
Committee Date:	23/07/2015	Application Number:	2015/04036/PA
Accepted:	21/05/2015	Application Type:	Outline
Target Date:	20/08/2015		
Ward:	Edgbaston		

Clarendon Suites, Stirling Road, Edgbaston, Birmingham, B16 9SB

Outline planning application for demolition of existing building and new build residential development (84 dwellings). All matters reserved except scale and access. Access to be gained from Clarendon Road and Stirling Road

Applicant: Terra Strategic
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Agent: GVA Grimley Ltd
Bilfinger GVA, 3 Brindleyplace, Birmingham, B1 2JB

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

- 1.1. This application seeks outline planning permission for the demolition of the existing building and the erection of residential development consisting of 84 dwellings. The application has all matters reserved apart from access and scale.
- 1.2. Indicative layouts, and associated floor plans, have been submitted to establish key design principles. The indicative layout plan comprises 62 one and two bed apartments and 22 houses (9 three beds and 13 four beds) with car parking ratios of around 150% but not specifically disclosed as parking levels would be partly informed by the final layout. The indicative layout plan shows that 11 trees would need to be removed, although this matter is reserved for later consideration. Issues of appearance, layout and landscaping have been reserved.
- 1.3. Access points are shown from both Clarendon Road and Stirling Road. The indicative layout plan shows two culs-de-sac from Stirling Road and a pedestrian 'through route' continuing onto Clarendon Road. The Clarendon Road access points would serve one private drive for 7 houses and a second private drive for 2 houses.
- 1.4. Scale has been requested as a matter for full consideration at this stage. The scheme proposes development that is predominately 3 storeys in character, consisting of two storey houses (with rooms in the roof-space and with dormer windows) and a three storey block of flats in the northern area of the site. The scheme also includes a 4 storey block at the southern end of the site, adjacent to Hagley Road.
- 1.5. A Design and Access Statement, Flood Risk Assessment, Heritage Statement, Noise Assessment, Ecological Appraisal, Transport Statement, Planning Statement and initial Tree Survey has been submitted in support of the application.

1.6. The site area is 1.34ha and the scheme proposes a density of 63 dwellings per hectare.

1.7. [Link to Documents](#)

2. Site & Surroundings

2.1. The site currently accommodates a large four storey hall and conference facility sitting within landscaped grounds. The site has 180 marked parking spaces arranged in small pockets to the south and west of the building with a large main car park located to the north, further parking for approximately 70 vehicles is available on 'grass-crete' amongst the trees in the rear of the site. There is a small woodland within the northern area of the site. The site fronts onto Hagley Road with the building set back 17m from the pavement edge. This frontage is higher than adjacent land, on a raised bank and sits behind a one metre high retaining wall. There is a group of mature trees along the frontage forming a screen to the existing building on site.

2.2. The site contains 76 individual trees around the site and four groups of trees within the rear area. The site is generally flat with a retaining wall to the front of the site, adjacent to Hagley Road. The site is bounded by residential rear gardens to the north, and by Clarendon Road (to the east), Stirling Road (to the west) and Hagley Road the A456 (to the south).

2.3. Properties to the north of the site are residential in character, across Clarendon Road (to the west) is the Rainbow Casino, a two storey building with a casino/bar at ground floor and restaurant at first. To the east of the site, across Stirling Road, is a Grade II listed building (215 Hagley Road) and 10 Stirling Road (3 storey block of flats) and the former St Chad's Hospital (now offices) beyond, with a middle element being Grade II listed. Buildings to the south of the site, over Hagley Road, include the Birmingham Primary Care Trust teaching facilities. Other nearby uses, on the south side of Hagley Road, are a combination of offices and other commercial activities.

2.4. [Site Location Map](#)

3. Planning History

3.1. 13/06/13 pa no.2013/00770/PA. Proposed demolition of the existing building and the erection of residential development consisting of 84 dwellings. All matters reserved apart from access and scale. Refused as the applicants failed to enter into the S106 Agreement.

4. Consultation/PP Responses

4.1. Consultation Responses

4.2. Transportation – No objection in principle to access subject to conditions to require a S278 Agreement, a Demolition management plan, a Construction management plan and a Residential Travel Plan.

- 4.3. Local Lead Flood Authority- No objection subject to a condition requiring a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan.
- 4.4. Regulatory Services – Awaited, commented on the 2013 application: “No objection subject to conditions to seek appropriate noise mitigation for glazing on both Hagley Road and the rest of the site.”
- 4.5. Education – A contribution is required towards education provision for primary school places. The scheme generates the need for an education contribution of £180,528.44 towards primary and nursery school education. A priority school within the area is St George's Church of England Primary School, Beaufort Road, Ladywood.
- 4.6. Parks and Local Services - No objections in principle off-site POS and play area contributions should be considered if the application is progressed. These would be calculated as a total contribution of £167,400. This would be spent on the provision and improvement or maintenance of POS and play equipment at Bellevue Park within the Edgbaston Ward. Although in terms of vicinity to the application site, Edgbaston reservoir would seem the closer choice for this spend, it already has a number of sizeable contributions earmarked for its improvement. Bellevue Park site, although further away, has a play area and other aspects that need improvement and is therefore the main priority for spend for contributions from this application.
- 4.7. Severn Trent – No objection to the proposals subject to the inclusion of a drainage condition.
- 4.8. Centro – Awaited, commented on the 2013 application: “The application site is well located for access to a number of high frequency bus services that operate along Hagley Road and Portland Road. The applicant should be required to develop a Residential Travel Plan and promote sustainable travel to and from the development. This could take the form of a Welcome Pack for residents including public transport timetables, cycle maps and walking information. The developer should also be required to provide secure cycle parking facilities”.
- 4.9. West Midlands Fire Service – Awaited, previously commented “There should be vehicle access for a pump appliance to within 45m of all points within each dwelling, or dry rising fire main(s) provided in accordance with the Fire Safety requirements”.
- 4.10. West Midlands Police – No objection, the current levels of crime and anti-social behaviour in the locality could potentially make this development vulnerable. They advise that there is sufficient lighting in the parking area to the NE corner of the site (near to the 3 storey block) and that the Basement car park under the Apartment block facing Hagley Road is gated to prevent unauthorised access.
- 4.11. Public Participation
- 4.12. Residents and other local occupiers, Resident Associations, Councillors and the MP consulted. Press and Site Notice made.
- 4.13. North Edgbaston Residents Association generally welcome the return of the Clarendon Suites site to residential usage, it raises several concerns;

- the proposed opening up of two vehicular entry points on Clarendon Road would exacerbate parking and traffic congestion on local Roads and on-site parking would be insufficient
 - it questions the rationale for the high proportion of 1 bedroom apartments in the light of so many being vacant in the area (offering a 'buy-to-let' opportunity would risk upsetting the finely tuned balance of a socially and culturally mixed area)
 - the style of dwellings and apartments is comparatively anonymous and would add little to the character of the area
 - the two apartment blocks, to judge from the plans, are especially dull
 - it would want to see restrictions imposed on traffic and parking during construction work consequent on granting this application.
- 4.14. 1 letter of support has been received supporting new housing and the removal of the existing building.
- 4.15. 8 letters of objection have been received from local residents. The objections consist of concerns regarding;
- 4.16. *"HIGHWAY SAFETY- The Road became a cul-de-sac to stop a circuit for curb crawlers and prostitutes. Access will reverse this solution. Parking is an issue as during the week workers park in the road, and there has been a number of car accidents at the bend in the road and issues with school children crossing. The access will accentuate already existing problems and put added pressure on Stirling Road in terms of parking provision, which will no doubt be used as overspill parking. On this basis, could I suggest that the Council considers a Residents' Parking scheme on Stirling Road, as there is on Monument Road."*
- 4.17. *"Clarendon Road has a blind spot turning into Vernon Rd. The increase in daily traffic will increase the chances of road traffic collisions. Residents are concerned that there will not be sufficient parking within the development leading to overspill onto Clarendon Road, Stirling Road and other nearby streets and leading to traffic congestion within these neighbouring streets as well as when joining and leaving the Hagley Road. Double yellow lines should be added to the junction around Montague and Vernon Roads and on the bend coming into Clarendon Road from Vernon Road as I think this will be exacerbated."*
- 4.18. *Opening proposed entry points opposite our property in Clarendon Road will create massive traffic congestion and long queues in Clarendon Road, Vernon Road and Montague Road, adding to the already existing problem of office workers parking on both sides of the road, restricting access. We would welcome strict but reasonable restrictions on traffic and parking during construction work."*
- 4.19. *"DENSITY AND DESIGN- The number of dwellings is too dense for will result in traffic issues in Clarendon Road. The street grain is not respected, unless the houses are three storey and of similar height to all of the other houses in Clarendon Road, of which 5 are statutorily listed buildings in the immediate vicinity. The layout should ensure that it is impossible to gain access to other parts of the development from Clarendon Road and thus create a rat run. We would like to point out that the stark architecture of this block seems completely out of keeping with the rest of the proposed development that consists of pleasant town houses."*

- 4.20. *"NOISE - Clarendon Road is a quiet residential area and the development will further contribute to the noise and pollution in this residential area."*
- 4.21. *"DEMAND - There is already a considerable number of flats in this small locality and not enough on road parking. As many commuters park their cars on Clarendon road during the day it will add to the on road traffic."*
- 4.22. *"TYPE OF HOUSING - many of the flats will be bought as buy-to-let investments, resulting in a short-term population with no long-term commitment to the neighbourhood. While this is not illegal, it undermines the delicate community cohesion that has built up over many years."*
- 4.23. *"OVERLOOKING - Our property (19 Carlyle Road) runs along the north boundary of the site and the garden shares some 40 metres of common boundary so is likely to be the one most affected by the development. The proposed block is approximately 25 metres away so much nearer our house and garden. It appears that there will be balconies on the north side so we will definitely be overlooked. Much to our relief the plans propose retaining the existing trees (which are all the subject of tree preservation orders) so we will have partial privacy when they are in leaf but not for the rest of the year. A further concern about the proximity of the block in the north section of the site and whether it will generate noise. Our greatest fear is that it would have 30 air conditioning units and 30 extractor fans."*

5. Policy Context

- 5.1. National Planning Policy Framework (2012), National Planning Policy Guidance (2014).
- 5.2. Birmingham UDP, Draft Birmingham Development Plan, Mature Suburbs SPD, Car Parking guidelines SPD, Places for Living SPG, Adjacent to St Augustine's Conservation Area, Adjacent to Edgbaston Conservation Area, Adjacent to 215 Hagley Road (Grade II), adjacent to 12-20 Clarendon Road (Grade II). TPO 663.

6. Planning Considerations

6.1. Policy

- 6.2. Paragraphs 16.16 to 16.23, of the adopted UDP, discuss Hagley Road. These paragraphs indicate that hotel, leisure and tourism will be supported adjacent to Edgbaston reservoir and that hotel uses would be supported between 213-267 (the application site being between 215 and 217 Hagley Road). Therefore, there is no specific policy support for residential use, but equally there are no policy aspirations that preclude residential use either, as such assessment is required to be made on its own merits.
- 6.3. The NPPF seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. The NPPF promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brown-field sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF seeks to boost housing supply and supports the

delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

- 6.1. The UDP also supports a more sustainable pattern of development by re-using brown-field sites in suitable locations. The UDP requires that new housing developments should provide an appropriate environment (paragraphs 5.20-5.20A), a suitable housing density and mix (paragraph 5.40) and encourages a full range of housing types and sizes including those for people with disabilities and other specific needs (5.35 and 5.37). Paragraph 5.38 identifies that densities of at least 50 dwellings per hectare will be expected in local centres and corridors well served by public transport, with 40 dwellings per hectare elsewhere.
- 6.2. Paragraphs 5.37 (A-G) relate to the requirement for the provision of affordable housing. The NPPF seeks affordable housing for schemes 15 units or more. Paragraphs 3.14D-E, of the UDP states that new housing development should be designed in accordance with good urban design principles.
- 6.3. Places for Living (SPG) encourages good quality accommodation in attractive environments. It contains a series of urban design principles with emphasis to assessing context and responding positively to local character. 'Places for All' SPG also emphasises the importance of good design, high quality environments, again with an emphasis on context.
- 6.4. Policy SP25, of the draft Birmingham Development Plan, states that the location of new housing should be on previously developed land, be accessible to jobs, shops and services by other modes of transport, be sympathetic to natural assets and not conflict with other core strategy policies in relation to employment land, green belt and open space. Policy SP26 refers to new housing offering a choice of type, size and tenure to create balanced and sustainable communities.
- 6.5. The principle of redeveloping this site for residential purposes would be a positive move in line with national and local policy. The application site is located adjacent to the Strategic Highway Network, with excellent access to public transport and the City. The scheme would provide the redevelopment of a brown field site on a key landmark site. As such residential use is considered to be acceptable in principle.
- 6.6. Design Issues
- 6.7. Scale – The scheme proposes buildings generally of 3 storey, with a 4 storey block proposed adjacent to Hagley Road. The existing building on site, is a large brick built conference facility with very few external windows and being 10.5m high (3 ½ storeys in scale). Other buildings nearby, to the north of Hagley Road are 215 Hagley Road (3 storeys), St Chad's Hospital (3 Storeys), 10 Stirling Road (4 storeys), 10 Clarendon Road (2 storeys), The Strathallan Hotel, 217 Hagley Road (7 storeys) and other nearby housing being a combination of 2 and 3 storeys. To the south of Hagley Road consist of 142 Hagley Road (3 storey), 146 (3/5 storey) and 126 Hagley (7 storeys), other building heights are generally varied in this section of the road with housing behind this row being generally 2 storey. I am satisfied that the proposed scale would be appropriate for the local context and consequently have no object to the massing diagram submitted in support of this scheme.
- 6.8. Layout (indicative) - The indicative layout shows a perimeter block arrangement of development with two new roads created through the site to bisect it on lines parallel to Hagley Road. This would create clearly defined public realm and private gardens that would be properly framed by buildings. This would create a successful 'back-to-

back' relationship providing a logical and coherent sense of place. The scheme shows how a density of 63 dwellings per hectare could be suitably accommodated on site. As the layout plan is indicative only it shows one potential solution to how the site could be arranged, but more importantly it shows key Masterplan principles that could be translated into a range of different solutions for the site. This layout would also protect the amenity of the rear gardens of residents to the rear (north) of the site placing a block of flats in this space framing this rear area. I am also satisfied that Places for Living can be suitably met in terms of separation distances, garden sizes and bedroom sizes when further details are available when considering reserved matters later. I response to Police comments I note that they have requested that the car parking areas for the proposed flats be secure, this can be addressed at the reserved matters stage and conditions at a later date.

- 6.9. Access – Access is afforded by two points from Clarendon Road and two from Stirling Road. I note that right turning in and out of Stirling Road is not possible due to the central reservation on Hagley Road. Stirling Road is two way up to the bend (just before no. 12) where No Entry signs are located therefore traffic coming out of the site, onto Stirling Road, can only turn right. Vehicles travelling from the city centre, from Hagley Road, would have to use Monument Road then Waterworks Road to get to Stirling Road. This is awkward but an existing situation, made no worse by the current proposal. Also, it is considered that residents that work in the City would more frequently catch a bus, walk or cycle rather than drive and seek a parking space in the City. The layout plan shows vehicular entrances from Stirling Road and two smaller access points providing access to two small private driveways from Clarendon Road, there would be no route through the site for vehicles. Access to Clarendon Road would not be possible direct from Hagley Road as the end of Clarendon Road has been closed to traffic.
- 6.10. Landscaping – Whilst this matter is reserved it is still pertinent to be satisfied that a landscape strategy can be agreed in principle at this stage. The scheme shows key landscaping areas in front of new housing on Clarendon Road, infill planting on Stirling Road and structural planting within the new culs-de-sac and between new rear gardens. This shows that adequate space is provided to accommodate planting. As such, subject to suitable conditions, I am satisfied that a detailed landscape scheme can be developed to suit the character of the proposed indicative layout and the surrounding area.
- 6.11. Conservation
- 6.12. The site is adjacent to several listed buildings and close to St Augustine's and Edgbaston Conservation Areas (both 400m to the west and east respectively). The applicants comment that the scheme would increase the amount of green space on site and would complement the existing character of the conservation area. It acknowledges that 215 Hagley Road and part of St. Chad's Hospital next door are Listed Grade II. The submitted heritage statement concludes that the proposal would not impact on the status of the nearby conservation areas and that the proposal can be seen as a positive contribution to the surrounding area. I concur with these findings and am satisfied that the proposal would not affect local heritage assets based on the proposed scale, the indicative layout and subject to proper design consideration when assessing the Reserved Matters in the future.
- 6.13. Transportation
- 6.14. The submitted Transport Statement considers the existing traffic impacts of the site in comparison to the proposed scheme. It notes that the venue can accommodate

250 cars (180 in marked bays, 70 on grass-crete to the rear) and 800 delegates. A safety audit indicates that the immediate area, surrounding the application site, was subject to three accidents in the last three years with only slight injuries being recorded. It also noted that no incidents were recorded in association with the use of the Stirling Road junction (which serves the application site). The statement also notes the site is in a highly sustainable location with access to numerous bus services via Hagley Road.

- 6.15. Whilst layout plan is only indicative, the applicant has provided a detailed layout and offered information with regards to the dwellings within the Design and Access Statement. The proposed frontage apartment would have 24 two bed and 8 one bed flats. The rear apartments would have 24 one bed and 6 two bed flats and the proposal would also include 22 three and four bed dwellings. All dwellings would include two car parking spaces. Sixty two car parking spaces would be provided for the flats with an additional number of fourteen disabled spaces. Cycle storage is provided together with the communal bin storage areas for the flats. Indicative parking levels are considered appropriate in mind of the location of the site on a major public transport corridor.
- 6.16. Transportation Officers are concerned that there is the potential for vehicles to 'rat run' through the site. The proposed plans do not indicate any features to prevent vehicles driving over the pedestrian link from Clarendon Road to the cul-de-sac. There could be a temptation given the restrictions of movement due to the one way street on Stirling Road and dead end on Clarendon Road. Right turning in and out of Stirling Road is not possible due to the central reservation on Hagley Road. Stirling Road is two-way up to the bend (just before no. 12) where 'No Entry' signs are located as such traffic coming out of site can only turn right. Therefore, this matter will require careful consideration at the detailed design matter stage.
- 6.17. The Transport Statement concludes that the proposal would not have an adverse effect on the safety and operation of the highway network. Traffic generation for 84 apartments would be 30-35 trips (two-way) at peak times. Traffic generation to the Clarendon Suites is variable due to the demand for conferences and functions but even so Transportation consider that the proposed development would generate less traffic than that generated by the existing use.
- 6.18. Car Parking Guidelines (SPD) identifies that the site is within zone 3, where there is a requirement for a maximum parking provision of 2 spaces per dwelling. The layout indicates a parking provision of 150%. Transportation have raised no objection to the proposal subject to conditions to require a Residential Travel Plan, a construction management plan and for any works in the highway to be detailed and agreed by condition. I concur with these comments.
- 6.19. Noise Impact
- 6.20. The proposal would place residential development adjacent to the Strategic Highway Network. The indicative layout shows a 4 storey block of flats adjacent to Hagley Road with a mix of flats and houses behind, as such the front elevation of the block would deflect some of the sound from traffic on Hagley Road creating a reduced noise impact to those properties behind. The submitted Noise Assessment indicated that following survey the noise exposure level was rated as category C. The National Planning Policy Guidance note (2014) identifies 4 different levels of noise impacts, ranging from 'not noticeable' to Noticeable and very disruptive'. The third level, 'Noticeable and Intrusive' appears comparable to the previous rating of 'Noise Category C' as it offers mitigation rather than refusal.

- 6.21. I note that there are many examples of residential development located adjacent to Hagley Road in nearby locations, particularly in regard to apartment schemes, such as the Mansion blocks at Kenilworth Court (135m to the east). I note that Regulatory Services have raised no objection in principle to the granting of this application, based on the fact that the adjacent units are not used for industrial use. However, local roads are busy and the adjacent Hagley Road creates significant noise levels. As such they have recommended conditions to require glazing attenuation to mitigate noise levels around the site, with a greater level of attenuation required for the South block adjacent to Hagley Road.
- 6.22. Impact on existing Residents
- 6.23. The scheme would result in the replacement of a conference facility with a wholly residential use. In principle this would result in a use less harmful to adjacent residential amenity. This is particularly in mind of the location of the main car park, serving the current use, that is located adjacent to residential rear gardens located on Clarendon Road, Stirling Road and Carlyle Road. I also note that the indicative layout shows the retention of the woodland (behind 19 and 21 Clarendon Road) and this area being used as amenity space to serve the second block of flats. I also note that the indicative plan shows an area of car parking (to serve these flats) that would be located to the side of the flats and behind houses 12-18 Stirling Road. This car park would replace the larger former car park for the conference use and therefore would have no greater disturbance, I am also confident that an appropriate buffer with landscape screening would provide additional noise mitigation on this boundary that would prevent undue noise and disturbance.
- 6.24. Ecology and Trees
- 6.25. Ecology – The site is partly within a Wildlife Action Area. Approximately 10% of part of the site (southern corner) is within this designation, this area of the site consists mostly of trees and green space that is proposed to be retained. The submitted Ecological Assessment comments that no legally protected habitats or plants were found on site. The building was surveyed for bat roosts. It was concluded that due to its design and position adjacent to Hagley Road, that no roosts were present. Some bird nests were found on trees on site but no other significant ecological interests were found. The Assessment report recommends that the scheme be designed with a sensitive lighting plan, a landscape plan that includes native planting, bird and bat boxes, and grouping of planting to encourage nesting and foraging routes. Your ecologist is satisfied with the finding of this report subject to suitable mitigation measures, referred to within the Assessment, which can be secured by condition.
- 6.26. Trees – The northern part of the site, behind houses at 19 and 21 Clarendon Road, are protected by Tree Preservation Order. These trees are proposed to be retained. Also, the proposal seeks to retain most trees on the site and mostly only remove those which have been classified as 'R' type trees (rated as no value). There is one category A tree that is shown to be removed (a Lime) and two category B trees are also proposed to be removed (a London plane and a lime). My arboriculturalist considers that the first lime tree could be retained subject to minor changes to the proposed layout, as the layout is currently indicative I am satisfied that this can be resolved when detailed matters are considered as part of the reserved matters submission. There are some areas where further detail will be required by condition, due to the proposed location of some paths but I am satisfied that this can be suitably mitigated when detailed design is considered and with the benefit of mitigating conditions. The scheme proposes the retention of the majority of trees

and I recommend conditions to require a full tree survey, tree protection measures, and a Tree work specification to be considered once a detailed layout is known.

6.27. Flooding and drainage

6.28. The submitted Flood Risk Assessment (FRA) comments that the site is within flood zone 1 (least likely to flood), that the Edgbaston Reservoir is 400m to the north of the site and the Chad Brook 500m to the south. It suggests that soak-aways and pervious paving could be considered for use on site at the detailed design stage subject to infiltration testing. Rainwater harvesting also could be considered at the detailed design stage. It also suggests the use of Swales (surface water drainage ditches) but I suspect that this would be inappropriate for this medium density site. It concludes that a combination of on-site storage and flood routing to the larger landscaped areas would mitigate on-site surface water run-off and satisfy the Environment Agency's general requirement to limit run off and capture water on site (including a 30% climate change multiplier).

6.29. The Local Lead Flood Authority has considered the proposal. They have stated that an operation & maintenance plan is required at the reserved matters stage of this application, including Details of party responsible for the maintenance of each feature, a Specification for inspection and maintenance actions (including frequency of tasks and setting out minimum standard of maintenance required), Proposed arrangements for adoption/ownership to secure operation of the scheme throughout its lifetime and Details of proposed contingency plans for failure of any part of the drainage systems that could present a hazard to people. This can be secured by condition.

6.30. S106 Issues

6.31. Housing – The proposal is for more than 15 dwellings and therefore would need to provide 35% of the units as affordable housing. The scheme shows a mix of apartments and houses. This provision can be secured through a S106 Agreement, as the scheme is speculative, and layout is not currently for consideration, the house type mix should remain unspecified within the S106 at this time.

6.32. Education – The scheme generates the need for an education contribution of £180,528.44 towards primary and nursery school education. A priority school within the area is St George's Church of England Primary School, Beaufort Road, Ladywood which is 0.3 mile from the application within the adjacent constituency. This calculation is based on the application of the formula based on pupil yields looking at current surplus places. There are fewer than 5% surplus places in primary and nursery schools in this area and as such my education colleagues seek the full planning contribution in this case. No contribution is requested for secondary provision due to current lack of places. As the scheme is in outline form, and so the final mix and size of flats and houses is not yet known, the requested sum is based on the flats and houses currently shown. This sum may change to a greater or lesser degree when final details are approved, and will be calculated using the standard formula.

6.33. Parks and Local Services – Have raised no objections in principle to this outline proposal, but requested that public open space (POS) and play requirements be provided to satisfy Policy. An off-site contribution providing both junior play facility and POS would be £167,400. This would be spent on the provision, improvement and maintenance of Bellevue POS, in close proximity to Islington Row and Bristol

Road. As the scheme is in outline form this sum would be expressed in the S106 as a pro-rata calculation.

7. Conclusion

- 7.1. The principle of redeveloping this site for residential purposes would be in line with national and local policy. I have no objection to the loss of the existing building or use. The application site is located adjacent to the Strategic Highway Network, with excellent access to public transport and the City. The scheme satisfies flood assessment requirements and provides for the retention of important perimeter trees. Noise impact issues can be suitably mitigated through conditions. The scheme constitutes sustainable development. The proposal would also contribute towards the city's housing need.

8. Recommendation

- 8.1. I. That application 2015/04036/PA be deferred pending the completion of a suitable Section 106 Planning Obligation to require:

a) On-site Affordable Housing provision of 35%.

b) Off-site Public Open Space and Children's Play Area Contribution based on a sum derived from a pro-rata calculation in the adopted Public Open Space in new residential development SPD (detailed at appendix B of that SPD) (index linked to construction costs from the date of the committee resolution to the date on which payment is made) to be spent on the provision, improvement / or maintenance of POS and Play within the Bellevue POS, within the Edgbaston Ward. The sum is to be paid prior to the commencement of development.

c) Education contribution based on a sum derived from a pro-rata calculation in the 'Education Contribution' guidance note (detailed at appendix A, B and C of that note)(index linked to construction costs from the date of the committee resolution to the date on which payment is made) towards St George's Church of England Primary School, Beaufort Road, Ladywood. Sum to be paid prior to the commencement of development.

d) Payment of a monitoring and administration fee associated with the legal agreement subject to a contribution of £7,900. To be paid prior to the completion of the S106 Agreement.

II. In the event of the above Section 106 Agreement not being completed to the satisfaction of the Local Planning Authority on or before 18th August 2015 planning permission be REFUSED for the following reason;

a) In the absence of a financial contribution towards Public Open Space, education and the provision of on-site affordable housing the proposal conflicts with Paragraph 3.53B, 3.61, 5.20B, 5.20C, 8.50-8.53 and 5.37 A-G of the Birmingham UDP 2005 and the National Planning Policy Framework (2012).

III. That the Director of Legal and Democratic Services be authorised to prepare, seal and complete the appropriate Section 106 planning obligation.

IV. In the event of the Section 106 Agreement being completed to the satisfaction of the Local Planning Authority on or before 18th August 2015, favourable consideration

be given to Application Number 2015/04036/PA, subject to the conditions listed below;

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- 1 Limits the approval to 3 years (outline)
 - 2 Requires the submission of reserved matter details following an outline approval
 - 3 Limits the layout plans to being indicative only
 - 4 Limits the maximum number of dwellings to 84
 - 5 Limits the maximum number of storeys to 3 and 4 storeys
 - 6 Requires the prior submission of sample materials
 - 7 Requires the prior submission of level details
 - 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 lighting scheme
 - 12 Requires the implementation of the Flood Risk Assessment
 - 13 Requires the prior submission of a sustainable drainage scheme
 - 14 Requires the prior installation of means of access
 - 15 Requires the prior submission of a parking management strategy
 - 16 Requires the prior submission of a residential travel plan
 - 17 Requires vehicular visibility splays to be provided
 - 18 Requires the prior submission of cycle storage details
 - 19 Requires pedestrian visibility splays to be provided
 - 20 Requires the prior submission of a tree survey
 - 21 Requires the prior submission of details for tree works
 - 22 Requires the implementation of tree protection
 - 23 Requires the prior submission of a contamination remediation scheme
 - 24 Requires the prior submission of contamination remediation scheme on a phased basis
 - 25 Requires the scheme to be in accordance with the listed approved plans
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- 26 Requires the prior submission a noise study to establish residential acoustic protection
 - 27 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
 - 28 Requires the prior submission of details of bird/bat boxes
 - 29 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 30 Requires the prior submission and completion of works for the S278/TRO Agreement
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Case Officer: Ben Plenty

Photo(s)

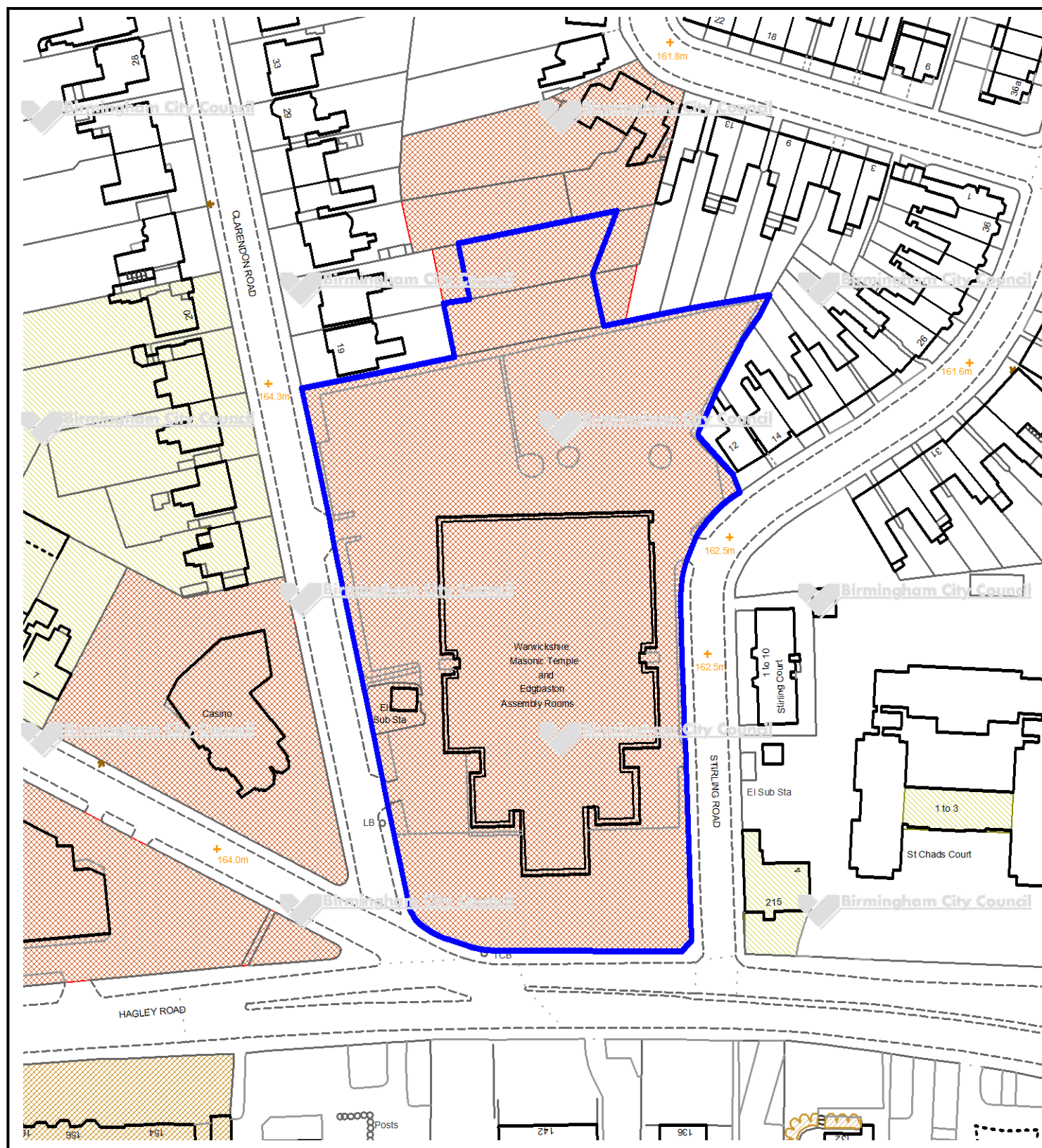


Front view of site looking north



Aerial view looking west

Location Plan



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