - 23 Requires the scheme to be in accordance with the listed approved plans
 - 24 Limits the approval to 3 years (Full)
-

Case Officer: Peter Barton

Photo(s)

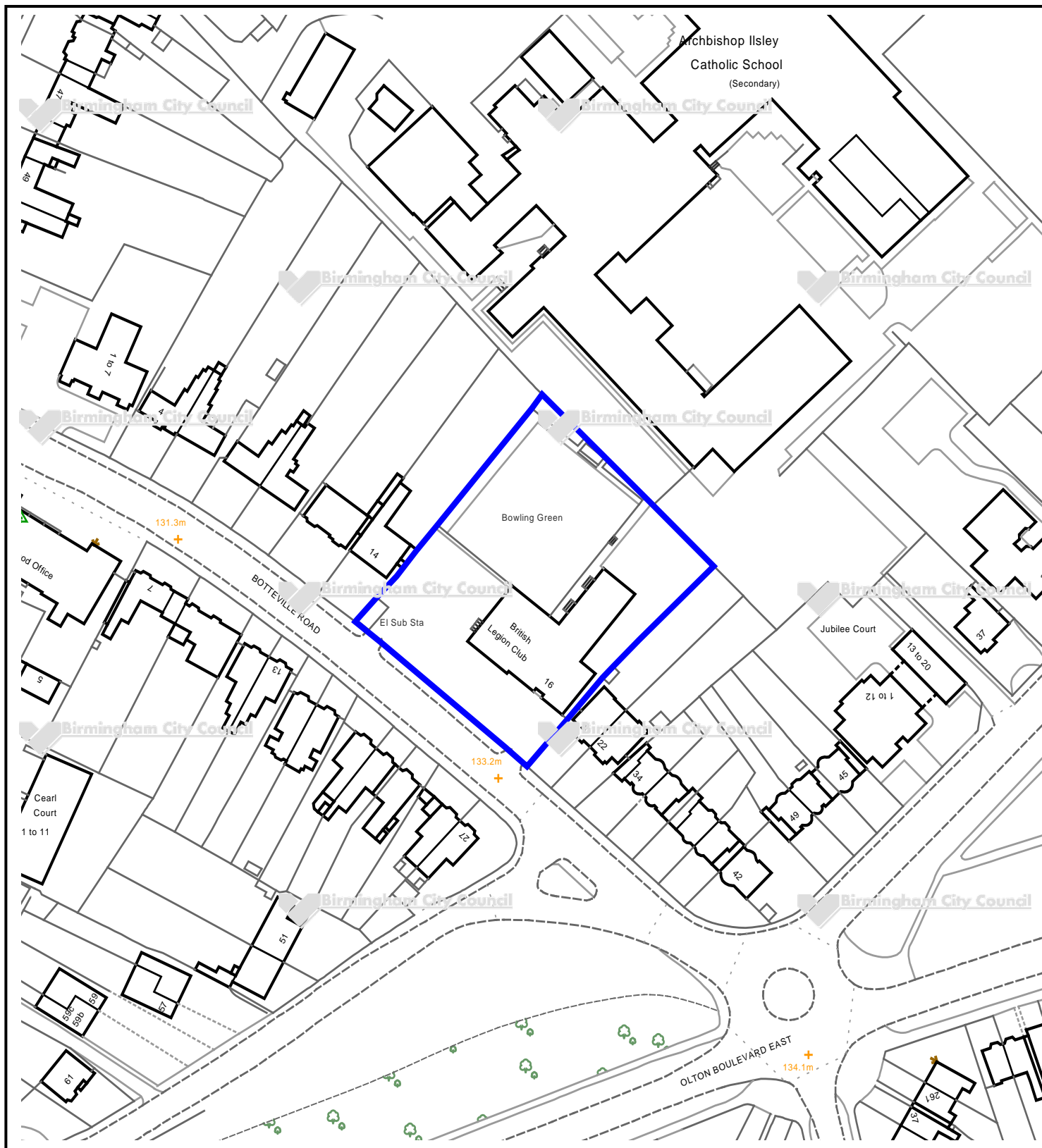


Figure 1 – Botteville Road frontage



Figure 2 – existing bowling green

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/02540/PA
Accepted:	22/04/2015	Application Type:	Full Planning
Target Date:	22/07/2015		
Ward:	Tyburn		

Land off Farnborough Road, Castle Vale, Birmingham, B35 7NL

Erection of new school building with associated sports hall, external play areas, landscaping and parking as a replacement for the existing Greenwood Academy

Applicant: Carillion Construction Ltd
on behalf of The Secretary of State for Education, c/o Agent
Agent: Seymour Harris Architecture
26 Highfield Road, Edgbaston, Birmingham, B15 3DP

Recommendation

Approve Subject To Conditions

1. Proposal

BACKGROUND

- 1.1. This full planning application proposes the erection of a new school with associated sports hall and outdoor play facilities to replace the existing Greenwood Academy secondary school to the north. The proposals are part of the Priority Schools Building Programme (PSBP), which is a private finance initiative which will deliver 8 new schools within the current 'Midlands' batch.
- 1.2. The intention of the PSBP is to transform the provision of education to children, with a significant aspect of the programme being to provide improved facilities (including sports provision) and making these facilities available for community use.
- 1.3. The Academy is presently undersubscribed and currently has some 680 pupils on roll (full capacity is 900). The proposals would extend capacity to 1104 with 180 of these spaces being for sixth form students and 24 places for children with special educational needs.

LAYOUT

- 1.4. The proposed 3 storey flat-roofed building would be situated towards the front of the site, in a centrally located position and would provide 8,627 sq.m of internal floorspace. Outdoor play space with a three court multi use games area (MUGA) would be situated at the eastern end of the site, whilst parking with a four court sports hall and integrated activity centre would be situated beyond. The area directly to the rear of the school would be a combination of formal and informal play areas and incidental landscaping. A biomass CHP plant area would be situated adjacent to the sports hall.

- 1.5. Internally the main school building has the large communal spaces at its heart (dining, reception etc.) with classrooms arranged in clusters at the periphery. The ground floor would accommodate kitchen and dining spaces, the main hall, drama, design technology, food technology, music/art and vocational spaces for hair & beauty and construction. The first floor would be accessed via a feature staircase and houses the SEN suite including specialist classrooms, a series of flexible teaching spaces and staff spaces. The second floor would accommodate science and English together with further staff spaces and the sixth form study and library centre.
- 1.6. The 63 (+ 4 no. disabled) space staff and visitor car park would be accessed via a single access point from the shared drive leading to the Vale stadium to the south. The car park would also provide dropping off facilities (primarily for SEN pupils). Pedestrian access would be through a single entrance directly off Farnborough Road.
- 1.7. In order to provide adequate security the site would be secured by a combination of 2.4m and 3m high weldmesh fencing, although the frontage would be free from fencing, with the building providing the secure perimeter.

DESIGN

- 1.8. The proposed school building has a simple grid layout to its elevations. Whilst the window fenestration varies across the elevations, an ordered approach is taken with a bright projecting feature entrance lobby providing a prominent accent to the front elevation. Materials are restrained with the application showing a dark/grey facing brick with dark aluminium window frames and louvres. In order to reduce its prominence, roof top plant has been located away from the building's edges.
- 1.9. The double height dining space would be highlighted through the use of two storey glazing with the cantilevered classrooms above providing opportunities for external dining.
- 1.10. The two storey sports hall building is visually split with facing brickwork at the lower level and translucent panels above. These panels would allow light to filter into the hall during the day whilst allowing internal lighting to create a subtle light box effect during hours of darkness.
- 1.11. Since the application's submission amended plans have been submitted in accordance with Sport England's recommendations in order to make the sports hall more suited to community use.
- 1.12. This application follows public consultation events in February and March of this year.
- 1.13. Full plans, a Planning Statement; Design and Access Statement; Transport Assessment; Travel Plan; Arboricultural Report; Biodiversity Statement; Contaminated Land Desktop Study; Flood Risk and Drainage Strategy Study; Energy Statement; Low and Zero Carbon Technology Feasibility Report; External Noise Survey Report; Waste Management Plan and Phasing Plans have been submitted in support of this application. A request for a screening opinion was submitted at pre-application stage where it was concluded that the proposals do not generate the need for an Environmental Impact Assessment.
- 1.14. [Link to Documents](#)

2. Site & Surroundings

- 2.1. This 2 hectare site currently forms open space utilised as paddock land. The site is part of a wider paddock site and roughly comprises 2/3 of this land. This remaining paddock land would be retained as such and there is a current submission (application 2015/03562/PA) for the creation of new paddocks on pockets of land to the east. The site previously accommodated high-rise tower blocks and prior to this formed part of the Castle Bromwich Aerodrome during WWII. The site was previously proposed to be laid out as playing fields (see planning history).
- 2.2. The application site is generally flat and bounded by post and rail fencing. Further to the east beyond the retained paddocks is a nursing home. Residential dwellings lie to the north with the existing Greenwood Academy beyond. The site forms part of a much wider area of open space which includes the Vale Stadium and sports pitches to the south and allotments to the east. The elevated M6 motorway is situated in the distance to the south / east.

Site Location

3. Planning History

Land to the South/East

- 3.1. Current Application – 2015/03562/PA – Relocation of existing paddocks to new adjacent areas to enable the relocation of the horses from the application site

Land to the West

- 3.2. 09.08.2001 - 2000/05851/PA – Approval - Erection of 249 dwellings, access and parking and extension of public open space

Application Site

- 3.3. 29.03.2001 – 2001/00156/PA – Approval - Formation of recreation area/football pitches
- 3.4. 15.09.2005 – 2005/04879/PA – Temporary Approval - Variation of Condition C7 (playing field provision) attached to N/05851/00/FUL (erection of 249 dwellings) to allow use of the land for horse paddocks for a two year period, including importation of topsoil for grass seeding, perimeter post-and-rail fencing, and erection of lighting column
- 3.5. 27.06.2013 – 2013/01818/PA – Approval - Application to remove condition C7 (provision of playing fields) attached to planning approval 2000/05851/PA (erection of 249 dwellings) to retain land for use as paddock

4. Consultation/PP Responses

- 4.1. Transportation Development – No objection subject to conditions requiring measures to prevent mud on the highway, completion of an appropriate highways agreement to secure measures such as Traffic Regulation Orders (e.g. school keep clear markings), submission of a School Travel Plan, provision of further details of the proposed cycle parking and a Construction Management Plan.

- 4.2. Regulatory Services – No objection subject to conditions requiring the prior approval of extraction and odour control equipment and further contaminated land studies/remediation. Conditions controlling hours of use of the MUGA and noise from plant and machinery are also recommended. Recommend that 10% of parking spaces are provided with charging points for electric vehicles.
- 4.3. BCC Drainage Team – Recommend conditions requiring the prior approval of a sustainable drainage scheme and maintenance plan.
- 4.4. Leisure Services – Object to the loss of open space but accept that if exceptional circumstances are proven then the school would have a wider community benefit.
- 4.5. Environment Agency – No objection.
- 4.6. Sport England – No objection subject to conditions requiring a community access agreement for the on-site sports facilities and that the alternative location for the horse paddocks is provided prior to the commencement of the development.
- 4.7. West Midlands Police – No objection but recommends that the proposal is built to enhances security standards (Secured by Design).
- 4.8. Severn Trent Water – No objection subject to a condition requiring the prior approval of drainage details.
- 4.9. Birmingham and Black Country Wildlife Trust – Consider that whilst the application to relocate the paddocks is a separate submission they consider that the relocation of the paddocks should be a material consideration in respect of the school application. They add that the intended areas for relocation of the horses has been the subject of funding in 2013 to create floristically species-rich meadows. Further grant aid has been secured and the site is on the priority list to receive further funding. Removing access to the meadow for a restricted horse grazing use would be detrimental to the provision of public open space and the success of past and future project work. Therefore the trust do not support this application until an alternative grazing location and the issue of loss of public open space has been resolved to the benefit of past and planned investment in community, project and financial terms. Note that Birmingham and the Black Country is identified as a Nature Improvement Area (one of 12 in England) and the proposals as currently drafted would fail to realise the opportunities for the natural environmental improvement as required by the NPPF and the Natural Environment White Paper.
- 4.10. Site and Press Notices displayed. Local occupiers, Ward Members, the MP and Residents' Associations were consulted without response.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005; the submission draft Birmingham Development Plan; Places for All (2001) SPG; Parks and Open Space Strategy (02006) SPD; Car Parking Guidelines (2012) SPD; Playing Pitch Strategy (2011); and the National Planning Policy Framework 2012.

6. Planning Considerations

POLICY

- 6.1. Policy 3.52A of the UDP states that proposals that result in the loss of open space will only be permitted in exceptional circumstances and account will be taken of the availability and quality of public open space nearby.
- 6.2. The Playing Pitch Strategy (PPS) identifies a shortage of playing fields in the Erdington Area, however there are a number of pitches in immediate proximity. The adds that quality of the pitches is a key issue and the Vale Stadium site is identified as a priority for investment.
- 6.3. Key considerations are the principle of the loss of open space and the erection of the school and associated development, design, amenity, ecology, tree impact and highway matters.

PRINCIPLE

- 6.4. The site currently forms open space to which the public do not generally have access. The application must therefore demonstrate exceptional circumstances to permit the loss of this open space. Should exceptional circumstances be demonstrated then adequate compensation for the loss should be provided.

Exceptional Circumstances

- 6.5. The Planning Statement outlines that rebuilding the school on the current site would result in an adverse impact on the students' educational attainment due to the relatively tight confines of the site and restricted access during the construction works. In addition, due to the size and irregular shape of the site together with the need to keep the school operational there would be severe constraints on the design of the new building. The new school would be dictated by the logistics of building around existing occupied classrooms, rather than the basis of optimum design principles. Therefore redeveloping the existing site would result in both unacceptable levels of disruption during construction and a compromised end design.
- 6.6. Due to the above constraints alternative sites were explored. The application site was identified due to its close proximity to the existing school and adjacency to the sports facilities. The site would also enable the school to have a prominent frontage providing a visible statement regarding the importance of education and assisting in further developing community engagement.
- 6.7. Tyburn Ward, at 3.15ha per 1000 population, exceeds the minimum target of 2ha for public open space. The proposals would have not impact upon these figures as the existing space is not public open space and there would be no increase in population. Whilst there would be a loss in the open views across this and neighbouring sites, I do not consider this sufficient to warrant resisting the application.
- 6.8. The existing school site accommodates an artificial grass pitch, a MUGA, two rounder's pitches and a sports hall. At least in the short term, the school propose to continue to utilise the MUGA and artificial grass pitch and manage community access outside of school hours in conjunction with Castle Vale Community Housing Association. I note that the UDP allocates the site for playing field use, however as per the planning history, it has been accepted that the site is no longer needed for playing field use and the paddock use has permanent consent.

- 6.9. I consider that the proposals satisfactorily demonstrate exceptional circumstances subject to the community access agreement condition recommended by Sport England.
- 6.10. The issues arising from the displacement of the horses is considered in a separate application and is not within the control of the applicant. I therefore do not consider the condition requiring securing an alternative location recommended by Sport England reasonable or necessary.

Compensation

- 6.11. Financial compensation for the loss of the open space to accommodate the school of £300,000 has been secured in principle. This is broadly calculated on the basis of £15 per sq.m which is typically applied in the instances of the loss of playing field. I consider that this is sufficient and conclude that the more onerous £40 sq.m would not be reasonable in this instance as the land does not constitute public open space and is not laid out to that standard. The compensation would be secured by condition requiring the provision of an appropriate mechanism as the city owns the site and cannot enter into a legal agreement with itself.
- 6.12. My Strategic Planning Officer concurs with the above conclusions and I therefore conclude that the proposals are acceptable in principle subject to the appropriate compensation being secured.

DESIGN

- 6.13. The principal school building, at three storeys in height, is an appropriate scale for this main road frontage. Residential properties to the north and west are a combination of two and three storeys in height within the vicinity of the application site. The siting of the school set back (12m) from the road behind landscaping reflects the character of the wider Castle Vale estate and would maintain a sense of openness. The sports block beyond has a clear relationship with both the school building and the sports pitches to the south, with its siting facilitating community use, including providing changing facilities for the neighbouring fields. The siting of much of the outdoor play space including the MUGA adjacent to the remaining paddocks will, notwithstanding the proposed fencing, maintain an undeveloped visual corridor from Farnborough Road allowing views across to the fields/planting beyond.
- 6.14. The relatively simple style of architecture for the school building is appropriate and the use of facing brickwork is acceptable. The feature entrance would aid legibility and provide a key marker in the street scene for this community building. The building provides active frontages to all four elevations, with generously proportioned classroom windows. Roof top plant area is situated towards the centre of the roof to minimise visual impact.
- 6.15. Use of brick and a translucent material for the sports hall/dance studio building is appropriate and will add both day and night time visual interest. The translucent material would provide a light and without glare that could compromise the range of sports that could take place.
- 6.16. Ancillary development would include an energy centre housing the boiler, plant and sprinkler tank located adjacent to the proposed shorts hall. This would be bounded by a close boarded timber screen to soften its visual impact. The screened refuse store would be situated between the energy centre and the access road.

- 6.17. Whilst the finer details are to be determined, the scheme outlines a comprehensive planting strategy with trees to the site frontage, car park and rear play space. I consider this acceptable subject to a condition requiring the prior approval of a detailed scheme.
- 6.18. I therefore raise no design/visual amenity objections subject to appropriate safeguarding conditions including prior approval of materials and levels.

AMENITY IMPACT

- 6.19. The proposed development is sited approximately 46m from the closest residential property to the north and as such there would be no material overlooking or overshadowing of existing residential properties. In terms of noise and disturbance a Noise Study has been provided. The study includes the results of a noise level survey which provides baseline data for the existing situation. This demonstrates that the school would offer a suitable internal noise environment (in accordance with DfE guidelines) and that the proposal, including the external play areas are unlikely to result in a significant change in noise levels at the nearest residential properties.
- 6.20. Regulatory Services raise no objection subject to conditions requiring the prior approval of extraction and odour control equipment and further contaminated land studies/remediation. Conditions controlling hours of use of the MUGA and noise from plant and machinery are also recommended. I concur with the recommended conditions and do not consider the proposed hours of use for the MUGA (08:00 – 20:00 Monday to Saturday and 10:00 – 18:00 Sundays) a significant barrier to any potential community use. I also note that no floodlighting is proposed and therefore extensive evening use would be unlikely to be feasible.
- 6.21. I note the recommendation for 10% of the parking spaces to be provided with charging points for electric vehicles. However, as there is no policy basis for such a measure, I do not consider this reasonable in this instance.
- 6.22. In terms of comings and goings, the principal pedestrian access is from Farnborough Road, which is an established situation. The proposals would locate the school entrance onto the main road away from the existing cul-de-sac arrangement.
- 6.23. I therefore conclude that subject to the conditions recommended by Regulatory Services, the proposed development would not materially harm the amenity of occupiers of dwellings within the vicinity.

ECOLOGY

- 6.24. The comments made by both the Wildlife Trust and the City's Ecologist resisting the relocation of the horses onto the nature conservation area are noted. However, the implication of the proposed relocation of these horses is not the subject of this application, and will be considered in application 2015/03562/PA. The Ecologist notes that the site has limited ecological value as concluded by the supporting biodiversity statement submitted in support of this application and recommends that a condition requiring a scheme of ecological enhancement measures is imposed to provide the maximum ecological benefit from the proposed development. I concur with this recommendation and an appropriate condition is recommended.

TREE IMPACT

- 6.25. There are a limited number of trees on this site which would be required to be removed in order to facilitate the development. The City's Arboricultural Officer agrees with the conclusions of the Arboricultural Report and notes that it would be difficult to see how the site could be development without the removal of a number of trees (including two A and five B category and part of a B category grouping on the southern boundary). The Arboricultural Officer recommends a condition requiring the development to be carried out in accordance with the submitted report and I concur with this conclusion and an appropriate condition is attached.

HIGHWAY MATTERS

- 6.26. The application proposals show 67 parking spaces, 30 cycle spaces (with a potential to expand to 121) and a drop off bay within the car park. Transportation Development calculates the maximum parking provision generated by the staff (126) and student numbers to be 75 spaces. Therefore the proposal would provide a satisfactory level of parking provision. The Car Parking Guidelines SPD states that the proposal generates a minimum cycle parking provision of 124 spaces. However the application's accompanying travel surveys show that only 5 pupils and 2 members of staff currently cycle to the existing site. Therefore the provision of 30 spaces initially with scope for expansion is an appropriate level of provision.
- 6.27. Access would be via an existing (unadopted) access road and would not present highway safety or free-flow issues. Transportation Development recommend conditions requiring measures to prevent mud on the highway, completion of an appropriate highways agreement to secure measures such as Traffic Regulation Orders (e.g. school keep clear markings), submission of a School Travel Plan, provision of further details of the proposed cycle parking and a Construction Management Plan. I concur with this conclusion and appropriate conditions are recommended.

DRAINAGE

- 6.28. Since this application's submission the requirement to consider Sustainable Urban Drainage systems for surface water has come into force, with the responsibility for surface water drainage resting with the city. The City's Drainage Engineer raises no objection subject to a condition requiring the submission of a suitable scheme including an appropriate maintenance regime. I concur with this conclusion and an appropriate condition is recommended. The Environment Agency raise no objection and Severn Trent Water recommend a condition requiring the submission of drainage details (including foul). An appropriate condition is recommend.

7. Conclusion

- 7.1. I consider that the proposed school would offer an inspiring educational establishment, delivering a step change in the standard of school and sports provision at Greenwood Academy and provide a catalyst for further improvements. The simple but robust approach in treating the elevations, such as limiting the use of bold colours, aims to deliver a building that would not date and offers internal flexibility. The new sports hall in particular would offer significant benefit to the community, with the changing facilities for the neighbouring sports pitches a further benefit.
- 7.2. I consider that exceptional circumstances for the loss of open space have been demonstrated and that appropriate compensation is secured. I therefore recommend that this application is supported subject to appropriate safeguarding conditions.

8. Recommendation

8.1. Approval subject to the following conditions:

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| 1 | Requires the provision of a financial contribution towards off site public open space in Tyburn Ward. |
| 2 | Requires the prior approval of a Community Access Agreement |
| 3 | Requires the prior submission of a contamination remediation scheme |
| 4 | Requires the prior submission of a contaminated land verification report |
| 5 | Requires the prior submission of a landfill Gas assessment |
| 6 | Requires the prior submission of a construction method statement/management plan |
| 7 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures |
| 8 | Requires the prior submission of extraction and odour control details |
| 9 | Requires the prior submission of hard and/or soft landscape details |
| 10 | Requires the prior submission of level details |
| 11 | Requires the prior submission of sample materials |
| 12 | Requires the prior submission of a drainage scheme |
| 13 | Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan |
| 14 | Requires the prior approval of details to prevent mud on the highway |
| 15 | Requires the prior submission and completion of works for the S278/TRO Agreement |
| 16 | Requires the prior submission of cycle storage details |
| 17 | Requires the submission of an updated School Travel Plan |
| 18 | Requires the development to be carried out in accordance with the Arboricultural Implications Statement |
| 19 | Limits the hours of use of the multi use games area (MUGA) to 08:00 - 20:00 Monday to Saturday and 10:00 - 18:00 Sundays and Bank Holidays |
| 20 | Limits the noise levels for Plant and Machinery |
| 21 | Requires the scheme to be in accordance with the listed approved plans |
| 22 | Limits the approval to 3 years (Full) |
-

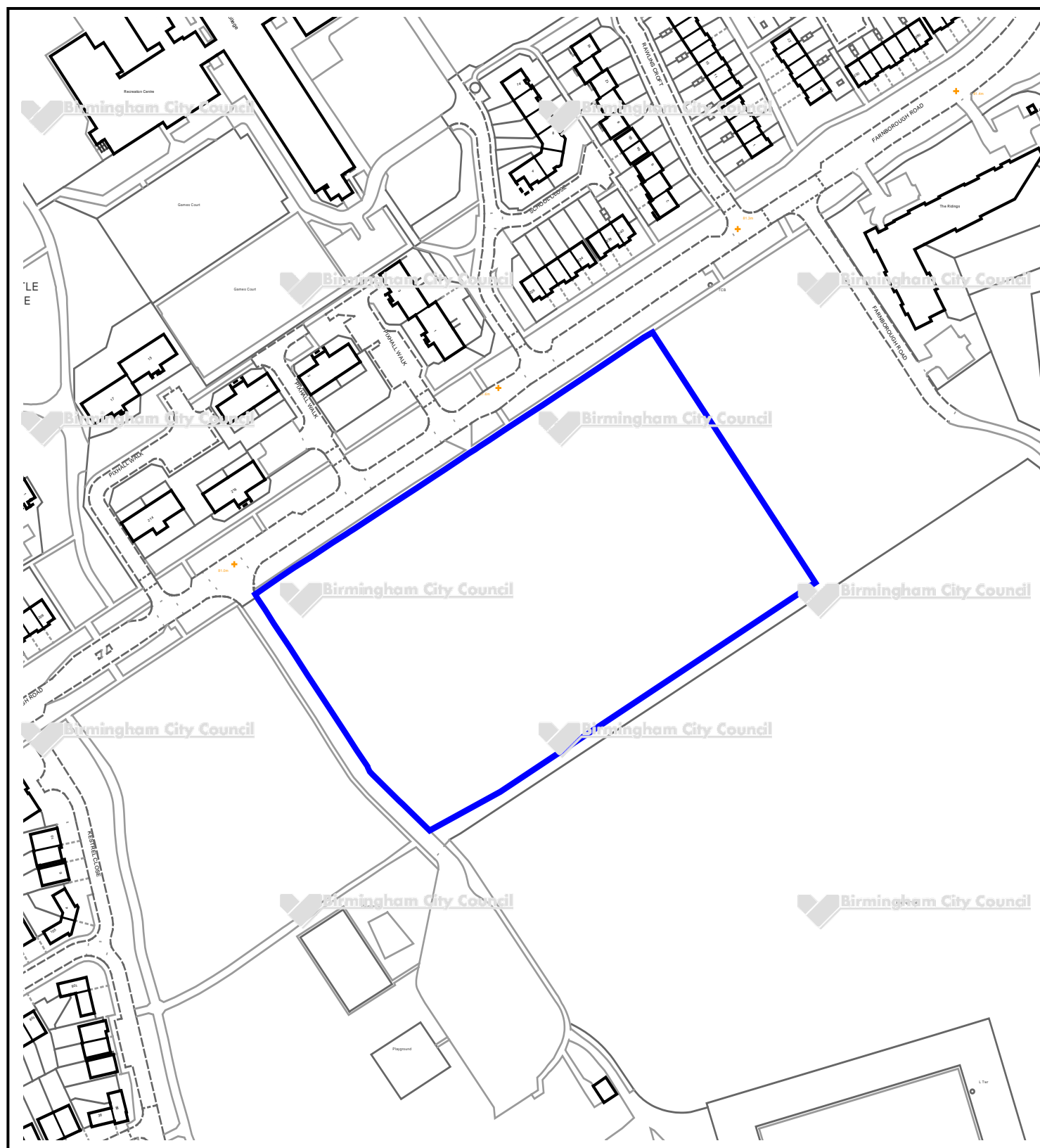
Case Officer: Nicholas Jackson

Photo(s)



Figure 1. The Application Site from Farnborough Road with the access road in the foreground

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/00988/PA
Accepted:	22/04/2015	Application Type:	Full Planning
Target Date:	22/07/2015		
Ward:	Sparkbrook		

62 Montgomery Street, Sparkbrook, Birmingham, B11 1DU

Continued use of gymnasium & kick boxing training centre (Use Class D2)

Applicant: Ultimate Sports Kickboxing Association
62 Montgomery Street, Sparkbrook, Birmingham, B11 1DU
Agent: Ali Architectural Services
414 Coventry Road, Small Heath, Birmingham, B10 0UF

Recommendation

Approve Temporary

1. Background/ Proposal

- 1.1. Planning consent was granted under ref: 2008/05634/PA for the part change of use of an industrial property to gymnasium and kick boxing training centre (Use Class D2) on 23rd April 2009, subject to a condition which limited the use to a temporary period of five years, which expired on 23rd April 2014. The reason for the temporary permission was to ensure that the long term regeneration of the area is not compromised.
- 1.2. The applicant within the current submission seeks consent to regularise the use as gymnasium and kick boxing training centre (Use Class D2). The internal layout comprises entrance lobby, lift, security office and incidental offices at ground floor level. The first floor provides meeting rooms, managers and admin offices incidental to the proposed use. The second floor provides kick boxing training room, male and female gyms, lounge and changing facilities. The combined floor area for the change of use is approximately 1,600 sq. metres. The proposed hours of operation are 1000 to 2200 Monday to Saturday and 1000 to 1400 on Sundays.
- 1.3. Within the supporting statement submitted the applicant has stated that the kick boxing studio and gymnasium is for the local community, particularly youngsters in the disadvantaged community of Sparkbrook. All sessions have a maximum of 20 people. The maximum capacity is 50 people.
- 1.4. There are no external alterations proposed to the building. All car parking would continue to occur on street.

1.5. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is former offices associated to an adjoining industrial unit that has been operating as gymnasium and kick boxing training centre since 2009. The

building extends over three floors and has an attractive brick façade to Montgomery Street with full height windows. The use currently operates in an unauthorised manner; opening 24 hours a day 7 days a week.

- 2.2. The surrounding area is mixed commercial and residential in character. The northern section of Montgomery Road is mixed commercial area that includes the adjoining timbers merchant. The southern section of Montgomery Road is predominantly terrace residential dwellinghouses that are situated to the back of pavement edge with no front gardens. There is an unauthorised car sales yard operating immediately opposite the site on Montgomery Street, where planning consent ref: 2005/07454/PA for residential development lapsed in 2012. A Council car park on the southern side of Montgomery Road, which is allocated for residential development is situated approximately 70 metres from the application site. The Grand Union Canal runs to the rear of the site beyond which there is a waste transfer and storage depot for inert material. Sparkbrook Neighbourhood Centre as defined by Shopping and Local Centre is situated approximately 600 metres from the application site.

[Location Map](#)

3. Planning History

- 3.1. 23/04/2009 - 2008/05634/PA - Sub-division of existing industrial unit (Use Class B2 with ancillary offices) and part change of use to gymnasium & kick boxing training centre (Use Class D2) – Temporary 5 year approval

4. Consultation/PP Responses

- 4.1. Press and site notice displayed. Adjoining neighbours, Resident Association and Ward Councillors consulted – 6 letters of objections received from adjoining neighbours, who object on the following grounds:
- Increased parking and traffic congestion
 - Increased in number of accidents as cars double park on the road
 - Increased litter within the street
 - Operating up until midnight in breach of conditions
 - Use of premises for the sale of drugs
 - Increased noise and disturbance from late night music played from vehicles parked on street
 - Abusive language from patrons
 - Pedestrian safety by people parking on pavement
- 4.2. Transportation Development – Concerns raised to the lack of parking available on street or off-street parking facility provided within the site. The public car park on the opposite side of Montgomery Street is due to cease and be redeveloped for housing in 2018. Recommended 1-year temporary consent to monitor the impact of the use upon highway safety and free flow of traffic.
- 4.3. Regulatory Services – I am informed that the use operates 24hours/ 7 days contrary to conditions of previous temporary consent and hours specified within this application. Recommend temporary consent in order to monitor the hours/ days of operation and any impact the use has on amenity of residential occupiers on opposite side of Montgomery Street.

- 4.4. West Midlands Police – No objections.
- 4.5. Canal and Rivers Trust – Awaiting comments (to be reported)
5. Policy Context
- 5.1. NPPF (2012); Adopted UDP (2005); Draft BDP (2012); SPG Places for All (2001); SPD Car Parking Guidelines (2012); SPD Loss of Industrial Land for Alternative Uses (2006);
6. Planning Considerations
- 6.1. The main considerations in the determination of this application are:
- 6.2. **Principle of use** – The established use of the site would be ancillary offices to the adjoining industrial unit. The principle of loss of industrial land has already been considered acceptable as the gymnasium and kickboxing training centre previously had temporary consent and has continued to operate since 2009. The application site and the wider area remain undesignated within the adopted UDP and draft Birmingham Development Plan. The application site has been identified within Strategic Housing Land Availability Assessment (SHLAA) for potential residential development. There are no formal development frameworks/ policies/ documents for Montgomery Street or Anderton Road. The application site lies within Draft Montgomery Street Development Framework that identifies the north side of Montgomery Street in need of investment and regeneration. The Draft Development Framework also allocates the application site and the wider area for mixed residential and commercial uses. The Draft Montgomery Street Framework is at an early stage with no formal status. Consequently, I consider that the proposed use would continue to be acceptable and provide economic benefits for the area through alternative uses. Planning and Growth Strategy have raised no objections to the proposal.
- 6.3. **Impact on highway safety** - Concerns have been raised by neighbours in regards to the impact of parking demand and traffic congestion created by the use. The applicants have failed within their submission to adequately demonstrate that there is sufficient car parking availability within the area to satisfactorily accommodate the use that operates whilst the adjoining industrial/ commercial uses would be operating and also parking demand from the residential dwellinghouses on the opposite side of the road. The public car park specified within the submission is allocated for residential development (BMHT) with the agreed timescale for implementation/ cease of car park use in 2017-2018. Transportation Development have raised concerns to the lack of off-street parking within the vicinity of the site and have recommended that a one-year temporary consent be granted to allow the situation in practice to be monitored in relation to the applicants ability to secure off-street parking provision, availability of public car park and free flow of traffic on the adjoining highways. I concur with this view and consider it to be a pragmatic approach as the applicants have for a number of years continued to operate from the application site.
- 6.4. **Impact on residential amenity** – I note concerns have been raised by neighbours in regards to noise and disturbance. The use continues to operate 24 hours a day and 7 days weeks in breach of planning condition attached to the now expired temporary consent and the hours of operation as specified as part of this proposal. Regulatory Services have recommended a temporary consent in order to monitor the hours of use (to those stipulated by the applicant) to ensure that the proposal

does not adversely impact upon residential amenity of occupiers on the opposite side of Montgomery Street. I concur with this view and consider that a one-year temporary consent is reasonable as it would coincide with Transportation Development recommendation to monitor the use on site.

7. Conclusion

- 7.1. The proposal is recommended for a one-year temporary consent to allow monitoring of the impact of the uses on parking and highway safety and residential amenity.

8. Recommendation

8.1. Temporary Approval

-
- | | |
|---|---|
| 1 | Requires the gymnasium and kick boxing centre use to discontinue within a timescale (1 year). |
| 2 | Requires the scheme to be in accordance with the listed approved plans |
| 3 | Prevents the use from changing within the use class |
| 4 | Limits the hours of operation (1000-2200 Monday to Saturday and 1000-1400 on Sundays/ Bank Holidays). |
-

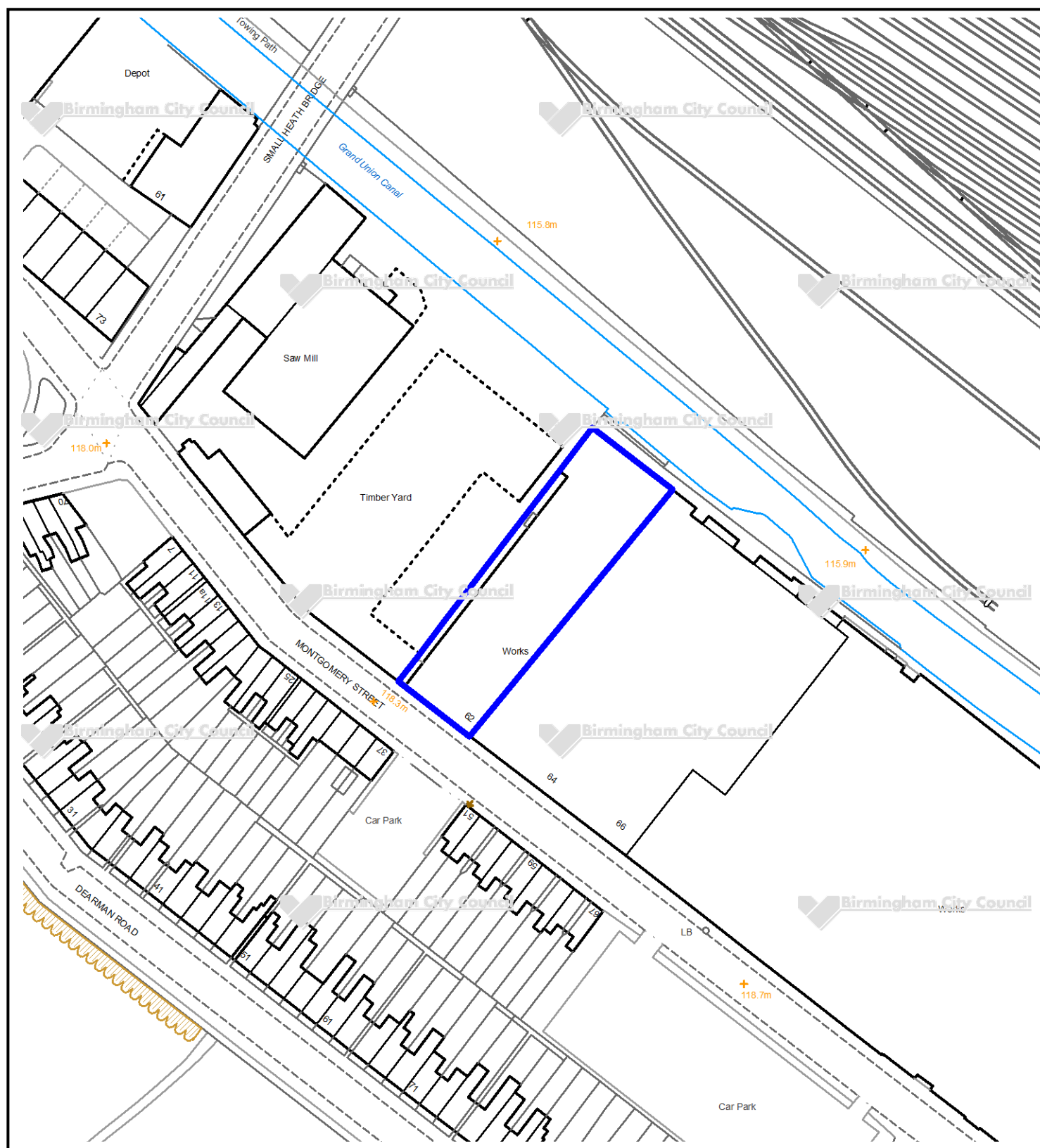
Case Officer: Mohammed Akram

Photo(s)



Figure 1: Application site

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/03066/PA
Accepted:	21/04/2015	Application Type:	Full Planning
Target Date:	21/07/2015		
Ward:	Longbridge		

Land at Longbridge West, North of Bristol Road South, Longbridge, Birmingham

River infrastructure works, reprofiling of river banks, footpath/cycleway including bridge and landscaping (Including temporary river realignment)

Applicant: St Modwen Developments Ltd
c/o Agent
Agent: Planning Prospects Ltd
4 Mill Pool, Nash Lane, Belbroughton, Worcestershire, DY9 9AF

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Planning permission is sought for river infrastructure works, reprofiling of river banks, footpath/cycleway including bridge and landscaping (Including temporary river realignment). The works are being undertaken as part of bringing forward the adjacent site for the Royal College of Defence Medicine (RCDM) (which is currently awaiting determination), as well as the wider re-development of the land west of the A38.
- 1.2. The proposals seek to re-instate a more naturalised (1:2 slope) bank, with landscaping, removing the existing hard engineered structures for approximately 220m of the river. The new channel would run within/just to the north of the existing channel. It would be complemented with a new 6m wide and lit, riverside cycle-walkway running alongside the Rea's northern bank, approximately 6m to the north of the new bank top. The path would be half a two-way cycle path, and half for pedestrians. The path would be made of resin-bound gravel. The path would extend under the A38, to Austin Park. A 4m wide, wooden bridge connecting the southern to northern river bank is also proposed to allow cycle and pedestrian access to the A38 and RCDM site, with a short pathway spur leading up from the river to the A38. The bridge would be just to the west of the A38. New tree planting is indicated along the length of the path, and next to the path spur linking to the A38.
- 1.3. In order to construct new river banks, a temporary (circa one year) diversion of the River alignment into Longbridge West directly to the north is required. This would carry river flows whilst works within the former channel are undertaken. The temporary route arcs to the north, which the northern edge of the red-edged site describes. Apart from the construction works, the one year period would allow controlled flows in the new channel to allow vegetation to establish.

- 1.4. The works to the River Rea form part of the longer term plan for the River Rea corridor which has already seen the river de-culverted through the Longbridge North site, and within Austin Park.
- 1.5. The application is supported by a Planning Statement; Design Report; Flood Risk Assessment; Drainage Strategy; Ecological Appraisal; Tree Survey and Arboricultural Assessment and a Geo-Environmental Summary Report.
- 1.6. Site area: 1.22 hectares.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is located to the west and immediately opposite the new Longbridge Town Centre; Bournville College, Austin Park, recent housing developments along Lickey Road and the new Extra-care development.
- 2.2. The River Rea runs alongside the site for which planning permission is sought for an RCDM building (reference 2015/03064/PA). Formerly this site was used for the Bournville College Construction Centre; however this building has subsequently been demolished and relocated to a site off Devon Way in Longbridge, within the Longbridge Technology Park.

[Site Location Map](#)

3. Planning History

Includes:

- 3.1. Awaiting determination. 2015/03064/PA. Erection of secure serviced residential accommodation (Use Class C2A) for defence medicine personnel, access, parking, landscaping and associated infrastructure.
- 3.2. 19 March 2015. 2014/09425/PA. Outline planning permission granted with all matters reserved for future consideration granted for the erection of up to 10,040 sqm offices (B1), access, parking, landscaping and associated development infrastructure.
- 3.3. 21 January 2015. 2014/07124/PA. Temporary planning permission granted for the creation of a temporary car park with 209 parking bays for a period of 18 months. Permission granted until 31 December 2015.
- 3.4. 18 September 2014. 2014/04442/PA. Planning permission granted for the development of an extra care village comprising 260 units and village centre in a 5 storey building with associated car parking, roads and landscaping.
- 3.5. 7 August 2014. 2013/09229/PA. Planning permission granted for Retail and service development (A1, A3 and A5) comprising 14,832sqm (GEA) anchor store, retail units of 4,383sqm (GEA), restaurant/takeaway pavilion building of 589sqm (GEA), erection of multi storey car park of 1216 spaces and surface level car park of 500 spaces, access, landscaping and associated works.

- 3.6. 21 June 2012. 2012/02283/PA. Planning permission granted for Recreational park including alterations to river alignment, new bridge, pedestrian cycle bridge, footpaths, hard & soft landscaping and associated river & drainage infrastructure works.
- 3.7. 9 September 2011. 2011/00773/PA. Planning permission granted for mixed use development comprising new superstore, shops (A1), Financial and Professional (A2), Restaurants/Cafes (A3), Public Houses (A4) and Hot Food Takeaways (A5), Offices (B1a), 40 residential apartments, hotel, new public park, associated parking and service infrastructure and new highway access from Longbridge Lane and Lickey Road.
- 3.8. 17 April 2009. 2008/06456/PA. Planning permission granted for Development of a college facility (Class D1), with associated landscaping, parking and access arrangements.

4. Consultation/PP Responses

- 4.1. Local residents, Ward Councillors, MP and Resident Associations notified. Site and press notice posted. No response received.
- 4.2. Environment Agency – No objection subject to a safeguarding condition relating to the development being undertaken in accordance with the River Rea Infrastructure Design report.
- 4.3. Drainage – This planning application does not require a Sustainable Drainage Assessment of Sustainable Drainage Operation or Maintenance Plan. No Conditions to Apply. It would be expected that a SuDS Assessment and SuDS O&M plan be received with the complimenting planning application for the serviced accommodation and car parking.
- 4.4. Regulatory Services – No objection.
- 4.5. Network Rail – No comments to make.
- 4.6. City Ecologist – No objection subject to safeguarding conditions relating to bird/bat boxes, ecological mitigation and management plan.
- 4.7. Transportation – comments awaited.

5. Policy Context

- 5.1. Longbridge Area Action Plan, UDP, Draft Birmingham Development Plan, NPPF, NPPG, Car Parking Guidelines SPD. Places for All SPD.

6. Planning Considerations

- 6.1. The application site sits within the Longbridge Area Action Plan (AAP) framework, which forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community,

leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

- 6.2. The MG Rover plant closed in April 2005. Preparation of the AAP commenced in April 2006 and was adopted in April 2009. St Modwen and Advantage West Midlands assisted in developing the AAP along with Bromsgrove District Council and Worcestershire County Council. The aim of the AAP is to create an urban eco-centre *"delivering 10,000 jobs, a minimum of 1450 houses, new education facilities, retailing, leisure, community and recreation uses underpinned by quality public transport and infrastructure"*.
- 6.3. Very significant development and regeneration has already taken place at Longbridge, following the site remediation carried out by the site owners. A new town centre has been delivered, which to date comprises Bournville College, various retail developments including a Sainsbury's supermarket, leisure uses, 3,240sq.m of B1a offices, and a new urban park of 0.99 ha. A large new Marks and Spencer and other retail development has been granted planning permission and is currently under construction. North of Longbridge Lane is the two-thirds completed Technology Park, the new youth centre, and the recently completed re-located Bournville Construction College. 132 dwellings have been provided on Lickey Road and residential development is progressing on the former East Works site in Bromsgrove District along with employment development on the Cofton Centre.

Policy

- 6.4. Paragraph 109 of the NPPF identifies that the planning system should contribute to and enhance the natural and local environment by *"recognising the wider benefits of ecosystem services and minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."*
- 6.5. The NPPF goes further and states in Paragraph 117, that planning policies should *"promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations"*.
- 6.6. Paragraph 3.38 of the UDP identifies that *"the retention and enhancement of existing tree cover, hedgerows, wildlife habitats and geological features will be supported in order to ensure that the natural heritage of an area is not lost."*
- 6.7. The application site sits within the Regional Employment Site on the former MG West Works site covered under Policy RIS1. The river corridor is covered under Policy OS2a – Linear Open Space Walkway which states *"Development of two major linear open space walkways and cycleways through the site – opening up the River Rea and River Arrow, with associated enhancements to wildlife habitats, landscaping and the provision of cycle and pedestrian routes along the walkways and good quality links to the wider area. Proposals should create a recreational resource; contribute positively to biodiversity and recognise the historic and archaeological value."*

- 6.8. The policy then deals with each river corridor in turn and specifically for the River Rea states *“enhancement of the open channel including improvements to the profile and beds. The River Rea through West Works will also continue to be protected and enhanced as a Site of Local Importance for Nature Conservation.....Good quality attractive and safe landscaped/open space walkways and cycle routes to be provided alongside the whole length of the river including the link across the A38 to the local centre.”*
- 6.9. I consider that the works to the River Rea and its banks adjacent to the RCDM application site and running into North Works along with works to provide improved ecological benefits and a pedestrian footpath/cycleway are in accordance with both national and local policy.
- Flood Risk and Drainage Strategy
- 6.10. A Flood Risk Assessment has been submitted as part of the planning application for both the RCDM application and this submission. The assessment identifies that the works proposed to the river corridor in order to restore it from an engineered channel to a natural channel would represent an environmental enhancement and betterment in line with the requirements of the NPPF and the Water Framework Directive.
- 6.11. In relation to the proposed river works, the assessment states that the proposed river channel profile has been subject to hydraulic modelling to ensure that the hydraulic performance and flood extents of the River Rea remain unchanged. The proposed shared pedestrian/cycle bridge has been designed to span the river providing a 600mm gap between the soffit and peak water level to ensure that flood flows are not impeded, and therefore flood risk minimised.
- 6.12. The assessment concludes that the proposals would continue the wildlife corridor throughout the wider Longbridge site, enhancing the ecological value of the site and providing access to the public. It finally concludes that the wider benefits of the river works outweigh any short term adverse impacts involved as part of wider site developments.
- 6.13. The Environment Agency has raised no objections to the proposed river works subject to safeguarding conditions. I concur with their view and relevant safeguarding conditions are recommended.

Contaminated Land

- 6.14. The accompanying Geo-Environmental report has assessed both the RCDM site and the River Rea South and North Banks. In relation to the South Bank, the report identifies the site as being made ground comprising varying proportions of sand, gravel silt and clay sized fractions with plastic, brick and concrete fragments below which were deposits of alluvium. In relation to the north bank (location of the proposed walkway), the ground consists of sand and gravel with ash, brick and concrete underlain by weathered sandstone.
- 6.15. Surface water samples were collected during the investigative works which had no elevated levels of recorded contaminants in them.
- 6.16. Regulatory Services has raised no objection to the proposed works and I concur with this view.

Trees

- 6.17. A tree survey has been undertaken of the trees falling within the boundary of the proposed river works. 8 individual trees were surveyed comprising of Willow, Ash, Common Alder and Crack Willow along with four groups of trees. The four groups included Sycamore, Hawthorn, Ash, Cherry, Goat Willow, Crack Willow, Bay Willow, Holly, Lilac, Norway Maple, Hazel, Apple and Elm. Of the eight individual trees, 2 fell within 'B' category, 3 within 'C' category and 3 within 'U' category. Three groups were classified as B and C trees. The application proposes the removal of the 3 Category 'U' trees that were identified as Willow, Common Alder and Crack Willow.
- 6.18. My Arboricultural Officer has raised no objection to the loss of the three trees identified and has recommended safeguarding conditions relating to tree protection and implementation.

Ecology

- 6.19. An ecological appraisal is submitted in support of the planning application following field surveys which took place in November 2014 and February 2015. The report identifies that the site lies within the Natural England defined Midlands Plateau Natural Area, which possesses a diverse nature conservation resource although the area is essentially urban. The River Rea itself, including the application site, is designated as a Wildlife Corridor.
- 6.20. The site comprises a road bridge (A38) constructed from a combination of brick, concrete and metal girders; an area of species-poor semi-improved grassland as banktop vegetation; woodland and scrub; scattered trees and short perennial vegetation. The river comprises the following:
- 4m in width channel;
 - Trapezoidal bank profile, with steep bank at 90 degrees to the river channel and approximately 3m high;
 - Reinforced banks for all of the northern bank;
 - Channel substrate comprises silt and sand with scattered debris;
 - Heavily shaded channel with dense bankside vegetation with no in-channel or marginal vegetation present.
- 6.21. In relation to fauna, the survey found that there was no evidence for the presence of bats during the survey within the site; no evidence of badgers were found within the site and that there is limited suitable habitat; no evidence of water voles was identified and the reinforced banks and dense shading make it unsuitable for them.
- 6.22. The report identifies that the proposed works would have a beneficial impact on the ecological value of the corridor by the:
- Removal of two areas of concrete reinforcement;
 - Re grading of the river bank in areas to provide a safe slope and a variety of marginal habitats for aquatic and wetland species;
 - Flow deflectors in the channel to encourage flow diversification and the accumulation of material to form additional habitat features;
 - Selective removal of scrub and trees from the areas of re-graded bank, to reduce shading of the river; and
 - Other trees would be selectively pruned or coppiced.
- 6.23. Mitigation and enhancement measures identified in the report comprise:
- Impacts on the river should be minimised by employing good construction management practices;

- Preparation of a management plan for the enhancement and management of the river;
- Retained trees should be protected by barriers and/or ground protection;
- A pre-construction check for active badger setts within 100m of piling operations and 30m of working footprint should be undertaken;
- Consultation with an ecologist prior to structural or lighting changes to the A38 road bridge to determine potential for roosting bats;
- Consultation with an ecologist prior to felling of trees to determine potential for roosting bats; and
- Site clearance/tree works should be undertaken outside of bird breeding season (March to August).

6.24. The City Ecologist identifies that the River Rea at this point, due to its location within the former Rover factory site, was previously out of view for much of its length and is contained within a modified channel, some sections having concrete walls. The brook course is also heavily shaded in places. The combination of these factors will have reduced the ecological value of this section and limited the connectivity between nature conservation sites both up and downstream. However there is a good opportunity to improve and enhance this section to provide a greater connectivity between these more natural sections, upstream at Rubery Great Park and downstream at Daffodil Park. Overall the proposed work would improve the ecological value of the river channel.

6.25. Safeguarding conditions are recommended by the City Ecologist relating to ecological enhancement measures, bird and bat boxes and a nature conservation management plan and these conditions are recommended below. Specific issues relating to Kingfishers and Grey wagtail, plant species for the proposed bank seeding and bird/bat boxes have been forwarded to the applicant so that they can be included within an application for the agreement of condition details.

6.26. I note the comments made by the City Ecologist and I consider that the proposals would have a significant benefit on the ecology and biodiversity of the River Rea channel in this area and would improve connectivity along the River from Rubery Great Park through the former West Works site and into the new town centre park.

7. Conclusion

7.1. The site is located within the AAP linear open space walkway. As such, the proposed development is acceptable in principle and accords with the land use allocation policies of the Longbridge AAP. The proposal would see changes to the existing river banks to establish a natural bank that would have significant ecological benefits to the corridor for both flora and fauna. The creation of a link to this part of the corridor both under the A38 into Longbridge North and the new town centre park and up onto the A38 itself would improve connectivity both into and through the wide Longbridge site and to the wider river corridor to the north and south of Longbridge. Cycling and walking access would be provided for existing and future residents and employees in the area, and I consider the design and landscaping to be appropriate. On this basis, I consider the proposal to be in accordance with both national and local policies relating to protection and enhancement of the natural environment.

7.2. I note that the key principle in the NPPF is the presumption in favour of sustainable development and this is identified as having three stems of economic, social and environmental. As the proposal would continue to support the wider site redevelopment with its associated significant economic and social benefits, support

the provision of further local employment on the allocated RIS site on West Works and would have a positive and significant environmental benefit, I consider the proposal to be sustainable development and on this basis, should be approved.

8. Recommendation

8.1. That planning permission is approved subject to the conditions listed below.

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- | | |
|----|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of a method statement for works in the river channel/bank |
| 3 | Requires the prior submission of a programme, method statement and arrangements for the temporary river alignment |
| 4 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures |
| 5 | Requires the prior submission of details of bird/bat boxes |
| 6 | Requires the prior submission of a habitat/nature conservation management plan |
| 7 | Requires the prior submission of hard and/or soft landscape details |
| 8 | Requires the prior submission of hard surfacing materials |
| 9 | Requires the prior submission of a lighting scheme |
| 10 | Requires the prior submission of a CCTV scheme |
| 11 | Development to be in accordance with the River Rea Infrastructure Design Report |
| 12 | Retained Trees - Protection |
| 13 | Limits the approval to 3 years (Full) |
-

Case Officer: Pam Brennan

Photo(s)

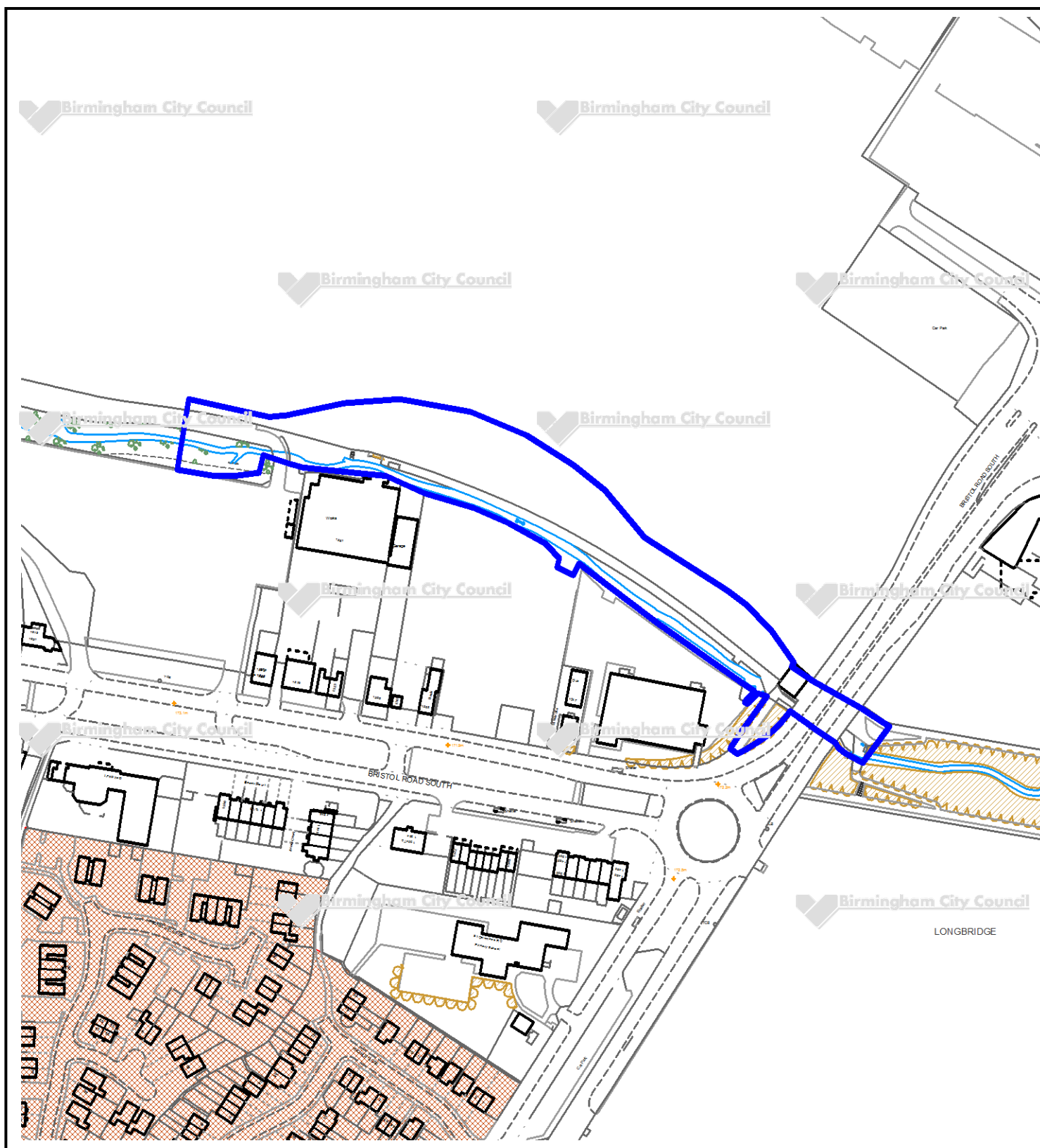


View of RCDM site, river channel and under road bridge access



View of River Channel from Road Bridge on Bristol Road South

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/01804/PA
Accepted:	10/03/2015	Application Type:	Full Planning
Target Date:	05/05/2015		
Ward:	Moseley and Kings Heath		

20 Wake Green Road, Moseley, Birmingham, B13 9EZ

Demolition of single storey rear structure and erection of replacement single storey rear conservatory extension

Applicant: Mr F Turki
c/o Agent
Agent: Gurmukhi Building Design Ltd
The Old School House, School Road, Moseley, Birmingham, B13 9SW

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The proposal is for the demolition of an existing unlawful single storey rear structure and erection of a replacement single storey rear conservatory extension. The existing single storey rear structure, which was constructed in 2011/2012, comprises of rendered breeze block/brick arches and a canvas roof, and extends out from the rear elevation by a depth of 8.5m.
- 1.2. The proposed replacement conservatory extension would be similar in footprint to the existing unlawful structure - measuring 8.5m in depth, 7.2m in width, and 4.5m in height to its roof ridge. Facades would comprise of glazing set within a white UPVC frame, and with a brick stallriser. The pitched roof would comprise of polycarbonate. Pairs of French windows would be incorporated on both the rear and side elevations respectively, with a short set of steps leading down into the rear garden below each pair.
- 1.3. The Applicant has stated that the proposed conservatory is required for breakfast seating for hotel guests.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. No. 20 Wake Green Road, also known as the Wake Green Lodge Hotel, is a two storey, detached property, located on the corner of Wake Green Road and School Road, and fronting the former. It is located in a predominantly residential part of Moseley. The property has operated as a nine bedroom hotel with ancillary restaurant for many years, although currently appears to be vacant. Site boundaries to the rear are defined by close-boarded timber fencing, whilst the frontages are defined by a low stone wall, hedging and mature trees, with a fence also to the side

boundary on School Road. The site frontage is largely hard surfaced for car parking. The aforementioned unlawful single storey rear structure is attached to the rear elevation of the property and there are rendered brick/breezeblock arches which exist within the rear garden, adjacent to its boundary with School Road.

- 2.2. No. 18 Wake Green Road, which immediately adjoins the site to the west, is in single family dwellinghouse use. Lorne Court, which immediately adjoins the site to the south, is a more recently built 3-4 storey flatted retirement complex, with its flank wall facing on to the site.
- 2.3. The application site, and adjoining property No. 18, are covered by Tree Preservation Order 335.

[Site Location Map](#)

3. Planning History

- 3.1. 04.07.96 - 1996/00692/PA - Erection of a single-storey conservatory at rear and alterations to kitchen and corridor – Refused (on grounds of inadequate parking provision, prejudicing highway safety/freeflow, over-intensive use of premises, and being contrary to Area of Restraint policy)
- 3.2. 03.10.96 – 1996/02985/PA – Retention of single-storey cold food store at the rear – Approved-conditions
- 3.3. 29.11.99 - 1999/03966/PA - Erection of rear single storey extension, retention of approved lobby on ground floor and proposed conservatory enclosure to first floor balcony – Refused (on grounds of being poor design, too intensive use, and being contrary to Area of Restraint policy)
- 3.4. 2011/0780/ENF - Erection of rendered breeze block and brick arches in garden and single-storey rear extension with canvas roof – Current case

4. Consultation/PP Responses

- 4.1. Transportation Development – No objection
- 4.2. Regulatory Services – No objection – On basis that granting of this application would in no way cause any issues with any present or planned installation of external plant and equipment.
- 4.3. Local residents, Ward Councillors, Residents Associations and M.P. notified – 10 letters of objection and one letter of general comment received from occupiers of Lorne Court. The following relevant planning concerns were raised:
 - Previous late evening noise and disturbance from premises i.e. loud music, car doors slamming etc.
 - Previous parking congestion along School Road i.e. risk for emergency vehicle access, parking on pavement, blocking of driveways etc.
 - Not clear what premises would be used for
 - Previous cooking odours
 - Rubbish has been piled along boundary, attracting rats
 - Height and size of extension

Moseley Society – Object – Difficult to understand what use is being proposed. This property has been the subject of various enforcement issues in the recent past and would ask officers to ensure that the plans comply with the many issues that were raised as part of the earlier enforcement process.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham UDP
- Draft Birmingham Development Plan
- Moseley SPD
- Places for All SPG
- Moseley Area of Restraint

5.2. The following national policies are applicable:

- National Planning Policy Framework (NPPF)

6. Planning Considerations

Background

- 6.1. The current unlawful rear structure and rendered arches are the subject of Enforcement Ref. 2011/0780/ENF and were built in 2011/2012 when the hotel was being unlawfully used as a sheesha lounge. I understand that this generated complaints from local residents in respect of noise, disturbance and parking problems at the time. The sheesha lounge use has since ceased and the Applicant has recently demolished the majority of rendered arches within the rear garden. The unlawful single storey rear structure still remains. However, this would need to be demolished in order for the proposed conservatory to be built.
- 6.2. I note planning permission was previously refused in 1999 under Planning Application 1999/03966/PA for erection of a single storey rear extension at the premises among other things. This application was refused on the grounds of being poor design, too intensive a use, and being contrary to Area of Restraint policy. However, I consider this was related more to other elements of the scheme than the rear extension, which was actually small in size and of an acceptable design.
- 6.3. The National Planning Policy Framework (NPPF) confirms that there is a presumption in favour of sustainable development (Para. 14). Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and that decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 6.4. In relation to extensions to existing small hotels and guesthouses Paragraph 8.21 of the Birmingham UDP states “Existing premises within predominantly residential areas may be permitted to extend and improve existing facilities where no additional amenity/traffic problems would be created.”

- 6.5. Policy UD1 of the Moseley SPD seeks to ensure all new development enhances or improves the quality of the built environment, and acknowledges the value of the natural environment and open space, as important components of good design.

Use and Residential Amenity

- 6.6. The Applicant has stated that the proposed conservatory is required for additional guest seating, particularly breakfast seating. It is not clear to me why additional guest seating is required when there are already two guest lounges accommodated on the ground floor to serve this small nine bedroom hotel, and I am mindful that in the past a restaurant has operated from the site and that additional floorspace could be used in conjunction with weddings/events. However, there would be insufficient reason to refuse the application when the Applicant has confirmed that the main use of the building would remain as a hotel.
- 6.7. I note the concerns of local residents in respect of what uses might occur on the site as a result of the proposed development and that these uses might generate potential noise and disturbance issues. However, any restaurant use which was not ancillary to the main use of the building as a hotel would require planning permission, and could be enforced against if this was considered to be an inappropriate use for the site. Weddings/banqueting events might normally be expected in conjunction with a hotel use. Again, providing this remains as an ancillary function to the main use of the building as a hotel there would be no planning contravention. In any case given the relatively small size of the premises and rear garden it is not considered that the premises could accommodate a large number of guests. Notwithstanding, and in order to safeguard residential amenity, I recommend that conditions be attached to any consent to ensure that no amplified music is played externally within the rear garden or within the conservatory where noise may spill out (given its glazed nature and inclusion of French doors) and that the rear garden is not used after 11pm.
- 6.8. Regulatory Services have raised no objection to the proposal, as long as no additional plant and machinery is proposed to be installed. The Applicant is not proposing to install any additional external plant and equipment, and planning permission would be required for this if it was required at a later date.

Scale and Appearance

- 6.9. The proposed conservatory would be of a standard utilitarian design and appearance. Although rather large in terms of its footprint, I do not consider it would be so large as to appear out of scale with the existing building. It would not extend any further to the rear than the existing kitchen wing, and would be no taller in height than what might normally be expected. The proposed conservatory would be little visible from the public realm and I am satisfied that it would not be detrimental to the visual amenity of the surrounding area.
- 6.10. The demolition of the unlawful rear structure and its replacement with the proposed conservatory would be welcome in terms of improving the visual amenity of the surrounding area. Should any planning permission remain unimplemented I have requested that enforcement action is swiftly taken to ensure removal of the structure.

Traffic and Parking

- 6.11. I note the concerns of local residents in respect of potential for increased parking congestion and highway safety issues occurring as a result of the proposal,

particularly along School Road which is narrow in width. However, Transportation Development have raised no objection to the proposed development. They advise that with no change to bed numbers being proposed it is not anticipated that traffic or parking demand would alter significantly to that generated currently. I concur that the application could not be refused when there is no evidence to suggest that the addition of the conservatory would generate additional traffic which would overspill on to School Road.

Other Matters

- 6.12. A local resident has raised concerns about rubbish being piled up and this attracting vermin. However, I do not consider this is a planning matter.

7. Conclusion

- 7.1. I am satisfied that the proposed development would be of an acceptable scale and appearance, would not result in harm to residential amenity, and would not result in material traffic and parking congestion. As such I consider the proposal would constitute sustainable development and I recommend that planning permission is granted.

8. Recommendation

- 8.1. Approve Subject to Conditions

-
- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Prevents the use of amplification equipment |
| 3 | Limits the approval to 3 years (Full) |
-

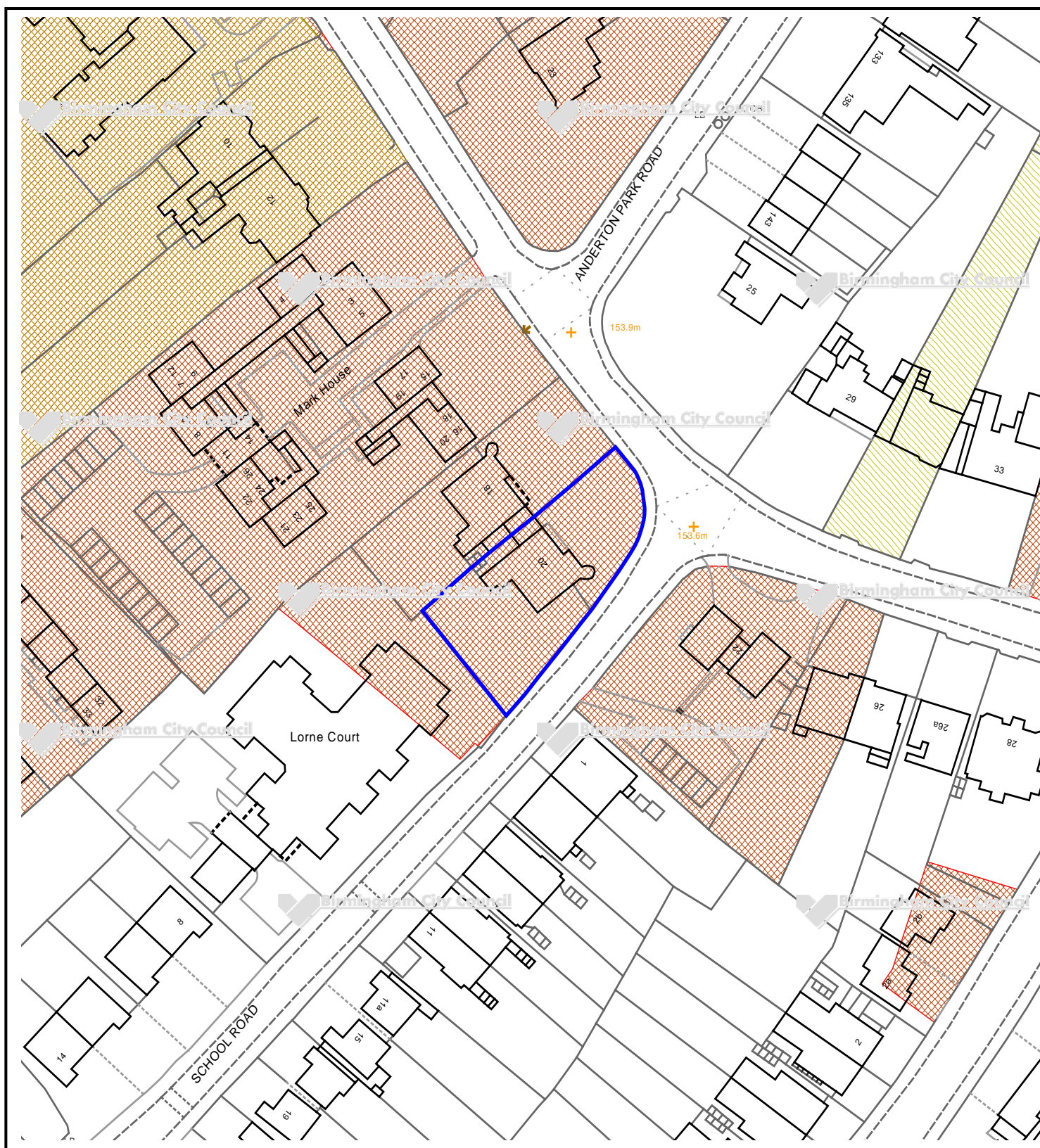
Case Officer: Andrew Conroy

Photo(s)



Figure 1 – View of existing unlawful rear structure taken towards southern corner of site.

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/04954/PA
Accepted:	18/06/2015	Application Type:	Demolition Determination
Target Date:	16/07/2015		
Ward:	Kings Norton		

Nos. 1-19 (odds) Dee Grove, Forth Grove, and 2-36 (evens) Ithon Grove, Kings Norton, Birmingham, B38

Application for Prior Notification for the proposed demolition of 57 dwellings and associated buildings

Applicant: Birmingham City Council
Department of Planning and Regeneration, 1 Lancaster Circus,
Birmingham, B4 7DY
Agent: Acivico (Building Consultancy) Ltd
1 Lancaster Circus, Birmingham, B4 7DY

Recommendation

No Prior Approval Required

1. Proposal

- 1.1. This application is made under the provisions of Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 and seeks a determination as to whether prior approval is required for the method of demolition and site restoration of Nos. 1-19 (odds) Dee Grove, all properties on Forth Grove, and Nos. 2-36 (evens) Ithon Grove, Kings Norton.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a number of two and three storey, Post-War, terraced, council-owned houses with garages/sheds located on Dee Grove, Forth Grove and Ithon Grove, Kings Norton.
- 2.2. The houses within this estate sit on prominent linear rows with front elevations of alternate rows either facing on to the highway or on to areas of grassed amenity.
- 2.3. The surrounding area is residential in character with areas already cleared making way for the redevelopment of the whole Kings Norton Three Estates.

[Site Location Map](#)

3. Planning History

- 3.1. 5 March 2015 - 2014/09196/PA - Outline planning application (All matters reserved - except access) for mixed use development to include a maximum of 295 dwellings (2, 3, 4 and 5 bedrooms), a neighbourhood park, and 468sqm (GIA) retail space (Class A1/A2/A3) – Approved-conditions

Adjoining sites

- 3.2. 12 June 2014 – 2014/03550/PA - Application for prior notification of proposed demolition of 2-24 Dee Grove, 24-38 Medway Grove and 1-37 and 2-44 Tern Grove – Approved-conditions

4. Consultation/PP Responses

- 4.1. Transportation Development – Comments awaiting
- 4.2. Regulatory Services – Comments awaiting
- 4.3. Letters of notification have been sent to Local Resident’s Associations and Ward Councillors. In accordance with the requirements of the legislation, the Applicant has displayed a site notice to advertise the submission of the application – No comments received to date.

5. Policy Context

- 5.1. The following local policies are relevant:
- Birmingham Unitary Development Plan
 - Draft Birmingham Development Plan
 - Kings Norton Planning Framework
- 5.2. The following national policies are relevant:
- National Planning Policy Framework (NPPF)
 - Circular 10/95: Planning Controls over Demolition

6. Planning Considerations

- 6.1. It is proposed that the buildings would be demolished using a 360-degree mechanical machine. Dust levels would be limited by hosing down the site during demolition. A traffic management plan would also be put into place. The site would be graded and fenced upon completion of the demolition, with trip rails installed at the back of pavements and 1.8m high chain link fencing set 2m back from the pavement.
- 6.2. The proposal for this site is consistent with demolition applications approved elsewhere in the City in the past involving the removal of demolition material from the site to slab level to leave the site in a tidy condition and its enclosure with appropriate fencing to secure the site, pending its future redevelopment. This will ensure that the site has an acceptable appearance taking into account the residential nature of the surrounding area.
- 6.3. I do not consider that it is necessary for further details to be submitted and so no prior approval is necessary.

7. Conclusion

- 7.1. The proposed methods of demolition and clearance/site restoration of the site are acceptable and therefore no prior approval is required.

8. Recommendation

- 8.1. No prior approval required.

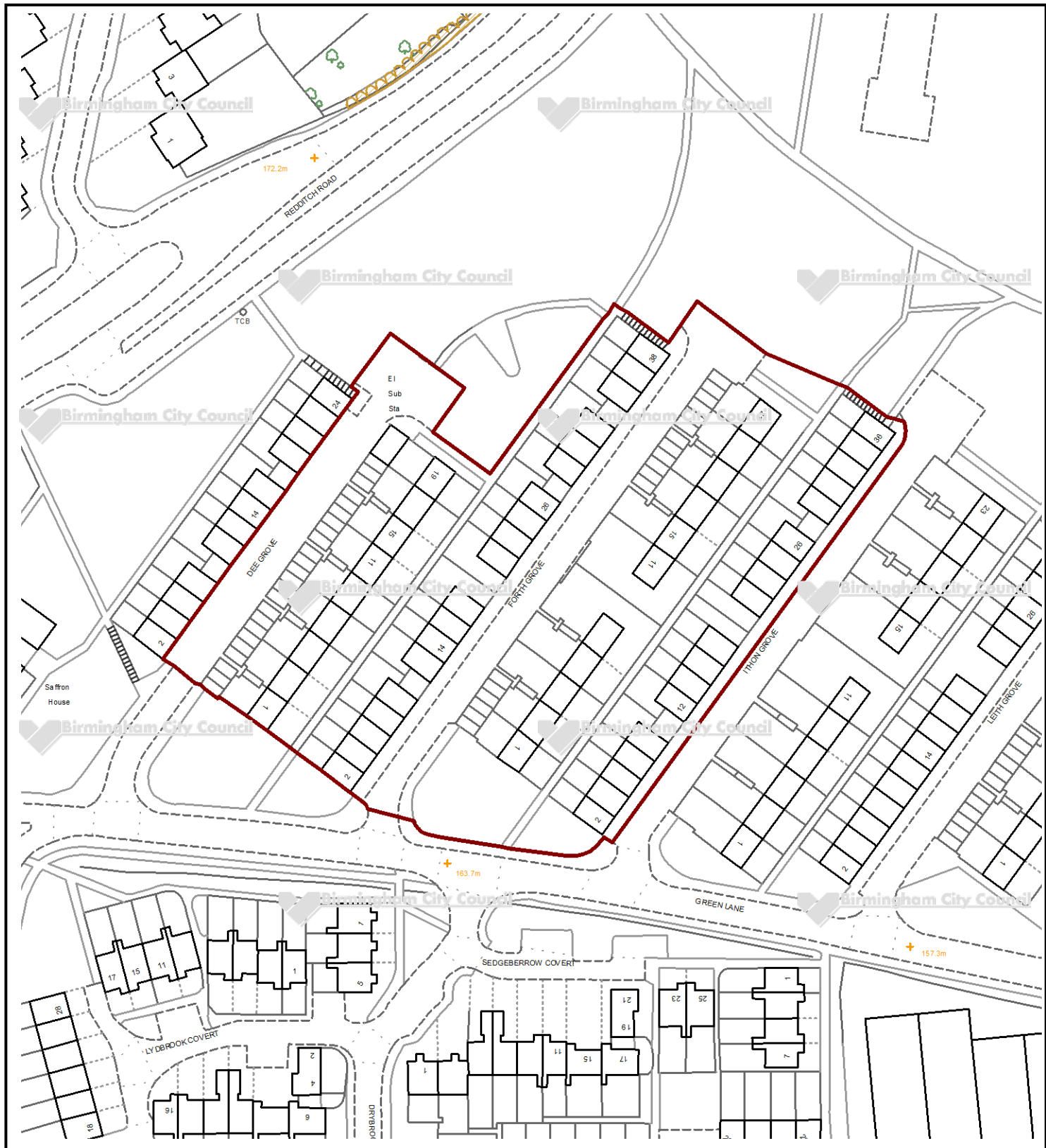
Case Officer: Andrew Conroy

Photo(s)



Figure 1 – Properties on Dee Grove

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/02634/PA
Accepted:	07/04/2015	Application Type:	Full Planning
Target Date:	07/07/2015		
Ward:	Sutton Trinity		

Plantsbrook School, Upper Holland Road, Sutton Coldfield, Birmingham, B72 1RB

Demolition of existing school and erection of new school, sports hall and multi-use games areas, energy centre and plant area with associated car parking and landscaping

Applicant: Carillion Construction Ltd
on behalf of the Secretary of State for Education, c/o Agent
Agent: Seymour Harris Architecture
26 Highfield Road, Edgbaston, Birmingham, B15 3DP

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The proposal is for the demolition of the existing school buildings at Plantsbrook Secondary School and the redevelopment of the site with a new purpose built educational facility and associated works. The proposal is part of the second phase of the Priority Schools Building Programme (PSBP) for the redevelopment of secondary schools and sixth form colleges across England.
- 1.2. The proposal includes the total redevelopment of existing built elements within the site comprising the demolition of all of the existing school buildings and the erection of a new main building and a standalone sports hall (11,711sq.m). The existing playing fields will be unaffected by the proposals. Pupil numbers would increase from 1220 to 1580 as a result of the proposals (increase of 360). Staff numbers would increase from 155 to 180 (increase of 25).
- 1.3. The proposed main building would be situated along the south-western boundary of the site. The building would be 3 storeys in height and generally rectangular in shape with a spur extending out from the north-east elevation. The building would measure 102 metres in length, 38 metres in width and 12 metres in height. It would be of modern design with a flat roof and constructed of silver/grey facing brickwork, render, curtain walling and white render with aluminium framed windows. The main entrance with canopy above would be on the north-east elevation. The building would contain, classrooms, offices, studios, the main hall, dining hall and kitchen. All plant would be sited on the roof, partially concealed behind a parapet.
- 1.4. The proposed sports hall would be located to the north-east of the main school building within the centre of the site. It would be square in shape with a length and width of 37 metres and a height ranging from 6 metres to 9.6 metres. It would be of typical sports hall design and constructed of silver/grey facing brickwork with

polycarbonate cladding for the higher element above the sports hall. High level aluminium windows would serve the activity studios. The building would contain a 4 court sports hall, gym, studio, pupil changing rooms, community use lockers, office, store and entrance/reception. The sports hall would be available for community use outside of normal school hours.

- 1.5. A single storey energy centre/bin store/ recycling centre with a flat roof would be located close to the north-west corner of the main school building and would be constructed of grey/silver facing brickwork and timber cladding. A further single storey bin store/sub-station/pump house would be located to the south-west of the main building adjacent to the Plantsbrook.
- 1.6. It is proposed to retain and reuse existing vehicular access points, two on Upper Holland Road and one on Ebrook Road. The centrally located vehicular access on Upper Holland Road will remain as the principal entrance and the access to the north-western end of the site will remain as the exit. The vehicular access on Ebrook Road will continue to provide access to the parking area near to the new sports hall. A new pedestrian access point is proposed on Upper Holland Road just to the west of the vehicular entrance. The existing pedestrian access on Ebrook Road would be relocated further north. The pedestrian access points will also be for the use of cyclists.
- 1.7. 96 car parking spaces are proposed within the site boundary (4 will be accessible spaces). The car park is located on the northern end of the site. 50 cycle parking spaces are proposed for students/staff and 6 for visitors.
- 1.8. Two new, multi-use games areas (MUGA's) are proposed on the site. One 3 court MUGA on the south of the site, and a 2 court MUGA adjacent the sports hall on the north-eastern side. The MUGA's will be enclosed within 3 metre weldmesh fencing, but they will not be floodlit.
- 1.9. Landscaping would include the retention of the trees and landscaping on the site frontage to Upper Holland Road which would remain as a semi-private area. A new central landscaped area with tree and ornamental planting would be created to the front of the sports hall and an area for guide dogs and a sensory garden (the school caters for a number of partially sighted students) adjacent to the proposed main school building. Hard play/socialising areas are provided for different age groups within the school as well as external dining/teaching areas. Fencing would be retained as existing around the site boundaries. No changes are proposed to the playing fields.
- 1.10. The application is supported by a; Planning Statement, Design and Access Statement, Transport Assessment, Travel Plan, Arboricultural Implications Assessment, Biodiversity Statement, Phase 1 Detailed Desk Top Study, Flood Risk and Outline Drainage Study, Energy Statement, Low & Zero Carbon Technology Feasibility Report, External Noise Survey Report, Site Waste Management Plan and Plantsbrook School Phasing Plans.
- 1.11. It has been indicated that the school will be redeveloped in 5 phases. Indicative plans have been submitted to show how school activities and sports provision would be maintained through the phases of construction.
- 1.12. An EIA Screening Opinion has been issued which confirms an EIA is not required.
- 1.13. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located on the junction of Upper Holland Road and Ebrook Road and is approximately 3.85 hectares in area. The site is divided into two parts by the Plants Brook with the section to the north-east containing the school buildings which are a mix of single and two storey buildings dating from the 1930's, 60's and 90's including a standalone sports hall at the rear of the site. To the south-west of the brook are the playing fields.
- 2.2. There are two access points for vehicles from Upper Holland Road, an entrance and egress which are shared with pedestrians. On Ebrook Road there is a vehicular entrance/exit to a rear parking area and further along is a separate pedestrian entrance.
- 2.3. To the south-east of the school is Town Junior School with Sutton Coldfield Town Football Club to the south-west. There are residential dwellings opposite the school on Ebrook Road and Upper Holland Road with further residential adjacent to the site on Upper Holland Road and to the south-west of the school playing fields on Cole Lane.

[Site Location and Street View](#)

3. Planning History

- 3.1. 20/04/1998. 1998/01610/PA. Erection of single storey sports hall and changing facilities. Approved.
- 3.2. 10/01/2001. 2001/00151/PA. Erection of science and technology suite. Approved.
- 3.3. 14/04/2004. 2004/02399/PA. Construction of single storey extension to create 4 science classrooms. Approved.
- 3.4. 11/08/2006. 2006/05130/PA. Retention of mobile classroom. Approved.
- 3.5. 17/09/2008. 2008/04928/PA. Retention of temporary mobile classrooms. Approved.
- 3.6. 04/09/2009. 2009/00489/PA. Erection of new electrical housing enclosure. Approved.

4. Consultation/PP Responses

- 4.1. Transportation Development – no objections subject to conditions.
- 4.2. Regulatory Services – no objections subject to conditions.
- 4.3. West Midlands Police – no objections.
- 4.4. Sport England – no objections subject to conditions.
- 4.5. Severn Trent Water – no objections subject to condition.

- 4.6. Environment Agency – no objections subject to condition..
- 4.7. MP, Councillors, Residents Associations and nearby occupiers notified.
- 4.8. 2 letters of support have been received.
- 4.9. 4 letters have been received objecting to the proposal on the following grounds;
- Kathleen Road has been missed out of the transport analysis. It is a major cut through for parents and staff, sixth form students park there restricting access and resulting in congestion.
 - Junction at Kathleen Road, Upper Holland Road and Ebrook Road is a site of regular accidents and dangerous to young children.
 - New proposals do not significantly increase parking.
 - No safe cycle route around Plantsbrook Road
 - Traffic analysis makes no reference to accidents on the corner of Ebrook Road, Upper Holland Road and Kathleen Road.
 - Traffic analysis done over short period in March when traffic loads was light due to rainfall.
 - No account of increased traffic flow from new housing recently built on Upper Holland Road.
 - No provision for safe movement, parking, storage of materials and noise reduction during the build.
 - 2 metre security fence will alter the character of the school site and the local neighbourhood.
 - Increased number of vehicles will increase risk of accidents. There should be no left turn into Kathleen Road.
 - Increase in number of students will bring added congestion to the area.
- 4.10. 7 letters have received making the following comments on the application;
- Missed opportunity to provide a pedestrian link to Town and Holland House schools.
 - Hope when development is finished it will sort parking and dropping off at school.
 - Need to look at bus pick up points, existing pick up points in Ebrook Road are dangerous due to parked cars.
 - Council should allow free parking in car park opposite school for an hour in mornings to relieve congestion.
 - Proposal will increase cars using Kathleen Road, consideration needs to be given to parking and speed restrictions on this road.
 - Junction at Kathleen Road/Upper Holland Road and Ebrook Road needs amending with better road signage and line marking.
 - Concern that City Council car park on Upper Holland Road will become overused and it is used by the local community and people visiting local businesses.
 - Trees and landscaping around the site should be kept.
 - Where will construction workers park?
 - Traffic survey not carried out at busy times.
- 4.11. The application is supported by a Statement of Community Involvement. This states that the proposals were developed during a competitive design process involving the school, its Governors and representatives from the Education Funding Agency over a 12 week period. Further meetings were held with Councillors and stakeholders and proposals shared with staff and pupils. A community consultation event in the

form of a Public Exhibition was held in January 2015. Comments were generally supportive with concerns raised over type and height of boundary treatments, parking issues, children's safety, lack of sports provision and unimaginative design.

5. Policy Context

- 5.1. UDP (Adopted 2005), Draft Birmingham Development Plan, Places for All SPG (2001), Car Parking Guidelines SPD (2012), NPPF (2012).

6. Planning Considerations

- 6.1. **Background** – The application for the redevelopment of Plantsbrook School is made under the Priority Schools Building Programme (PSBP) which is a Central Government initiative to renew secondary school facilities in England and was launched in 2011. The programme is administered by the Department for Education and managed by the Education Funding Authority to address the needs of schools most urgently in need of repair. The intention of the PSBP is to transform the provision of secondary educational facilities so they are fit for purpose in the 21st Century and can be enjoyed by the local community outside of normal school hours.
- 6.2. **Policy** – The Birmingham UDP requires proposals to improve the quality of the built environment in the City and encourages high standards of design through the use of good urban design principles. It encourages community use of school playing pitches, provision of all-weather pitches and improved changing facilities. The UDP emphasises the use of public transport as an alternative to the private car.
- 6.3. One of the key policies within the Draft Birmingham Development Plan is to make Birmingham a learning City with quality institutions. The aim is to ensure that opportunities are created for all to achieve the highest educational standards, to raise the City skill base and for the City's educational institutions to support innovation and growth in the local economy. This involves supporting the expansion of educational facilities including secondary schools and academies.
- 6.4. Places for All SPG is concerned with the delivery of good design in all types of development across the City.
- 6.5. Car Parking Guidelines SPD sets out maximum parking guidelines for new developments. The requirements relevant to higher and further education and schools in this area are 1 space per 2 staff and 1 space per 15 students. Disabled parking spaces should be 6% of total provision.
- 6.6. The NPPF encourages the provision of community facilities in creating sustainable communities. It emphasises the great importance of ensuring a sufficient choice of school places are available to meet the needs of new or expanding communities and Local Planning Authorities should take a positive, proactive and collaborative approach to meeting this choice and to development that will widen choice in education including new or expanding schools.
- 6.7. **Use** – The redevelopment of Plantsbrook School including updated school accommodation and sports facilities is welcomed and would comply with policies contained in the UDP, Draft Birmingham Development Plan. As well as providing a modern learning facility the proposal would include sports facilities that can be used by the local community.

- 6.8. **Design and Layout** – The design and layout of the proposed new school has been developed in conjunction with advice from officers. Although the existing buildings on the site are single and 2 storey, the increase in scale to 3 storeys is considered acceptable. The main school building would be set back from Upper Holland Road Road and the increase in scale and the general mass of the building would sit comfortably in the wider context and have no adverse impact on the visual amenities of the area. The layout includes the retention of the existing playing fields on the opposite side of Plants Brook and the retention of existing access points. The proposed layout would allow for the retention of the mature trees on the Upper Holland Road frontage and allow for the buildings, car parking and MUGA's to be sited within a coherent landscaped setting.
- 6.9. The detailed design and building form is modern in appearance with the use of high quality grey brick, aluminium windows, render and glass as the main materials for both the main school building and the sports hall. The entrance to the main school building is emphasised by a projecting element of contrasting render which would sit between the main school building and the sports hall. The sports block would be lower than the main school building and plant would be accommodated within the roof areas of both buildings and a single storey energy centre to the rear of these buildings. The City Design Officer raises no objections on design grounds.
- 6.10. **Residential Amenity** – The site lies within a residential area with a number of properties relatively close to the site, the nearest being 109 Upper Holland Road approximately 18.5 metres to the west of the proposed main school building and 10 metres to the west of the proposed bin store/substation on the opposite side of Plants Brook. There are also residential properties on the opposite sides of Upper Holland Road and Ebrook Road to the school site.
- 6.11. I do not consider the proposal would result in any significant loss of amenity to nearby residents. With regard to no. 109 Upper Holland Road, this property would be located to the west of the main school building and 18.5 m at its nearest point, therefore due to its orientation loss of light would be minimal. There are also tall mature trees within the Plants Brook corridor which would provide an effective screen and as the proposed main school building would be set at an oblique angle to no.109 any overlooking would be negligible.
- 6.12. In support of the current application an External Noise Survey Report was submitted which states that in order to minimise the potential for noise impacts on the surrounding residential properties it is important that the positioning of external noise sources such as hard play areas and external plant should be located away from noise sensitive uses. The report concludes that it is unlikely that any noise nuisance would occur to nearby residential properties as a result of the proposals. The applicants have confirmed the MUGA's will not be floodlit or used in the evening or weekends. Regulatory Services concur with this view and have recommended conditions to limit noise from any plant/machinery and for details of extraction from the school kitchen.
- 6.13. I consider that given the site is already used for school purposes that the potential impact upon nearby residents as a result of the proposals is limited and I raise no objections on residential amenity grounds.
- 6.14. **Transportation** – In support of the planning application, a Transport Assessment and School Travel Plan have been submitted. It notes that the school site and surrounding highways are currently subject to limitations in terms of their ability to

cope with school traffic and congestion is a problem at the beginning and end of the school day. At present there is inadequate parking available for staff and visitors, there is insufficient turning space for service vehicles and no designated area for parents to drop off and pick up within the school. There are bus stops along Ebrook Road and parked buses at the beginning and end of the school day together with parent drop off parking on Ebrook Road adds to the congestion.

- 6.15. The proposed scheme seeks to address a number of the difficulties currently being experienced both within the site boundary and also to reduce the impacts resulting from the school on the highways in the immediate area around the site. The proposal provides separate vehicular and pedestrian access points including 2 new pedestrian access points on Upper Holland Road, the more centrally located of these would follow a direct route from the pedestrian crossing on Upper Holland Road to the main school entrance. There would be a further pedestrian access on Ebrook Road.
- 6.16. A total of 96 (4 accessible spaces) car parking spaces would be provided within the application site as well as 50 cycle parking spaces which represents a significant increase on existing provision. The applicants are also proposing a drop off area at the front of the main school on Upper Holland Road specifically for parents bringing visually impaired students.
- 6.17. Transportation Development have raised no objections to the proposal on parking and highway safety grounds subject to conditions. They have noted that the Transport Assessment identifies there will additional pick-ups and drop-offs due to the proposal and associated parking is likely to take place on surrounding highways in the pick-up and drop off period. The District Engineer has also raised concern that additional trips associated with the additional number of students and staff at the school would add to traffic and parking issues in the area. To mitigate against this Transportation Development have recommended that traffic calming measures are secured as part of the application, specifically a 20mph zone with speed cushions along Ebrook Road/Upper Holland Road/Holland Road/Kathleen Road and Royal Road. I consider this is justifiable given the increase in student/staff numbers and evidence of a number of accidents in the vicinity of the school in the last 5 years. The traffic calming measures will be secured by condition at the applicants expense together with a review of TRO's in the area
- 6.18. The car parking provision of 96 spaces falls within the specified maximum provision for the total of 180 staff. Additional cycle storage and a requirement for an updated School Travel Plan will be secured by condition.
- 6.19. **Trees** – An Arboricultural Impact Assessment has submitted in support of the application. The majority of existing trees within the site and along the site boundaries are to be retained and protected during demolition and construction works. The landscaping proposals include a large number of additional trees to be planted around the site specifically on the Ebrook Road frontage, around the 2 MUGA's and within the central garden area. My Tree officer raises no objections subject to conditions to protect existing trees during demolition/construction.
- 6.20. **Ecology** - A Biodiversity Statement has been submitted with the application including an ecological appraisal of the site. It notes that the Plants Brook which runs through the site is designated as a Site of Local importance for Nature Conservation and concludes that; trees and shrubs around the site have potential for nesting birds, trees and buildings were identified as having negligible potential for roosting bats, no evidence of badgers was found and the flowing water of the Plants

Brook is not suitable for great crested newts. The Planning Ecologist agrees with the view that the proposal would have no adverse impact upon habitats or ecology subject to a condition requiring an ecological mitigation plan for demolition/construction.

- 6.21. **Flood Risk** - The applicants submitted a Flood Risk and Outline Drainage Strategy in support of the proposal. The Environment Agency have confirmed that part of the proposed school would be located in Flood Zone 2 of the Plants Brook. The Environment Agency raised concern that the proposed finished floor levels would not be set at a sufficient level in relation to the 1 in 100 year plus climate change flood level. Following further information submitted by the applicant, the Environment Agency have confirmed they have no objections subject to a condition showing finished floor levels.
- 6.22. In relation to the submitted surface water drainage strategy, The Lead Local Flood Authority (City Council) have raised no objections subject to a condition requiring the submission of a sustainable drainage scheme.
- 6.23. **Sports Provision** – In addition to the existing sports pitches and running track which would remain, the current application proposes a new sports hall with activity studio, fitness exercise studio and community use lockers. A new 3 court and 2 court MUGA would also be provided.
- 6.24. Sport England raise no objections to the proposal subject to conditions requiring details of how existing sports use will be accommodated during construction works, detailed design and specification for the layout of the sports hall and MUGA's, a community access agreement and playing fields reinstated following removal of temporary playground.

7. Conclusion

- 7.1. I consider that the re-building of Plantsbrook School would have a positive impact on the area as a whole and is in accordance with both national and local planning policy. The proposal would provide updated school accommodation and sports facilities which can also be enjoyed by the local community. In addition the proposal would not result in harm to residential or visual amenity, highway safety and parking or have any ecological impacts. As such, I consider the proposal to be sustainable development and acceptable.

8. Recommendation

- 8.1. Approve Subject To Conditions.

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- | | |
|---|--|
| 1 | Requires the prior submission of a contamination remediation scheme |
| 2 | Requires the prior submission of a contaminated land verification report |
| 3 | Requires the prior submission of a drainage scheme |
| 4 | Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
-

-
- 5 Requires the prior submission of a construction ecological mitigation plan
 - 6 Requires the prior submission of extraction and odour control details
 - 7 Limits the noise levels for Plant and Machinery
 - 8 Requires the prior submission of hard and/or soft landscape details
 - 9 Requires the prior submission of hard surfacing materials
 - 10 Requires the prior submission of boundary treatment details
 - 11 Requires the prior submission of a construction method statement/management plan
 - 12 Requires the submission of an updated school travel plan
 - 13 Requires the provision of traffic calming measures and a review of existing TRO's
 - 14 Requires the prior submission of cycle storage details
 - 15 Requires the prior submission of sample materials
 - 16 Requires the prior submission of level details
 - 17 Requires the submission of details of sports provision during construction
 - 18 Requires the submission of detailed design and layout of sports hall and MUGA's.
 - 19 Requires the submission of a community use agreement
 - 20 Requires restoration of playing field following removal of temporary playground.
 - 21 Requires the prior submission of details of finished floor levels
 - 22 Requires the scheme to be in accordance with the listed approved plans
 - 23 Limits the approval to 3 years (Full)
-

Case Officer: Bhupinder Thandi

Photo(s)

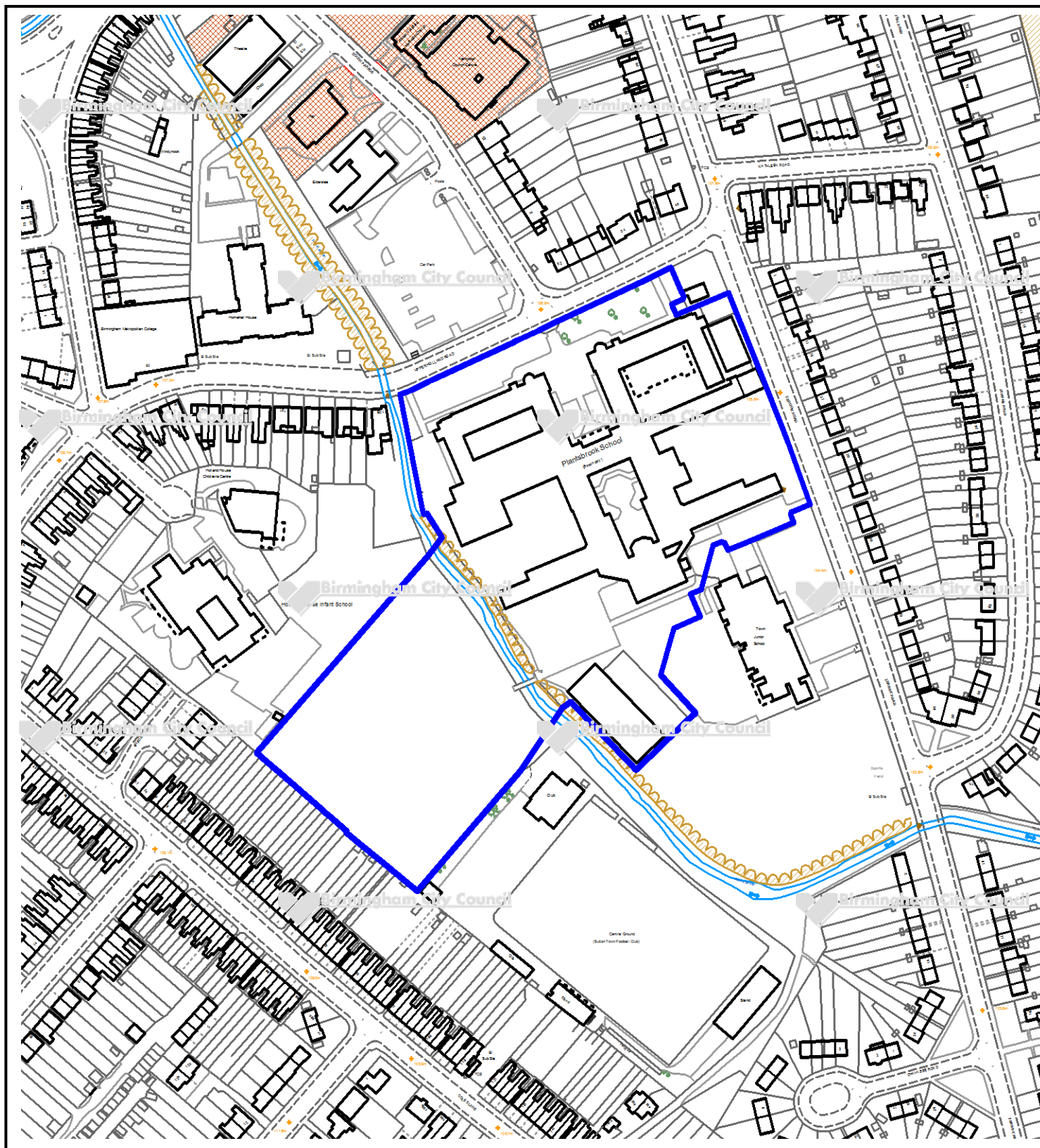


Figure 1 – Main school building



Figure 2 – Existing sports hall

Location Plan



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Committee Date:	09/07/2015	Application Number:	2015/03668/PA
Accepted:	20/05/2015	Application Type:	Householder
Target Date:	15/07/2015		
Ward:	Sutton Trinity		

36 Upper Clifton Road, Sutton Coldfield, Birmingham, B73 6BP

Erection of single storey rear extension, installation of front and rear dormers, alterations to front elevation including replacement windows and alterations to existing access to include resurfacing of front drive

Applicant: Miss K Moloney
36 Upper Clifton Road, Sutton Coldfield, Birmingham, B73 6BP
Agent:

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Consent is sought for a single storey rear extension, installation of front & rear dormers, alterations to front elevation including replacement windows and alterations to existing access including resurfacing of front drive.
- 1.2. The proposed rear extension would extend across the full width of the property at 4 metres deep. It would be of a contemporary design with bi fold glass doors and a flat roof at a height of 3 metres.
- 1.3. The proposed rear dormer would be 3.1 metres deep and 5.7 metres wide; it would be tile hung to match the main roof of the property.
- 1.4. The proposed alterations to the front elevation of the property include a tile-hung front dormer of the same design and width as the existing dormer and installation of new timber frame windows. The existing side garage is to be converted into a habitable room and the original front bay window is to be rebuilt in identical materials.
- 1.5. Part of the existing front boundary wall is to be removed in order to widen the existing access to the front driveway; a new stone pier will be re-built in salvaged stone. A replacement block-paved drive is proposed using permeable materials with a soft planting area to the side.
- 1.6. The application is reported to the Planning Committee as the applicant is related to a member of staff.
- 1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site consists of a semi-detached property with cat slide roof to the front and half hipped design to the main roof. There is a two storey forward gable feature with ground floor bay window and an existing front dormer window sited within the cat slide roof.
- 2.2. The application site is located in a residential area comprising of predominantly three-storey Victorian semi-detached and terraced dwellings. The ground level rises along Upper Clifton Road with the neighbouring property No. 34 Upper Clifton Road on a higher ground level.
- 2.3. The property is located within the Sutton High Street Conservation Area, and is covered by an Article 4(2) directive.
- 2.4. The front garden is currently block-paved with a 1 metre high stone wall adjacent to the highway. The property benefits from a long rear garden which is predominantly laid to lawn. The boundary with No. 34 Upper Clifton Road comprises of a 2 metre high wooden fence with mature hedging/planting in excess of 3 metres. A 2.5 metre high boundary wall defines the boundary with No 38.
- 2.5. The neighbouring property No. 34 Upper Clifton Road is a 3 storey Victorian property on a significantly higher ground level than the application site. The nearest habitable window is to a ground floor rear dining room.
- 2.6. The neighbouring property No. 38 Upper Clifton Road is the other half of the pair of semis and is a mirror image of the application property. It has been previously extended with a first floor side extension and has undertaken various alterations to the front and rear elevations including a large dormer window to the rear. Patio doors to a rear lounge form the nearest habitable window opening to this neighbouring property.

[Site Location](#)

3. Planning History

- 3.1. No planning history.

4. Consultation/PP Responses

- 4.1. Neighbouring properties and local ward members have been consulted for the statutory 21 days, with a Site & Press notice displayed – no responses received.
- 4.2. BCC Transportation – no objection.

5. Policy Context

- 5.1. The following local policies are applicable:
 - Birmingham Unitary Development Plan 2005
 - Draft Birmingham Development Plan (2013)
 - Places for Living (Adopted Supplementary Planning Guidance 2001)
 - Extending your Home (2007)
 - The 45 Degree Code (Adopted Supplementary Planning Guidance 1996)

- High Street Sutton Coldfield Conservation Area

The following national policy is applicable:

- NPPF – National Planning Policy Framework (2012)

6. Planning Considerations

- 6.1. The main considerations are the scale and design of the proposed development, the impact upon the character and appearance of the conservation area and the impact upon the amenities of occupiers of the neighbouring dwellings.
- 6.2. I consider the scale and design of the proposed development to be acceptable; the proposed development would not detract from the character or architectural appearance of the existing property or wider Conservation Area. It would be in accordance with the principles contained within 'Extending Your Home' Design Guide.
- 6.3. My City Design Team have raised no objections to the proposal; minor changes to the single storey rear extension have been made in line with their comments.
- 6.4. While the proposed single storey rear extension would technically breach your Committee's 45 Degree Code to the nearest habitable window of the neighbouring property No. 34 Upper Clifton Road by 0.4 metres, the existing ground level differences and boundary treatment between the properties would mitigate any impact on the light and outlook to this neighbouring property. In addition, the proposed rear extension with a flat roof would not project above the height of the existing screening. The proposed development would comply with the 45 Degree Code in regard to No. 38 Upper Clifton Road.
- 6.5. Numerical guidelines set out in 'Places for Living' and 'Extending Your Home' would be met; as a result there would be no detrimental impact on neighbours light, outlook or privacy.
- 6.6. Transportation have raised no concerns in regard to the alterations to the front access and confirm that the proposal will have no implications on highway safety.

7. Conclusion

- 7.1. The development complies with the objectives of the policies outlined above and is of an acceptable design. I therefore recommend approval.

8. Recommendation

- 8.1. Approve subject to conditions

-
- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of sample materials |
| 3 | Limits the approval to 3 years (Full) |
-

Case Officer: Ricky Chima

Photo(s)



Figure 1: Front Elevation



Figure 2: Rear Elevation

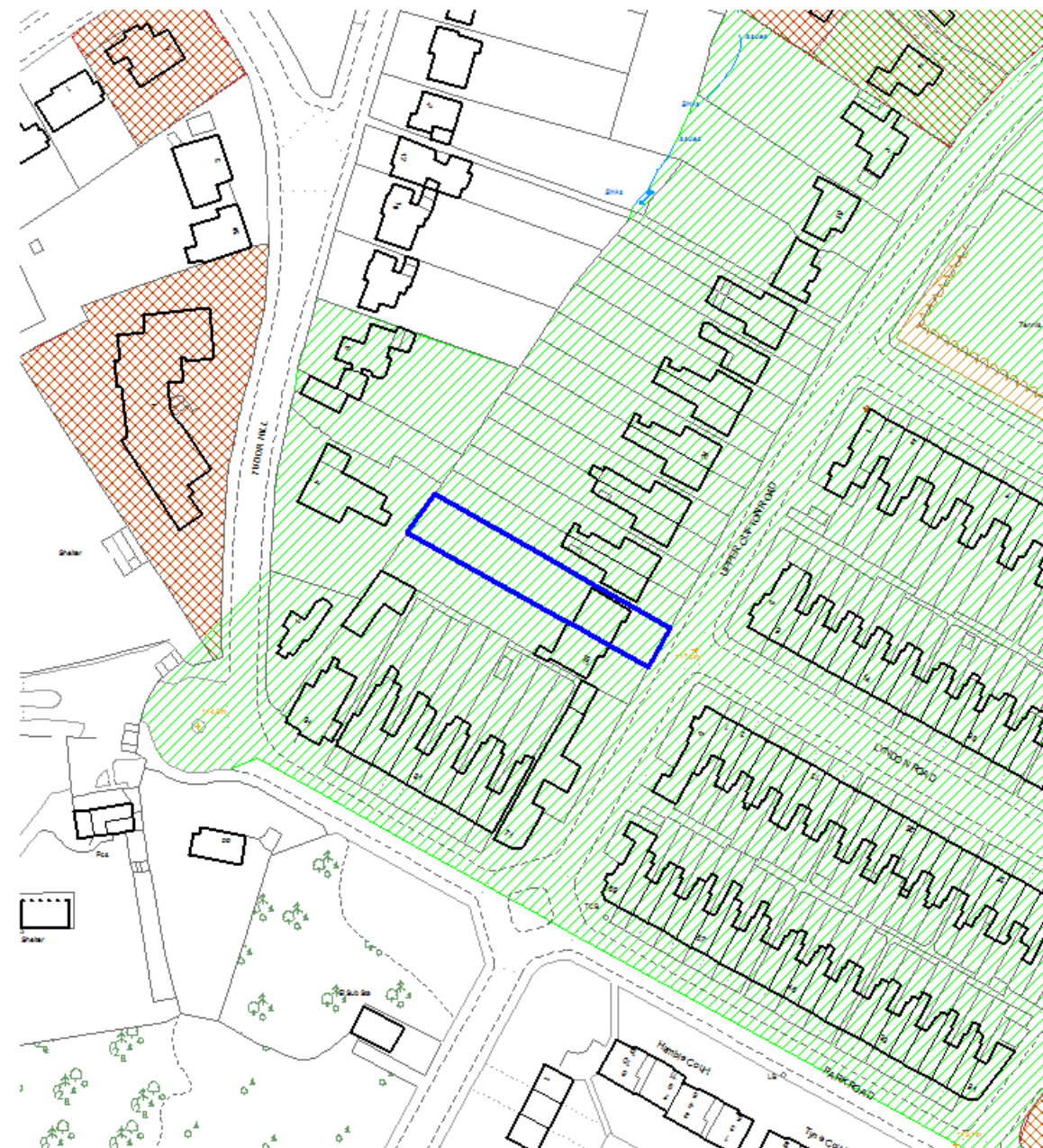


Figure 3: Front Elevation of No. 38 Upper Clifton Road



Figure 4: Street Scene

Location Plan



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