

Birmingham City Council

Planning Committee

12 January 2023

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	6	2022/05132/PA 1 Friary Road Handsworth Wood Birmingham B20 1BD Change of use from dwelling house (Use Class C3) to childrens care home (Use Class C2) and erection of first floor side extension
Approve – Conditions	7	2022/07202/PA Handsworth Wood Academy Church Lane Handsworth Wood Birmingham B20 2HL Demolition of existing buildings, provision of temporary accommodation and construction of a 3 storey teaching block and 2 storey sports block, with associated infrastructure, recreation and landscape areas.

Committee Date:	12/01/2023	Application Number:	2022/05132/PA
Accepted:	17/10/2022	Application Type:	Full Planning
Target Date:	01/01/2023		
Ward:	Handsworth Wood		

1 Friary Road, Handsworth Wood, Birmingham, B20 1BD

Change of use from dwelling house (Use Class C3) to childrens care home (Use Class C2) and erection of first floor side extension

Applicant:	Bright Life Living 2 Wheeleys Road, Edgbaston, Birmingham, B15 2LD
Agent:	Mr Craig Bradley 118 Stone Drive, Shifnal, TF11 9HQ

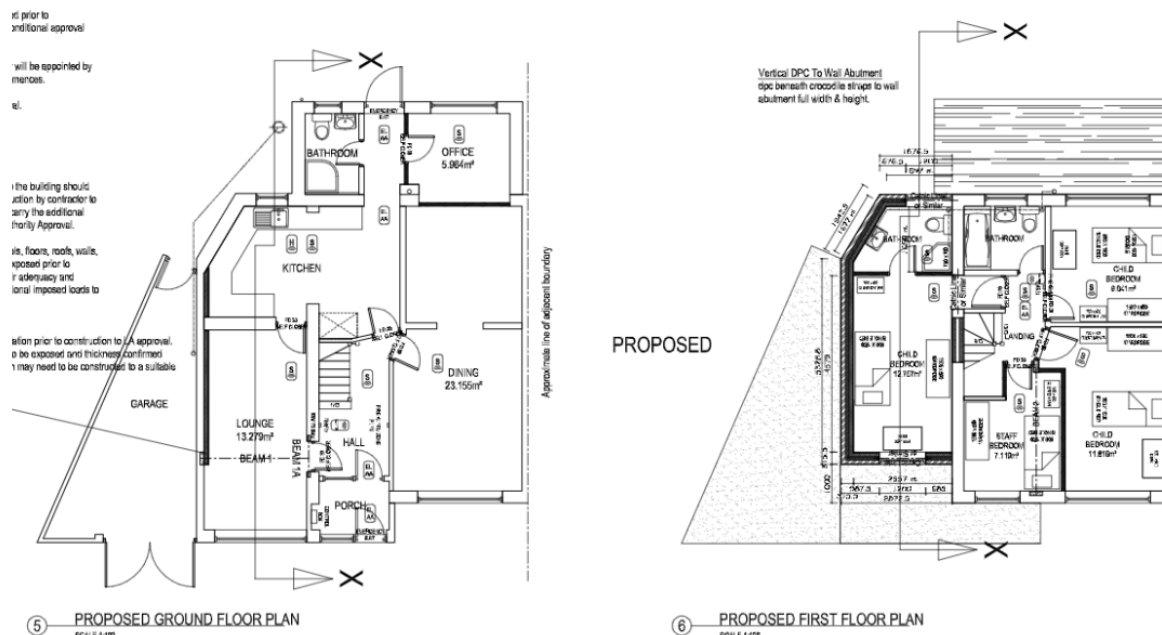
Recommendation

Approve subject to Conditions

1. **Proposal:**

- 1.1 Consent is sought for the change of use from a dwelling house (Use Class C3) to children's care home (Use Class C2) for up to 3 children and erection of first floor side extension, at 1 Friary Road, Handsworth Wood, Birmingham, B20 1BD.
- 1.2 The first floor side extension would measure approximately 8.05m (L) X 2.55(W) X 5m (H). This would allow for internal changes including the provision of 4 bedrooms and 2 bathrooms and the introduction of a staff office, improved kitchen, separate lounge and dining room.
- 1.4. The applicant has provided a planning statement which has outlined the following:
 - Staff are to work on a 24-hour shift basis split between a waking day shift and sleep in night shift. The staff will not reside at the property, but work shifts on a rota.
 - The children residing at the property will be aged from 8 to 17 with learning difficulties/emotional difficulties.
 - The service is to be registered and licensed by Ofsted.
 - The house will be managed by a Registered Manager who will be registered with OFSTED and will have the relevant experience of managing a children's home as well as having a Level 5 in Leadership in Health and Social Care and Children and Young Peoples Services.
 - The wider staff team will comprise of Senior and Residential Support Workers, with all the staff having or be working towards Level 3 in Health and social care, children and young people's workforce.
 - CCTV to be installed at the site along with new fencing around the rear boundary to provide security.
 - Discussions have been held with Birmingham Children's Trust and the local police to take the necessary steps to ensuring a well-run home.

1.3 [Link to Documents](#)



Proposed Layout

2. Site & Surroundings:

- 2.1. The application property is located in a residential area at the junction of Oxhill Road and Friary Road. There are TROs parking restrictions in the form of double yellow lines fronting the application site at this junction.

3. Planning History:

- 3.1. 2009/01014/PA - Erection of two-storey side, single-storey rear extensions, conservatory to rear and canopy to front – Approved subject to conditions, June 2009.

4. Consultation Responses:

- 4.1. Children's Commissioning/Birmingham Children Trust – support the proposal and commented that they do not have any concerns about this provider's ability to safely run a children's home:

- The provider is known to Birmingham Children's Trust (BCT) and currently operates an Ofsted registered children's home within the locality.
- BCT currently has two young people placed with this provider; the one young person has been there for over six months and the young person is very settled and making good progress with a supportive staff team in place. The provider would establish a similar staff team at this new home who are focused on meeting the needs of the young people.
- Ofsted would inspect the home and its policies and interview the Home Manager before they would consider registering the home and once registered the Ofsted would regularly inspect the operation of the home;
- The provider is committed to supporting BCT to make local placements to sustain a child's social and professional support networks and maintain access to education and health services.
- The provider has engaged with BCT Commissioners regarding their plans for the home and this is in line with the needs identified through the BCT Sufficiency Statement.
- The provider would continue to work with Commissioners as the home develops.
- The proposed site for this new home is a suitable location, affording good transport

links and access to local schools and amenities, and does not stand out from other homes in the area.

- The layout of the home is suitable for its purpose and there is adequate space for the young people.
- The provider has been in contact with the neighbourhood policing team to understand the local risks that may impact upon the young people and what actions they can take to mitigate any risks.
- The provider is committed to the West Midlands Flexible Contracting Arrangement, and they have therefore undergone a level of due diligence and quality checks to be accepted onto this framework and to make the home available to Local Authorities within the West Midlands.

4.2. Regulatory Services – No objections, subject to noise insulation condition.

4.3. West Midlands Police – No objection subject to clarity in terms of the management, policies and procedures for missing/absence management, condition the number of children, CCTV and security recommendations.

4.4. Transportation Development – No objections, subject to car park layout condition.

4.5. Adjoining neighbours, Residents' Associations, Ward Councillors and MP were notified with a site notice posted. Objections have been received from Antrobus Road Residents Action Group (ARRAG), a petition containing 53 signatures from Handsworth Wood Residents Association, Councillors Kooner and Atwal, and 40 representations raising the following:

- Increase in traffic and parking at the junction would endanger pedestrians.
- Lack of accessibility to shops and services.
- Impact on house prices.
- Loss of family home;
- Placing vulnerable adolescents in such close proximity to a high crime area threatens to add to the crime level of the ward.
- Contrary to DM12.
- Loss of amenity arising from the cumulative effects of similar uses in the area;
- Junction outside the property extremely busy;
- Small garden;
- Semi-detached property too small;
- High density of care homes already in the area;
- Site is unsuitable for vulnerable children;
- Increase in noise and disturbance.
- Stress it will cause to residents;
- No clear end consultation date.
- Lack of information.

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

5.1. National Planning Policy Framework 2021.

5.2. Birmingham Development Plan 2017:

- Policy PG3 - Place making.
- Policy TP27 - Sustainable neighbourhoods and
- Policy TP35 - The existing housing stock.
- Policy TP44 - Traffic and congestion management.

5.3. Development Management DPD:

- Policy DM2 – Amenity.
- Policy DM12 – Residential Conversions and Specialist Accommodation.

5.4. Supplementary Planning Documents & Guidance:

- Birmingham Design Guide
- Car Parking Guidelines SPD (2012)

6. **Planning Considerations:**

- 6.1. The main considerations in the determination of this application are the principle of the proposed use as a care home, standard of accommodation and quality of the living environment for future occupiers, visual amenity, impact on residential amenity, parking/highway safety and crime and anti-social behaviour.

Principle of the development

- 6.2. Policy DM12 of the DPD states that residential conversions and specialist accommodation will be supported where:
- It would not lead to an unacceptable adverse impact on the amenity, character, appearance, parking, public and highway safety of the area, taking into account the cumulative effects of similar uses in the area;
 - The accommodation and facilities, including outdoor amenity space and provision for safety and security, is suitable for the intended occupiers;
 - It is accessible to local shops, services, public transport and facilities appropriate to meet the needs of its intended occupiers;
 - The scale and intensity of the proposed use is appropriate to the size of the building;
 - It would not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies
- 6.3. Concerns have been raised that the property is semi-detached and therefore not suitable. While not large, it is considered that the proposed children's care home would be located within a sufficiently sized plot. The proposed use is considered acceptable in this instance, given that it would become a spacious 4-bedroom property, with an adequate amount of external amenity space. The condition limiting the maximum number of children to 3 has been attached. It is therefore considered that activities associated with the property would be similar to that of a four-bedroom family dwelling, and as such the proposals would not cause any undue noise and disturbance to adjoining occupiers, over and above what would be expected from the existing residential dwelling house use.
- 6.4. In terms of the cumulative effect, 1 HMO and 9 supported exempt accommodation have been identified within a 100m radius of the application property (7.6%). The Birmingham Children's trust has confirmed that there are seven other children's homes currently registered with Ofsted within B20 and two homes within B21. They add that the nearest children's home is 0.5 miles away and would not affect the operation of this home. They conclude by saying that the "new home is a suitable location, affording good transport links and access to local schools and amenities, and does not stand out from other homes in the area". As such, it is considered that the introduction of the proposed children's care home would not result in an overconcentration of intensive residential uses to the detriment on the residential character of the surrounding area.
- 6.5. Concerns have been raised that the proposal would lead to a loss of a family dwelling. Policy TP35 of the BDP states that the loss of residential accommodation would only be permitted if there are good planning justifications or an identified social need. A supporting statement has been provided identifying staff rotas and safety precautions being taken. whilst the premises would operate as a residential institution, it would not be entirely out of keeping

in that it would share some characteristics of a residential C3 use albeit accommodation for a specific group of individuals.

6.6. It is understood that Birmingham Children Trust and neighbouring local authorities have placed children at significant distance due to non-availability of children homes within the city. Children's Commissioning set out that the provider is committed to the West Midlands Flexible Contracting Arrangement and accepted onto this framework to make the home available to Local Authorities within the West Midlands. It is considered that there are social and planning justifications for the proposed use and the proposal would not conflict with Policy TP35 of the BDP.

6.7. Given the above, it is considered that the principle of change of use from residential dwellinghouse (Use Class C3) to a children's care home (Use Class C2) is acceptable, subject to other material planning considerations.

Standard of accommodation

6.8. The Birmingham Design Guide does not set internal space standards for care homes and the Nationally Described Space Standards provide a useful benchmark to judge the quality of accommodation and living environments for this type of development. The bedrooms would meet the standards and the proposed communal rooms are considered acceptable for the intended number of occupiers. The 50 sqm rear garden amenity space would be provided which exceeds the Design Guide standards for care homes occupied by 3 residents.

Impact on visual amenity

6.9. A single storey side extension would be set back 1m and set down, therefore it would be subordinate to the host house. The extension would continue on the current building line and would not affect the original design of the semi-detached home. I consider this extension modest and would be in keeping with the area.

Impact on Residential Amenity

6.10. The extension would not be compliant with the 45-degree code in relation to the rear facing window at a first floor side extension at 170 Oxhill Road. However, the extension at 170 Oxhill Road also has windows to the front, side as well as the rear and the front window would be the primary window to the habitable room. The extension would have a window in close proximity to the boundary with the neighbouring garden however, this window serves a bathroom and would be obscurely glazed. Therefore, the proposed extension would not result in any adverse impact on neighbour amenity and is considered acceptable.

6.11. The application property is adjacent to multiple residential properties. As previously noted, the activities associated with the proposal i.e., visits from staff, professionals and relatives are unlikely to negatively impact on the residential amenity of neighbouring occupiers due to the comings and goings not being significantly different from a family dwelling.

6.12. Conditions have been attached to restrict the number of children living at the property to 3 and to restrict the use of to a children's care home only and for no other use within the Use Class C2. Regulatory Services have raised no objection to the scheme and recommended a condition relating to noise insulation.

Impact on Highway Safety and Parking

6.13. The application site benefits from off street parking spaces. Transportation Development have raised no objection to the proposed development, subject to a condition detailing the car parking layout. However, in view of the space provided for off-street parking and the residential context, a formal car park layout is not considered necessary. The proposal would not result in increased pressure on the highway.

Crime and Anti-social Behaviour

- 6.15 Concerns have been raised in relation to anti-social behaviour and increase in crime. Crime and the fear of crime are material planning considerations, however the nature and type of people to occupy a premises is not a material planning consideration.
- 6.16 West Midlands Police have no objections and advised that the applicant should meet with the Police Neighbourhood Team. In addition, WM Police did not identify any concerns in respect of local knowledge, risks and or threats. The applicant and Birmingham Children's Trust have confirmed that the applicant has been in contact with the Police Neighbourhood Team. WMP have also recommended security guidance.
- 6.17 Birmingham Children Trust do not have any concerns about the provider's ability to safely run a children's home. The provider will undertake a location risk assessment to give due regard to the risks and issues with the neighbourhood that may impact on the care. The provider is well known to the Trust and will be registered with Ofsted and subject to annual inspections. They have also mentioned that the applicant has been in contact with the neighbourhood policing team to understand the local risks that may impact upon the young people and what actions they can take to mitigate any risks. I do not consider the proposal would give rise to anti-social behaviour and crime.

Other matters

- 6.18 Financial impact on property values is not a material planning consideration and cannot be taken into account.

7. **Conclusion**

- 7.1. This application is recommended for approval as the proposal complies with the objectives of the policies that have been set out above. The proposed development would help meet an identified social need in providing a children's care home and would be acceptable in terms of standard of accommodation for the future residents and have no detrimental impact on residential amenity, highway safety or parking in the vicinity of the site.

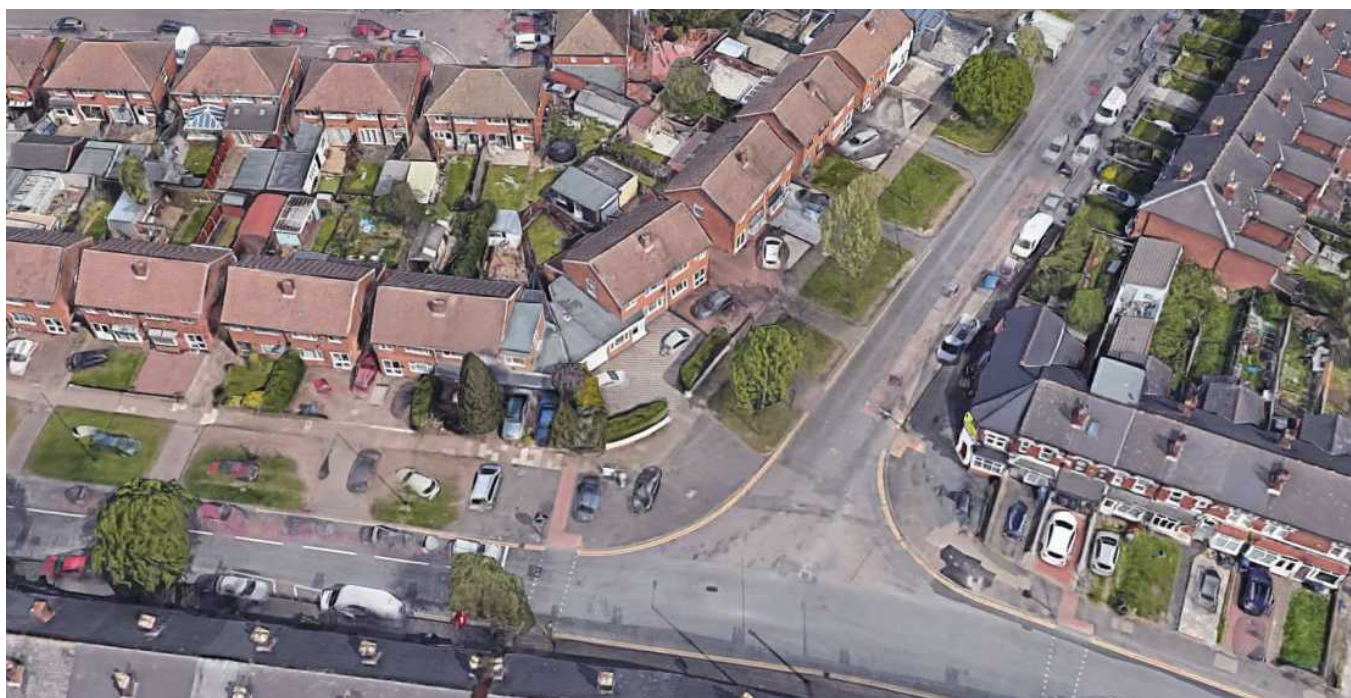
8. **Recommendation:**

- 8.1. Approval subject to conditions.

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|---|--|
| 1 | Implement within 3 years (Full) |
| 2 | Requires the scheme to be in accordance with the listed approved plans |
| 3 | Requires that the materials used match the main building |
| 4 | Restricts the number of children living in the property to a maximum of 3. |
| 5 | Prevents the use from changing within the use class |
| 6 | Requires the prior submission of noise insulation |
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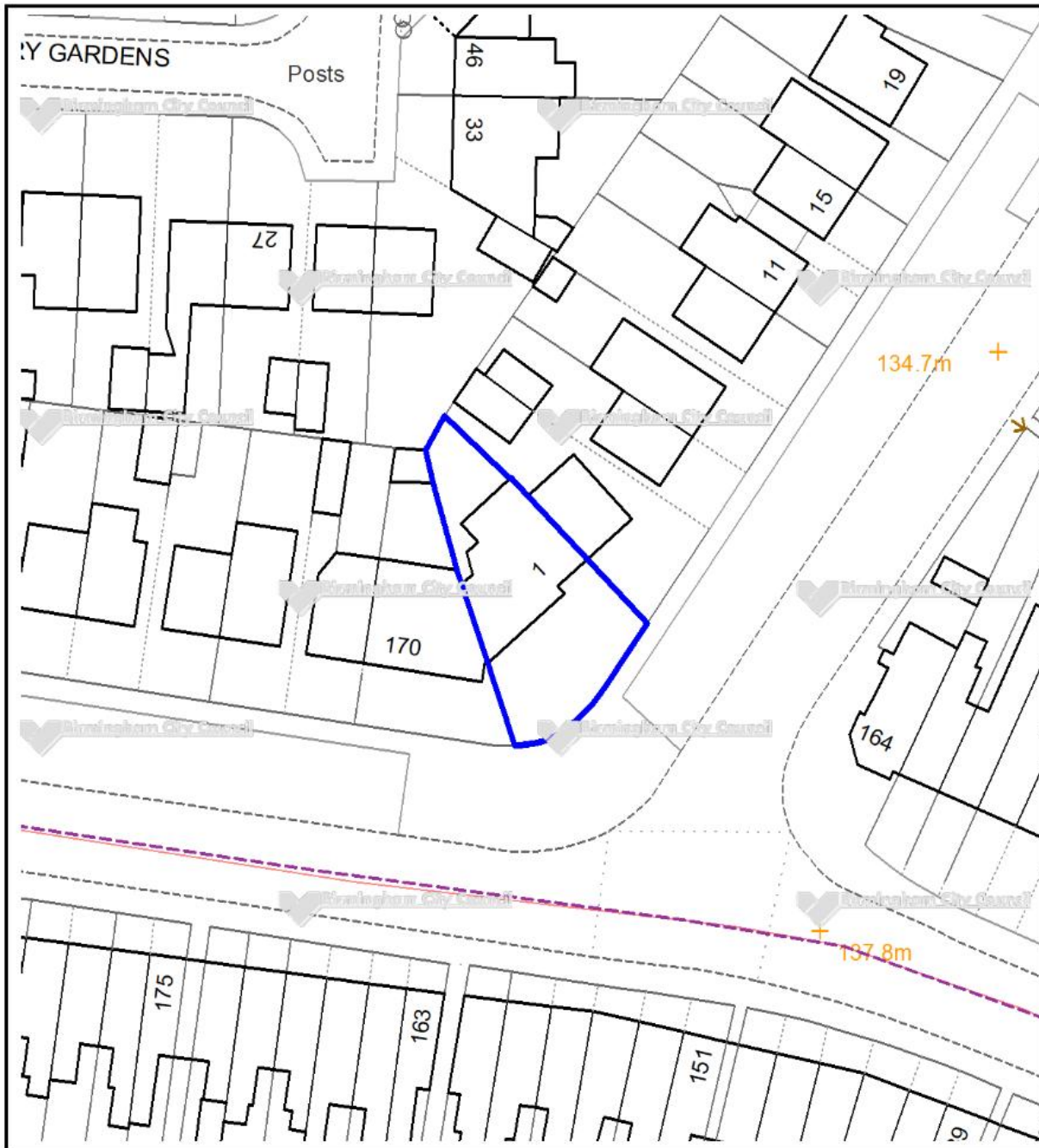
Case Officer: Daniel Hood

Photo(s)



Aerial view of the application property

Location Plan



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Committee Date:	12/01/2023	Application Number:	2022/07202/PA
Accepted:	21/09/2022	Application Type:	Full Planning
Target Date:	13/01/2023		
Ward:	Handsworth Wood		

Handsworth Wood Academy, Church Lane, Handsworth Wood, Birmingham, B20 2HL

Demolition of existing buildings, provision of temporary accommodation and construction of a 3 storey teaching block and 2 storey sports block, with associated infrastructure, recreation and landscape areas.

Applicant:	Department for Education C/o Agent
Agent:	Define Planning and Design Ltd on behalf of BAM Construction Unit 6, 133-137 Newhall Street, Birmingham, B3 1SF

Recommendation

Approve subject to Conditions

1. Proposal:

- 1.1 The application seeks permission for the redevelopment of King Edward Handsworth Girls' Academy. The development involves demolition of the existing buildings on site, apart from the existing Sixth Form building and erection of a 3-storey teaching block and 2 storey sports hall, together with outdoor sports provision, outdoor recreation area, landscaping, infrastructure and reconfigured car parking and manoeuvring area.
- 1.2 The demolition of the existing school buildings and construction of education building, sports hall and associated development would be in different phases. This is required to continue the operation of the school. The demolition work would start from the southern end of the site and 3-storey education building would be constructed first. A temporary building adjacent to the existing Sixth Form building would also be constructed before demolition of the other school buildings to maintain normal operation of the school. The supporting information indicates that the redevelopment works would commence in Spring 2023 with an aim to complete and ready for the September 2025.



Main Entrance – View 1



Main Entrance – View 2



Community Entrance View



Courtyard View

- 1.3 The sports provision would also be used by the community outside school hours but not on weekends. The community use is proposed between 4:00pm – 6:30pm weekdays during school term time and 9:00am – 4:00pm weekdays during school holidays.
- 1.4 In addition to necessary plans, the application is accompanied with Design and Access Statement, Sustainability Statement and BREEAM Pre-Assessment, Flood Risk Assessment and Below Ground Drainage Design Strategy, Preliminary Contamination Risk Assessment, Ecological Walkover Survey and Preliminary Bat Survey, Biodiversity Impact Assessment and Enhancement Strategy, Transport Statement and Travel Plan, Arboricultural Impact Assessment and Arboricultural Method Statement, Air Quality Assessment, Noise Impact Assessment and Construction Method Statement.
- 1.5 [Link to Documents](#)

2. **Site & Surroundings**

- 2.1. The application site is King Edward VI Handsworth Wood Girls' Academy, a secondary school for girls aged 11-16 together with a sixth form provision for aged 16-18. The school is within the boundary of Handsworth Wood Ward and provides education for 900 secondary school pupils in addition to 200 sixth form students. The school site is on a rectangular parcel of land and surrounded by residential properties and is not readily visible from the adjoining public highways. The vehicular access to the school is via a private drive from Church Lane to the north and there is a pedestrian access from Handsworth Wood Road to the south. Guru Ravidass Community Centre, a 3-storey building is located to the south of the school and shares boundary and vehicular access with the school. The surrounding area is predominantly residential in character comprising 2 and 3 storey buildings.
- 2.2. There are a number of substantial trees and other vegetation along the perimeter of the school boundary in addition to some trees within the site between buildings which form part of the existing landscape features of the school. There are number of trees within the site and on adjacent land which are protected by law (TPO trees).
- 2.3. Provide link to '[Site location](#)' (google maps)

3. **Planning History:**

- 3.1. 2005/04487/PA - Erection of two storey side and single storey front extension, approved 01/09/2005
- 3.2. 2009/06497/PA - Change of use from school to community, arts, sports, and recreation centre at ground and first floors, provision of office business suites at second floor, additional use of school sports area for overspill car parking, construction of additional car, approved 09/06/2010

- 3.3. 2020/00827/PA - Creation of a multi- use games area (MUGA) with 3m perimeter fencing and access footpath, approved 24/07/2020
- 3.4. In addition, there were number of planning applications for temporary permission and renewal of these permissions in relation to various temporary classrooms and portakabin.
4. **Consultation Responses:**
- 4.1. Transportation Development - No objection, subject to conditions requiring submission of Construction Management Plan and installation of electric vehicle charging points
- 4.2. Regulatory Services – No objection subject to conditions requiring submission of construction and demolition management plan, a contamination remediation scheme, unexpected land contamination and conditions relate to noise and use of MUGA and all weather sports pitch.
- 4.3. Local Lead Flood Authority (LLFA) – No objection subject to recommencement condition requiring submission of a sustainable drainage scheme and a sustainable Drainage Operation and Maintenance Plan
- 4.4. Environment Agency – No objection
- 4.5. Sports England – Sports England satisfied with the specification of the sports hall which includes badminton, netball, basketball and cricket nets and the details of artificial grass pitch with a 3G surface and raised no objection.
- 4.6. Severn Trent Water – No objection subject to condition requiring submission of surface water and foul drainage details
- 4.7. City Design – Satisfied with the design details, no objection subject conditions requiring submission of hard and soft landscape details and architectural details including facing/external construction materials.
- 4.8. Conservation – There are heritage implications for this development and therefore no objection from Conservation Team.
- 4.9. Ecology – No objection subject to conditions requiring submission of ecological/biodiversity/enhancement measures including a 30-year Landscape and Ecological Management Plan to achieve biodiversity net gain. The Ecologist also recommended further bay survey of the buildings which will be demolished on a later stage of the construction phase. They also recommend condition to submit details of green roof.
- 4.10. West Midlands Police – No objection
- 4.11. West Midlands Fire Services – No objection
- 4.12. Tree Officer – No objection subject to condition related to CAVAT Assessment and replacement trees.
5. **Third Party Responses:**
- 5.1. The application has been publicised by site notices and press notice in addition to notification letters which were sent out to adjoining neighbouring occupiers, residents' associations, Ward Councillors and Local MP.

- 5.2. Three representations have been received making the following comments:
- Temporary accommodation will cause disruption and will be distressing to pets
 - Demolition will cause noise, dust and asbestos dust into the air
 - Loss of privacy and affecting natural light
 - Health and safety concern
 - The existing traffic issues in particular in the morning and in the afternoon in and around the school are dangerous and needs to be fixed prior to this development
 - Existing traffic and parking problem in the area will be worsen.

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

6.1. **National Planning Policy Framework**

Section 2 – Achieving sustainable development; Paragraph 7 -9
Section 3 – Decision making; Paragraph 38, Paragraph 47, Paragraph 55-57
Section 8 – Promoting healthy and safe communities; Paragraph 95 – 96, Paragraph 98
Section 9 – Promoting sustainable transport; Paragraph 110 - 113
Section 11 – Making effective use of land; Paragraph 119
Section 12 – Achieving well-designed places; Paragraph 126, paragraph 130-131, paragraph 134-135
Section 14 – Meeting the challenge of climate change, flooding and coastal change; paragraph 153- 158, Paragraph 167, 169
Section 15 – Conserving and enhancing the natural environment; Paragraph 174, 180, 183 - 186

6.2. **Birmingham Development Plan 2017:**

PG3 – Place making; TP36 – Education; TP1 – Reducing the City's carbon footprint; TP2 – Adapting to climate change; TP3 – Sustainable construction; TP4 – Low and zero carbon energy generation; TP5 – Low carbon economy; TP7 – Green infrastructure network; TP8 – Biodiversity and geodiversity; TP9 – Open space, playing fields and allotments; Policy TP9 – Open space, playing fields and allotments; TP11 – Sports facilities; TP39 – Walking; TP40 – Cycling; TP44 – Traffic and congestion management

6.3. **Development Management DPD:**

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

6.4. **Supplementary Planning Documents & Guidance:**

Birmingham Parking SPD – November 2021
Birmingham Design Guide – September 2022

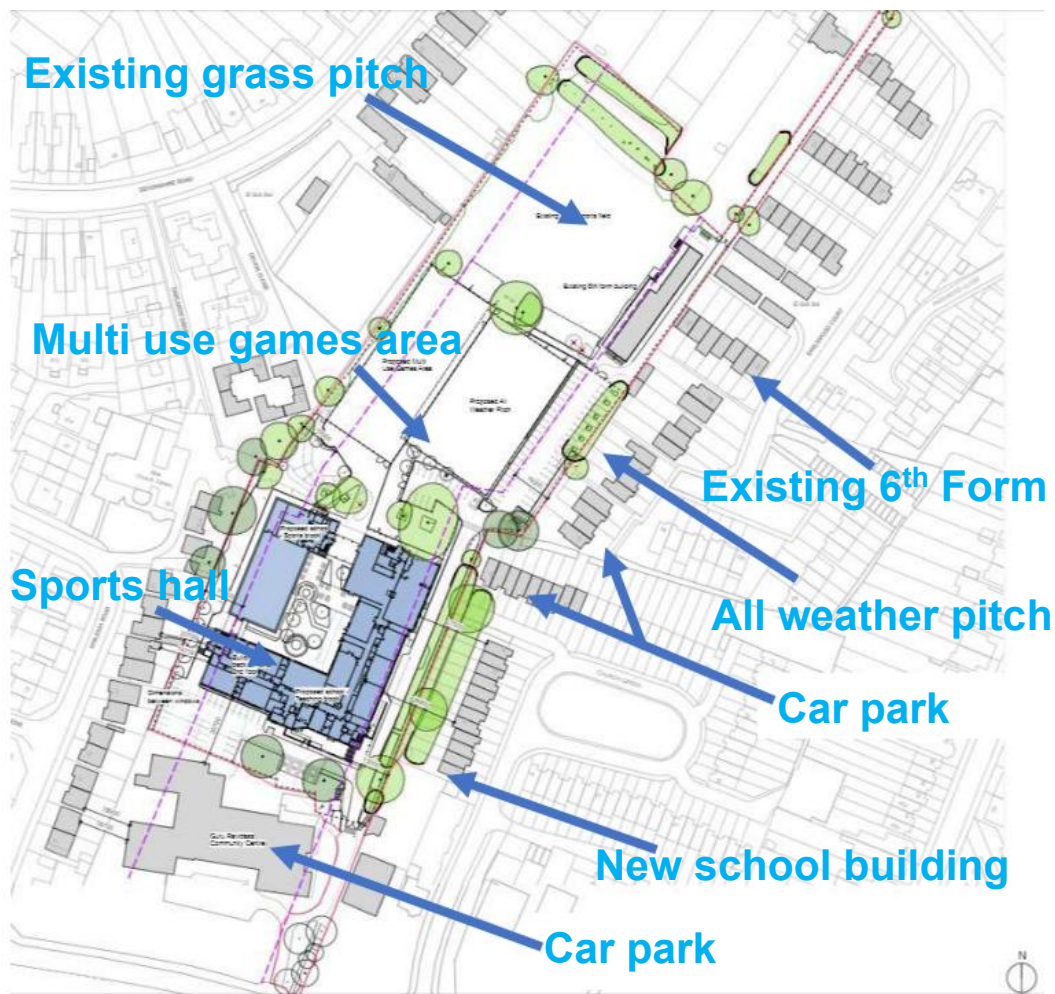
7. **Planning Considerations:**

- 7.1. The main issues in determining this application are principle of development, design and layout and subsequent impact upon the character of the area, the impact upon neighbouring amenity, the impact on highways, impact on tree and ecology, air quality and other wider social and environmental impact.
- 7.2. **Principle:** The NPPF at paragraph 94 states that local planning authorities should take a proactive, positive, and collaborative approach to ensure that a sufficient choice of

school places are available to existing communities. The BDP 2017 Policy TP36 is to support creation of high-quality learning environment. This Policy states that the proposals for the upgrading and expansion of existing schools and development of new schools would be supported subject to the provision of safe access, safe drop-off/pick-up provision and outdoor sport and recreation facilities without conflicting with adjoining uses. The site is an established school within a residential area surrounded by residential properties. The proposal is to create a 3-storey building by demolishing existing scattered various types of buildings on site to streamline the built form of the school and to provide an improved education facility. The proposal includes a 2-storey sports hall together with improved outdoor sports provision. The proposal also includes associated development which includes landscaping, reconfigured parking and enhanced coach drop-off facilities. Therefore, the principle of development is considered acceptable subject to compliance with other plan policies, in particular, BDP and DMB-DPD Policies related to design and character, residential amenities, highways, trees and ecology, and other wider environmental issues. The detailed assessment has been provided in the later sections of this report.

- 7.3. Design and Layout: The main education building which is a 3-storey L-shaped building would be located towards the eastern and southern boundary of the site. In addition to teaching facilities, this building includes provision for offices, halls and dining spaces. In addition to specialist classrooms and offices, the ground floor would have kitchen, dining hall, assembly hall and plant room. There would be classrooms and offices on first floor and science labs, classrooms and offices on the second floor. The proposed rectangular shaped sports hall would be located along the western boundary of the site. The sports hall would consist of multi-sport court and changing rooms on ground floor and a smaller area above changing on first floor for activity studio. The proposed layout and scale of the education building, and sports hall are considered appropriate on this site. The 2-storey sports hall behind the rear garden of residential properties on Winleigh Road appears appropriate as the properties on Winleigh Road are also 2-storey in height. The 3-storey main school building would be adjacent to buildings towards the east and south which are also 3-storey in height. The proposed layout would allow minimal disruption to teaching and would help to retain most of the trees on site.
- 7.4. It is considered that the proposal is of high quality and in keeping with the local character and pattern of the built form. The layout of the contemporary design sports hall and school building appears functional and well thought-out. It appears from the siting, orientation and separation distance from neighbouring properties, that the proposal has considered its impact on the wider area and relates to the design and mass of the neighbouring buildings.
- 7.5. The vehicular access and pedestrian access from the south on Church Lane and pedestrian access only from the north on Handsworth Wood Road would remain unaltered. However, the proposal involves reconfiguration of car parking area which would be on the south end of the site in front of the school and on the area adjacent to the east boundary next to all weather pitch (at the rear of the proposed school building). This arrangement would help to retain trees, boundary hedgerow and minimise impact on the neighbouring residential occupiers in terms of their outlook and visual amenity as well as contribute towards biodiversity net gain.
- 7.6. The main entrance of the school would be located on the south elevation where is a stair lift in addition to a flight of stairs. There is also ramped access to the southeast corner of the building. Due to the level difference of the site, i.e. the finished ground floor of the school building on the south end is around 1.8m above from the car parking level. Therefore, a stair lift would be installed on the south elevation to provide easy access for the people with mobility issues in addition to a ramped access. However, the access to the school building and sports hall from the north is flush with external

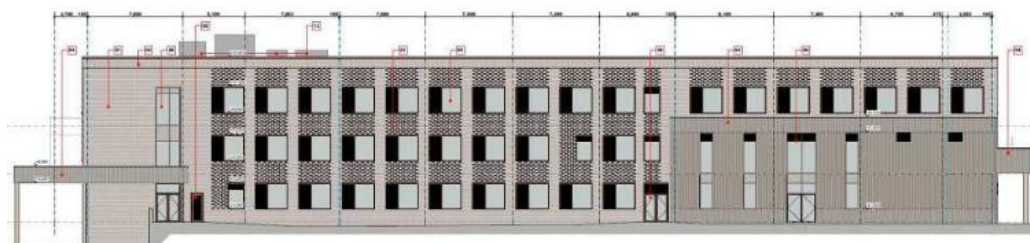
level.



Proposed Layout



Proposed front elevation of the school building (Southwest)



Proposed Southeast elevation of the school building

- 7.7. Overall, the sports hall and school building with flat roof above would appear contemporary in design and would deliver an attractive built form in the area. Although, the school site is not readily visible from the surrounding highways and publicly

accessible land, the proposed development would enhance the character and quality of the locality.

- 7.8. Neighbour Amenity: The school site is fairly secluded and surrounded by residential properties to the north, east and west. The existing boundary trees and hedgerows in addition to boundary treatment screen the site from the surrounding residential properties and their back gardens. A 3-storey community building screens the school site from the south. The compact footprint of the proposed buildings compared to the existing number of scattered buildings across the site would help to improve the outlook and views of neighbouring properties. The 2-storey sports hall would replace the existing 3-storey school building along the western boundary. The sports hall would not come any closer to the western boundary than the existing 3-storey building on site. Therefore, the proposed two-storey sports hall without any windows facing the rear of residential properties on Winleigh Road would not result in any demonstrable harm but this arrangement would improve the situation in terms of outlook and sunlight. The west elevation (side) of proposed 3-storey school building would be around 18.7m – 20.7m from the rear of No. 25 and No. 27 Winleigh Road. The windows on that elevation facing the rear garden of above properties would serve offices only. The Birmingham Design Guide, SPD 2022 requires 27.5m separation distance between rear elevation of the houses and the 3-storey school building and 15m set back from the elevation with windows overlooking existing private amenity area. In this instance this separation distance on the western elevation would not be achieved; however, this relationship would be similar to the existing relationship between school buildings and the properties on Winleigh Road. Therefore, it is considered that the impact in terms of outlook and overlooking towards the rear amenity of residential properties on Winleigh Road would not be any more significant than that which already exists. In addition, the proposal includes planting trees along the western boundary opposite to the west elevation of the school building. This would help to create a continuous landscape buffer between the houses on Winleigh Road and the school and when mature these trees would help to protect overlooking towards the neighbouring rear gardens. The eastern elevation of the proposed school building together with classroom windows facing the backs of houses fronting Church Green is around 13.5m from the rear garden boundaries instead of required 15m. It is considered that 1.5m short separation distance would not result in adverse impact in terms overlooking due to the existing mature tree line along the boundary.
- 7.9. The sports hall and outdoor sports would be used by students during school hours in term time. This provision would also be used by the local community within a restricted period of time. The community use would be between 4:00pm – 6:30pm weekdays during school term time and 9:00am – 4:00pm weekdays during school holidays. It is considered such use would not result in unacceptable noise and disturbance than that what is normally anticipated from a secondary school use. However, the Regulatory Services consider one of the key issues around the new multi-use games area (MUGA) and all weather pitch (AWP) are that they are in locations which would previously have not been adversely impacted by such noise. The noise impact assessment has not provided any information on the proposed construction of MUGA and AWP for example whether there are kick boards, what type of construction would the fencing be etc. However, based on the confirmation of operating hours and the absence of any lighting the Regulatory Services consider noise impacts can be adequately dealt with by condition. The Regulatory Services recommend use of MUGA and AWP should not be used after 18:00pm, however it is not considered 30 minutes more than that what is suggested by the Regulatory Services would result in any demonstrable harm, in particular in summer months as these provision cannot be used in winter months due to no lighting provision. The outdoor sports provision is only for daytime use and no floodlights would be installed as part of the proposed development. Therefore, there is no potential of light pollution towards the neighbouring amenities. Appropriate conditions have been recommended to safeguard the neighbouring residential

amenities.

- 7.10. It is acknowledged that demolition and construction works and associated activities would generate a certain level of noise and disruption within the immediate vicinity during the construction phase. To address this issue a Construction Management Plan (CMP) has been submitted with the application. The CMP stipulate how the demolition and construction works would be carried out while the normal operation of the school would remain continuous. The CMP also provided details of hours of construction/demolition works, timing of delivery, parking for construction workers, how noise and dust would be addressed etc. However, the Regulatory Services Team do not agree with the construction commencement time 07:30 in the morning and they also consider both the noise and dust control mitigation measures are very vague and lack any detail. Therefore, it is considered that a pre-commencement condition requiring submission of a Construction Management Plan is appropriate and reasonable. The agent has agreed with this condition. It is considered that a sound CMP would help to reduce the impact on the neighbouring occupiers and highways during construction phase.
- 7.11. Highways: The existing single track vehicular access shared with the neighbouring building Guru Ravidass Community Centre off Church Lane would remain unaltered but clear pedestrian routes for staff and pupils with safe crossings would be incorporated together with a segregated single spine access route for servicing and car parking. The Church Lane access would also be used by cyclists. The access from the north off Handsworth Wood Road would remain for pedestrian and cycle only. The existing car parking and manoeuvring area would be reconfigured and be provided at the front towards the south end of the site and to the rear towards the eastern boundary. Covered cycle storage area would be provided to the front and to the rear of the school site. A total of 100 car parking spaces (3 spaces more than the existing spaces) and total 50 cycle spaces (currently there are 10 cycle spaces) would be part of the development. The proposal also includes a parking space for a minibus adjacent to the north end of the existing 6th Form building. The Transportation Development Team consider that the appropriate level of car parking for staff and visitors is included in the scheme. The proposed redevelopment of the school would not result in an increase in pupils and staff numbers; therefore, it is considered that the generated trips would likely to remain as existing with no significant increase and subsequently impact in terms of parking and highway safety would remain neutral. A travel plan has been submitted to promote the use of sustainable transport travel modes, i.e. walk, cycle and use public transport and share car journeys and reduce car dependency. Nevertheless, the school is on bus routes and served by the bus services from both entrances on Handsworth Wood Road and Church Lane. The application is also accompanied by a transport statement which demonstrate that the proposed development would not have a significant adverse or severe impact on the operation or safety of the surrounding highway network. The Transportation Development Team have raised no objection subject to conditions requiring submission of construction management plan and provision of electric vehicle charging points.
- 7.12. Trees: The school is surrounded by mature trees in particular along the eastern and western boundaries and some of them are TPO (Tree Protection Order) trees. These trees not only provide a natural screen between the school site and neighbouring residential properties but also have immense ecological and landscape value. A number of mature high-quality trees are also present within the site as part of the high-quality landscape setting of the school. It is evident from the layout and design of the scheme that the trees and vegetation around the boundaries as well as the trees within the site have been taken in consideration. The development has been located so as to avoid root protection areas (RPAs) of trees. An Arboricultural Method Statement (AMS) has been submitted which demonstrates that the appropriate methods of working in relation to on site trees would be followed to minimise impact on trees. The City

Council's Tree Officer has raised no objection.

- 7.13. An arboricultural survey was carried out which identified that there are 33 individual trees and 6 tree groups in and around the site. A number of trees are protected by TPO, as identified in the Arboricultural Impact Assessment (AIA). The Tree Retention plan demonstrates that the majority of trees on site would be retained and only 3 trees would be removed including one Category B Scots Pine Tree (T3) and other two are category C (T18) and Category U (T17). A CAVAT (Community Asset Value of Trees) assessment has been submitted with the application which confirms that the loss of trees would be appropriately mitigated through new tree planting across the site, comprising a total of 18 additional heavy standard trees. An appropriate condition has been recommended in this regard.
- 7.14. Ecology: The ecology and biodiversity have been considered in the submission of the proposal. development. An Ecological Walkover Survey, Preliminary Roost Assessment (PRA) and series of nocturnal bat surveys have been completed in support of the application. A Biodiversity Net Gain (BNG) has also been completed. The city council's ecologist is satisfied with the findings and the proposed mitigation and compensatory measures and consider that the development can be accommodated within this site without harming protected species like bats. To ensure protected species like bats are not harmed by the development, appropriate conditions have been recommended.
- 7.15. A Biodiversity Metric Assessment has been submitted in support of the planning application to demonstrate how ecological enhancements would be incorporated so that the scheme delivers a net gain for biodiversity (target of 10% biodiversity net gain). The submitted information and evidence have been provided to demonstrate that the proposed development would result in biodiversity net gain. This would be achieved via new habitat creation through retention of hedgerows and trees, new native shrub and tree planting, new areas of flowering lawn, green roof, enhancement of existing grassland, bramble and mixed scrub. A condition requiring the applicant/developer to ensure the habitats would be created, enhanced and maintained to achieve their intended biodiversity value, over a minimum 30-year period has been recommended as per current policy and guidance. A biodiversity roof condition has also been recommended to ensure that the design and materials of green roof are satisfactory to maximise its ecological value.
- 7.16. Sustainability: The application has been supported by a sustainable design statement and a BREEAM Pre-Assessment. The proposal incorporates sustainable energy sources through the use of an air/water source heat pump and solar PV. The sustainable design statement states that the building would have free cooling system via hybrid units in warmer periods, heat recovery on all ventilation systems, LED lighting, high efficiency motors, and demand control on most ventilation and heating systems. These measures would result in a reduction of CO2 emissions significantly. The design and access statement indicates that the new school buildings would achieve zero carbon in operation and incorporate sustainability elements throughout the scheme design. The BREEAM Report indicates that 'excellent' would be achieved. It is considered that the proposed development would be energy efficient and reduce carbon footprint significantly and accords with the sustainability requirements of policies TP3 and TP4 of the BDP.
- 7.17. Drainage: A Flood Risk Assessment and Below Ground Drainage Design Strategy have been submitted to support this application. Following initial objections from the LLFA (Local Lead Flood Authority), the applicant has provided a Storm Water Drainage Technical Note. The LLFA consider that the information provided sets the parameters for a drainage system to be designed however the drainage strategy is not implementable and details of the SuDS (sustainable urban drainage system) needs to

be incorporated. However, the LLFA consider a pre-commencement condition to requiring submission of sustainable drainage scheme would resolve the issue. The LLFA would also recommend a requiring submission of a Sustainable Drainage Operation and Maintenance Plan to minimise surface water flooding and improve water quality. Severn Trent Water have raised no objection subject to conditions requiring submission of surface water and foul water drainage details. It is considered that this condition is not necessary in this instance as LLFA conditions would address the surface and foul water drainage details. Severn Trent Water itself would involve in the implementation of the drainage scheme.

- 7.18. **Air Quality:** An Air Quality Impact Assessment has been submitted with the application which acknowledges that the site is part of Air Quality Management Area (AQAM). city-wide air quality management area. The CMP has provided details of mitigation measures on how to dust emission would be reduced during demolition and construction phase to minimise impact on air quality. In respect of the operational phase impacts on air quality, the transport assessment indicates no increase in traffic and therefore it is considered that the impact on air quality would remain neutral. The proposal includes an extraction system in association with kitchen and food preparation area. In addition, there would be a science lab within the school. Although a sketch has been provided to show siting of the proposed external flue, no technical details have been provided to assess the impact of the external flue and extraction system and extraction systems for laboratories. An appropriate condition has been imposed requiring submission of the extraction details including any external flue.
- 7.19. **Land Contamination:** A Land Contamination Preliminary Risk Assessment (PRA) has been submitted in support of the application. The City Council's Regulatory Services Team are satisfied with the findings on ground gas and chemical contaminants and consider no further mitigation or remediation measures are required in this regard.
- 7.20. The PRA identifies risks associated with potential presence of asbestos and past heating oil storage within the site. This requires further post-demolition investigation. The Regulatory Services agree with the finding and consider an appropriate condition resolve this issue. They also recommended an unexpected contamination condition to ensure health and well-being of construction workers in the case any unexpected ground contamination reveals.

8. **Conclusion**

- 8.1. The proposed redevelopment of the existing school would not only provide a high-quality education facility but would also enhance the quality and character of the area by incorporating good urban design principles in the built form. The proposal complies with the aims of BDP Policy TP36 which supports the upgrade of existing schools and Policy PG3 which seeks to ensure a well-designed and sustainable development which would contribute to a strong sense of place. The proposal is considered an appropriate development and efficient land use to provide high quality learning environment. The proposed development would not result in any significant impact upon neighbour amenity, landscape features, highway safety or infrastructure. The proposal would constitute a sustainable development and therefore, I recommend that planning permission is granted subject to conditions.

9. **Recommendation:**

- 9.1. That planning permission is granted subject to the conditions listed below

1 Implement within 3 years (Full)

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

-
- 3 Requires the submission of materials and architectural details
 - 4 Construction method statement/management plan
 - 5 Requires the prior submission of a drainage scheme
 - 6 Requires the prior submission of a contamination remediation scheme
 - 7 Requires the submission of hard and/or soft landscape details
 - 8 Requirements within pre-defined tree protection areas
 - 9 Arboricultural Method Statement and Tree Protection Plan - Implementation
 - 10 To ensure energy and sustainability measures are delivered in accordance with statement
 - 11 To ensure that the development achieves BREEAM rating level
 - 12 Requires further bat survey
 - 13 Requires the submission of a scheme for ecological/biodiversity/enhancement measures
 - 14 Requires the implementation of the submitted mitigation/enhancement plan
 - 15 LEMP Condition
 - 16 Biodiversity Roof Condition
 - 17 Requires the provision of a vehicle charging point
 - 18 Requires the submission of a community use agreement
 - 19 Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan
 - 20 New Tree Planting under CAVAT Assessment
 - 21 Hours of Use of the MUGA and external all weather pitch
 - 22 Requires the submission of extraction and odour control details
 - 23 Limits the noise levels for Plant and Machinery
 - 24 Requires the submission of a noise mitigation and management plan prior to use
 - 25 Requires the submission of unexpected contamination details if found
-

Case Officer: Shamim Chowdhury

Photo(s)



Aerial View

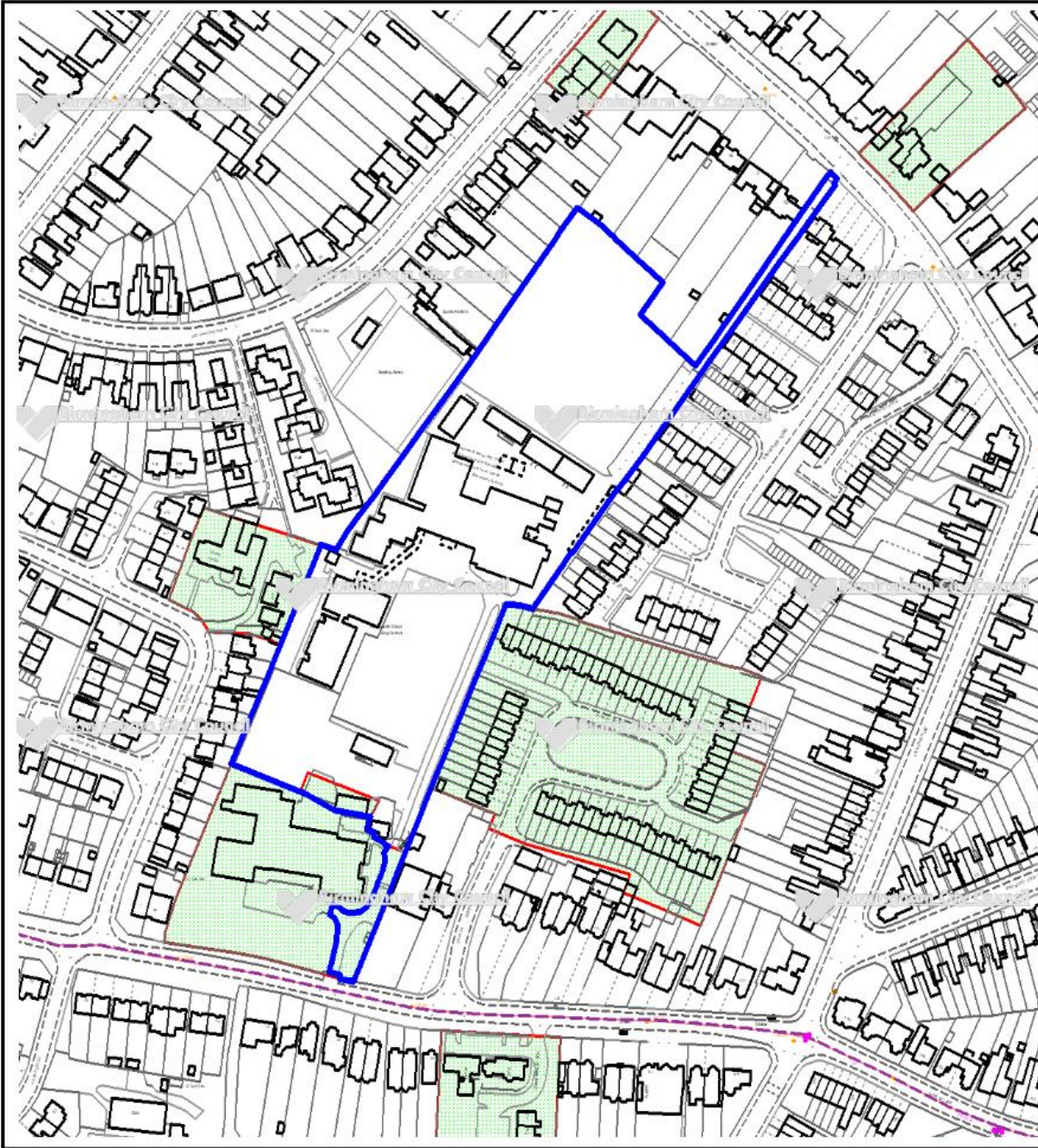


Access from Church Lane



Pedestrian and Cycle Access from Handsworth Wood Road

Location Plan



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