

Birmingham City Council

Planning Committee

03 August 2017

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Conditions	8	2017/01543/PA Fairlawns (Ridgemere Social Club) Yardley Birmingham B26 2DT Provision of 8 no. dwellings (4 no. 2 bed apartments. 3 no. 2 bed terrace houses and 1 no. 2 bed detached house) with access, parking and ancillary works.

Committee Date:	03/08/2017	Application Number:	2017/01543/PA
Accepted:	28/02/2017	Application Type:	Full Planning
Target Date:	25/04/2017		
Ward:	Stechford and Yardley North		

Fairlawns, (Ridgemere Social Club), Yardley, Birmingham, B26 2DT

Provision of 8 no. dwellings (4 no. 2 bed apartments. 3 no. 2 bed terrace houses and 1 no. 2 bed detached house) with access, parking and ancillary works.

Applicant: MIA Property Group Ltd
222 Alcester Road, Moseley, Birmingham, B13 8EY,
Agent: Latimerplanningllp
6 Shaw Street, Worcester, WR1 3QQ

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1 Planning consent is sought for the erection of 8 no. dwellings comprising of 4 no. 2 bed apartments within a two storey block, a detached 2 bed dwelling and 3 no. 2 bed terraced dwellings accessed from Fairlawns on land known as Ridgemere Social Club, in east Birmingham, B26 2DT.
- 1.2 The proposal also includes a new access from Fairlawns with footway build outs, an internal access road with turning head, 14 no. parking spaces (175% provision) and garden land associated with the dwellings. The proposed houses would be two storey in nature and would provide a living room, kitchen/diner and W/C at ground floor level with 2 no. bedrooms and two no. bathrooms (1 no. en-suite) at first floor level whilst the proposed apartments would provide an open plan kitchen/dining/living area, 2 no. bedrooms and two bathrooms (1 no. en-suite).
- 1.3 The proposed dwellings would be two storey units comprising of a detached unit, a terrace of 3 units and a two storey apartment block, each constructed from a combination of facing brickwork and cladding with large glazed window units and a tiled, steep pitched roof with a gable fronted elevation design which provides a contemporary take upon a tradition house design.
- 1.4 All garden areas for the proposed dwellings either comply with or exceed the minimum 52sq.m required for 2 no. bed units and 30sq.m per apartment as stipulated within Places for Living SPG whilst the proposed bedroom sizes comply with or exceed the size thresholds contained within the Technical Housing Standards – Nationally Described Space Standards.
- 1.5 The proposal represents a density of approximately 46 dwellings per hectare.
- 1.6 [Link to Documents](#)

2 Site & Surroundings

- 2.1 The site comprises of a social club, known as Ridgeacre Social Club, which contains a single storey building and a large surface car park and garden area that is flat with minimal changes in ground level within the site and in relation to adjacent land uses. The site is currently accessed from a narrow access drive from Partridge Road although the site does bound Fairlawns there is currently no dedicated vehicle or pedestrian access at that point.
- 2.2 The application site is located within a predominantly residential area with a variety of housing styles, such as mid-20th century two storey dwellings and 1980-90's two storey dwellings. The site is bounded with the rear of residential dwellings of Partridge Road located to the site's eastern boundary, rear of residential dwellings and garage buildings of Amanda Drive to the south of the site and the rear of residential dwellings of Fairlawns to the sites western boundary. The site is bounded to the north by public highway (Fairlawns) beyond which is further residential dwellings along Fairlawns and Partridge Road.

2.3 Site Location

3 Planning History

- 3.1 None relevant.

4 Consultation/PP Responses

- 4.1 Transportation Development – No objection, subject to conditions;
- No occupation until turning/parking areas provided,
 - Siting/Design of Access,
 - Cycle storage,
 - No approval given to current kerb alignment for proposed access,
 - S.278 works to secure satisfactory visibility splay.
- 4.2 Regulatory Services – No objection, subject to the following conditions;
- Provision of electric vehicle charging points,
 - Noise insulation,
 - Land contamination assessment and remediation (if required).
- 4.3 West Midlands Police – No objection.
- 4.4 Councillor Neil Eustace – Objects to the proposal due to poor access, over intensive nature, blank side walls too close to homes in Fairlawns, inadequate parking provision, access to garages rear of Partridge Road too narrow to turn into garages, loss of community facility (social club), flats not suitable and overlooking into neighbouring gardens.
- 4.5 Jess Phillips MP – Objects to the proposal on the following points;
- This is a poor design and poorly implemented with inadequate separation distances within the site and to existing properties outside of the site.
 - Potential problem with the 45 degree rule for existing properties to the south.

- Poor outlook to future occupiers of proposed dwellings with a number of windows obscured and non-opening which also restricts natural light.
 - The access to the flats is from the side, not from the front public space and this is not obvious and accessible and does not make the property feel safe and secure.
 - The site has inadequate parking which is likely to lead to parking on-site outside the parking spaces causing potential obstructions.
 - The proposal is over-bearing, out of scale and out of character with other buildings in the neighbourhood and represents a significant increase in the density of the neighbourhood.
 - There seems to be no justification for accepting an application that falls so significantly outside existing planning policies.
 - The application should be referred to planning committee for determination.
- 4.6 Local residents and residents associations were notified and site notice posted. A petition containing 122 no. signatures objecting to the proposal due to poor access to adjacent garages, unsympathetic design, inadequate parking provision, loss of community facility (social club), over intensive use of site and overlooking into neighbouring gardens has been received.
- 4.7 34 no. letters of objection have been received from local residents and residents groups on the following points;
- Family houses required – Apartments inappropriate in area.
 - Limited access to garages to the rear of Partridge Road.
 - Accommodation within units appears limited.
 - No measurements are shown on the plans.
 - Concerns regarding close proximity to existing houses (overlooking/privacy),
 - Noise pollution during construction and once occupied.
 - Loss of social club/community facility – social club misrepresented.
 - Increase in traffic and parking congestion.
 - Bats on site.
 - The proposal represents over intensive development of a small site.
 - Housing not needed as the Poolway regeneration will provide far more.
 - The proposal fails to provide a pavement, instead relying on shared space which is not appropriate for all users.
 - Existing issues related to surface water drainage whereby soakaways may not be appropriate.
 - Proposed access in to be located in an inadequate location.
 - Access to the flats not obvious and impacts upon fear of crime.
 - The site is not located within an existing centre or corridor well-served by public transport.

5 Policy Context

- 5.1 NPPF (2012), Birmingham Development Plan (2017), Birmingham UDP (Saved Policies), Places for Living SPG, Car Parking Guidelines SPD, Technical Housing Standards – Nationally Described Space Standards (2015).

6 Planning Considerations

- 6.1 The NPPF advocates boosting housing supply and delivering a wide choice of high quality homes. The golden thread of the NPPF is the presumption in favour of sustainable development. However, it recognises that development which is in

conflict with local planning policy should be refused unless other material considerations indicate otherwise. A key aim is the delivery of a wide choice of high quality homes. However it does note that development should not harm the local area.

- 6.2 The framework attaches great importance to the design of the built environment stating that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to make places better for people. It requires new development to be of a good design which positively contributes to making places for people. Development needs to respond to the local character and promote local distinctiveness. Planning permission should be refused for poorly designed development.
- 6.3 The Birmingham Development Plan recognises that the existing dense, built up character of Birmingham presents challenges in identifying sites to accommodate growth. It also recognises the importance of improving the built environment to strengthen local distinctiveness with high architectural standards.
- 6.4 Policy TP26 states that sustainable neighbourhoods include a wide choice of housing to cater for all parts of the community whilst policy PG3 expects that new development will be designed to a high standard and will reinforce a strong sense of place and local distinctiveness and should create a safe environment, ensure attractive and functional private and public spaces and utilise sustainable design elements whilst saved paragraphs 3.14A-D of the Birmingham UDP relate specifically to design quality and guidance within SPD's to ensure that new development seeks to protect and enhance what is good in the urban realm.

Loss of Social Club

- 6.5 The application site is currently used as a social club, known as Ridgemere Social Club, which caters for local residents from the surrounding residential area. The proposal seeks the demolition of the existing single storey building to provide the 8 no. dwellings and does not seek to provide a replacement social club.
- 6.6 It is noted that a significant number of objections have been received from local residents who are concerned at the loss of a community facility and how this would impact upon the local community.
- 6.7 Whilst the social club is still trading, the applicant has indicated that the clubs membership has declined over recent years to a membership of approximately 140 members which in turn has adversely impacted upon the financial standing of club (losses) over the previous few years. In addition, the applicant has also indicated that the existing building is in a poor state of repair that would require updating and investment and as such makes the current use unviable.
- 6.8 Furthermore, the applicant contends that application site, whilst located within a predominantly residential area, is within walking distance of a district centre and has outlined within their submission a number of other social clubs, public houses and churches (20+) within 3 to 4 miles of the site that would still serve the local community. I consider that the 2 social clubs specified by the applicant, Sedgemere Sport and Social Club and Meadway Sport and Social Club, which are within a mile of the application site and which would cater to the local population, would offer similar facilities to that of the Ridgemere and are open to new members.

- 6.9 Furthermore, the application site as existing is not registered as an Asset of Community Value (ACV) and an application for such a designation has not been made. The loss of the social club in this instance would not leave the community without the provision of such facilities, in fact a number of existing social clubs along with other community facilities would remain in the locality. The loss of the facility is not considered to be of sufficient weight to set aside the requirement to provide new housing development on a previously developed site located within a sustainable location well served by existing facilities.

Design/Visual Amenity

- 6.10 The application site is located within a predominantly residential area that comprises of either detached or demi-detached dwellings, two storey in nature that are either of 1930-50's construction, e.g. Partridge Road, 1970's construction, e.g. Amanda Drive or 1980-90's construction within Fairlawns which represents a variety of building styles. The proposed dwellings would be of a contemporary nature based upon a traditional house design with simple detailing providing a strong, cohesive design throughout the scheme which is welcomed.
- 6.11 The proposal originally sought to provide 9 no. dwellings and has subsequently been reduced to 8 no. dwellings following discussions with the applicant regarding layout and design. This has resulted in a density of approximately 46 dwellings per hectare. Concerns have been raised within objections received that the proposal represents an over intensive use or an overdevelopment of the site and far exceeds the councils standards on housing density.
- 6.12 However, the authority is of the view that the proposal represents an efficient use of the site and accords with the principles outlined within the Places for Living SPG which considers that 'in practice achieving residential densities of 30-50 dwellings per hectare will usually be possible whilst still allowing a variety of different approaches to suit context'. In addition, the guidance suggests that 50 dwellings per hectare in centres and transport corridors and 40 dwellings in other areas would be appropriate and in this case consider that the sites location within 300m of the Pool Way District Centre and the Meadway (transport corridor) that the density of the proposal is an acceptable design solution.
- 6.13 The City Design Officer has engaged with applicant during pre-application discussion and throughout the life of the current application and has raised no objections to the layout and design of the proposed scheme and considers that the simple projecting gable design, coupled with the materials provide a strong and distinctive character to the scheme which welcomed and that the overall scale, massing and design are of an appropriate nature.

Residential Amenity

- 6.14 The proposed residential accommodation (houses and flats) would provide 2 no. bedrooms per unit (double and single bedrooms) along with 2 no. bathrooms (one of which is an en-suite) per unit along with living space and kitchens with internal accommodation meeting or exceeding the minimum size threshold as stated within Technical Housing Standards – Nationally Described Space Standards (2015).
- 6.15 Externally, the rear garden areas would either comply with or exceed the required 52sq.m for 2 bed dwellings and 30sq.m of private amenity space per apartment as stipulated within Places for Living SPG. I consider that all of the spaces proposed

would be of a useable shape and size and it is therefore considered that the proposed dwellings are acceptable in this regard.

- 6.16 A number of objections have been received regarding potential for loss of privacy and overlooking of existing and proposed residential units along with insufficient separation distances proposed. Places for Living SPG stipulates minimum setback for residential development of 5m per storey (10m for a two storey building) from residential boundaries where main windows of new development overlook private amenity space and this has been achieved with the proposed dwellings.
- 6.17 The proposed dwellings would have a maximum height of 7.4m and would represent an increase in height in this location when compared to the existing single storey social club building. However, the provision of two storey buildings in this location is considered to be an acceptable addition in terms of height as the buildings would mirror the scale of the existing built form and scale in the locality which are predominantly two storey residential dwellings and would not result in adverse impacts associated with shadow provision or result in the potential for overlooking or loss of privacy or upon the 45 degree code.
- 6.18 Places for Living SPG advocates a minimum separation distance of 21m between building faces which contain windowed elevations of proposed and existing dwellings and the proposal meets this. Furthermore, it is noted that ground levels within the site are relatively flat with a slight gradient from south to north (towards Fairlawns) with a change in levels of approx. 1m.
- 6.19 I am satisfied that the proposed scheme design would visually enhance an unkempt piece of land and the wider street scene, particularly along Fairlawns which has a large expanse of boundary fencing along the public highway and would not adversely impact upon residential amenity to unacceptable levels and is therefore considered to be appropriate in this instance.
- 6.20 Regulatory Services have been consulted on the proposal and have raised no objections to the proposal subject to the provision of a number of planning conditions including noise insulation to the elevation facing the existing electricity substation off Amanda Drive as there is a possibility that the continual "hum" from this would potentially disturb future residents. I concur with this viewpoint.
- 6.21 Furthermore, to accord with Policy TP43 of the Birmingham Development Plan 2017 as well as other wider policies/strategies to reduce the City's Carbon footprint and improve air quality, a condition is attached requiring the provision of electric vehicle charging points in the car park, a view supported by Regulatory Services.

Highway Impacts

- 6.22 The proposal seeks to provide 175% parking provision when assessed against the city's car parking guidelines SPD, across the site with the applicant indicating that each house would be provided with 2 no. parking spaces and with each apartment allocated 1 no. space along with 2 no. visitor spaces for the 4 no. apartments (14 no. total). In addition, the surrounding road network offers unrestricted on street parking which is observed as not being currently used to capacity as a number of existing dwellings already benefit from off street parking provision. As such, this level is considered appropriate in this regard.
- 6.23 The applicant has also indicated that the site would provide a turning head within it so that larger vehicles, such as a refuse vehicle or an emergency vehicle is able to

turn within the site and enter and exit in a forward manner. Concerns have been raised by local residents regarding the increase in activity along Fairlawns given that it is a cul-de-sac that serves existing dwellings only and that the location of the proposed site access is inappropriate and would cause obstructions. It is acknowledged that the creation of the new access would result in an increase in vehicular traffic along the eastern section of Fairlawns at its junction with Partridge Road over and above existing levels. In addition, objections have been made regarding the lack of pavement provision, instead relying on shared space which is not considered to be appropriate for all users.

- 6.24 Transportation Development has raised no objections to the proposed level of parking provision or the internal shared space. They also raise no objection to the principle of siting the access to the site's northern boundary onto Fairlawns but have requested that conditions are imposed to secure construction specifications for the proposed access so as to ensure highway safety is maintained along with a Section 278 condition for works that would be undertaken within the public highway.
- 6.25 Concerns have also been raised by local residents about the lack of external lighting/street lighting within the site. I agree with this concern and consider that such details can be adequately secured via planning condition to ensure that a satisfactory standard of development is achieved and recommend that such a condition is imposed.
- 6.26 A number of objectors to the application, particularly those of Partridge Road, have raised concerns regarding access to garages located at the rear of properties along Partridge Road and that the proposal would restrict their ability to access these garages. However, the proposal seeks to provide a new access into the site that would serve the new dwellings and that the existing right of way from Partridge Road (that serves the garages and existing social club) would remain. Concerns regarding lack of manoeuvring space associated with the garages whereby residents use third part land (i.e. the application site) as additional manoeuvring space to aid access into the garages cannot be addressed as part of this application and is a matter to be discussed between private land owners.

Other Matters

- 6.27 A number of objections have been received related to the loss of trees on site and the impact upon possible protected species, such as bats that may be located on site. The applicant has undertaken a tree survey which has been submitted as part of the application and which has been reviewed by the city's Ecologist and Tree Officer
- 6.28 Both the Ecologist and Tree Officer have raised no objection to the proposal following the review of the submitted information site analysis with the Ecologist recommending that a number of informatives are attached to any consent issued which outlines what to do should the presence of protected species e.g. birds/nests and hedgehogs be found on site whilst the tree officer considers that the site offers more soft landscape post development to residential and so an increased potential to support appropriately sized trees. I concur with this viewpoint.

7. Conclusion

- 7.1 The proposed housing scheme is considered to be acceptable in regard to both national and local planning policy. Extended negotiation with the agent has resulted in an acceptable design that responds to local character without harming the free flow of traffic on the adjoining highway network or neighbour amenity.

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 sample materials |
| 3 | Requires the prior submission of boundary treatment details |
| 4 | Requires the prior submission of hard and/or soft landscape details |
| 5 | Requires the prior submission of a lighting scheme |
| 6 | Requires the prior submission of a drainage scheme for the disposal of foul and surface water flows |
| 7 | Prevents occupation until the turning and parking area has been constructed |
| 8 | Requires the prior submission and completion of works for the S278/TRO Agreement |
| 9 | Requires the prior approval of the siting/design of the access |
| 10 | Requires the prior submission of cycle storage details |
| 11 | Requires the prior submission of noise insulation |
| 12 | Requires the prior submission of details of refuse storage |
| 13 | Provision of designated electric vehicle charging points |
| 14 | Requires the prior submission of a contamination remediation scheme |
| 15 | Requires the prior submission of a contaminated land verification report |
| 16 | Implement within 3 years (Full) |
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Case Officer: Mohammed Nasser

Photo(s)

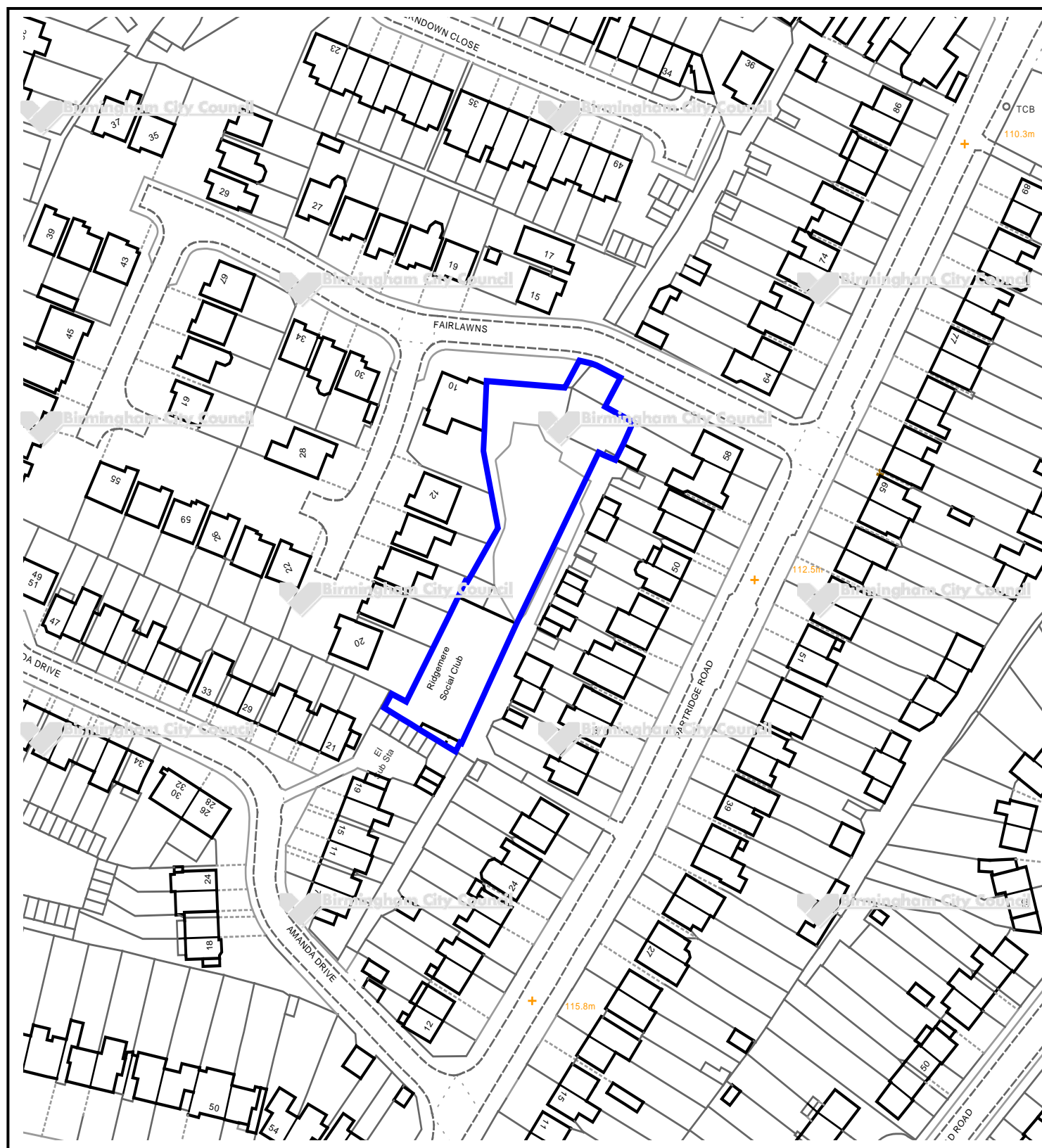
Fig 1 – Fairlawns and Junction of Partridge Road – Proposed Site Access to Right Side.



Fig 2 – Aerial Photograph of Site.



Location Plan



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Birmingham City Council

Planning Committee

03 August 2017

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Defer – Informal Approval	9	2017/01915/PA Land off Fredas Grove Harborne Birmingham B17 0SY Erection of 10 no. dwellings, access road, landscaping and associated works (Development affects a Public Right of Way)
Approve - Conditions	10	2017/02720/PA King Edward's School Edgbaston Park Road Birmingham B15 2UA Construction of a sports centre and related storage, fitness suite, a classroom and changing rooms (Use Class D1) with associated external works, landscaping, car parking provision, alterations to existing access including the demounting and re- building of existing brick piers and wall, and works to the existing gymnasium building.
Approve - Conditions	11	2017/05190/PA Selcroft Avenue Site A: land adjacent No 77 Site B: land adjacent No 85 Quinton Birmingham B32 2BX Site A: Erection of 3 no. dormer bungalows and 2 no. semi-detached two storey houses; Site B: Erection of 4 no. semi-detached two storey houses.

Committee Date:	03/08/2017	Application Number:	2017/01915/PA
Accepted:	17/05/2017	Application Type:	Full Planning
Target Date:	16/08/2017		
Ward:	Harborne		

Land off Fredas Grove, Harborne, Birmingham, B17 0SY

Erection of 10 no. dwellings, access road, landscaping and associated works (Development affects a Public Right of Way)

Applicant:	Harborne Golf Club 40 Tennal Road, Harborne, Birmingham, B32 2JE
Agent:	Gould Singleton Architects Earls Way, Halesowen, West Midlands, B63 3HR

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

- 1.1. This application is for the development of 10 new dwellings along with new access, landscaping and parking on land at Harborne Golf Course, off Fredas Grove, Harborne.
- 1.2. The development would comprise; 10no four bedroom, two and half storey semi-detached dwellings. The site would be set out around a new cul-de-sac off Fredas Grove. The road into the development would be to the western edge of the site along the retained Golf Course boundary. Properties would be positioned between the estate road and the retained boundary to the east in a linear row fronting the new road, with all trees and tree canopies along the rear boundary being unaffected by the proposal. The road would be laid out to full adoptable standards in front of the first four dwellings, with a private shared surface drive, serving the other six properties at the southern end of the site.
- 1.3. Each property would be two and a half storeys with three floor of accommodation (third floor being in the roof), with a ridge height of 9m. They would have a traditional design, with pitched roofs, gable features, double height bay window, with canopied front entrances and dormer window to the rear. They would have a mixture of materials with red facing brickwork with elements of detailing around windows and at eaves, rendered panels and traditional plain tiling to the roofs. Each would have double glazed windows and doors.
- 1.4. Seven properties (Plots 2-8) would be provided with an attached single garage, with driveway to space to the side. Two (plots 9 & 10) would be provided with a detached single garage with driveway space and one (plot 1) would be provided with a double garage, along with additional driveway space. A total of 22 car parking spaces would be provided across the site for the houses equating to a 220% parking provision.
- 1.5. All ten properties would be provided with private amenity space in excess of 70sqm.

- 1.6. Internally, each dwelling would comprise: – hall, WC, lounge, kitchen/dining room and garden room on the ground floor. Three bedrooms and a bathroom on the first floor and bedroom with en-suite within the roofspace. Overall each dwelling would be approximately 129sqm in total area.
- 1.7. Landscaping across the site would also help to define the public frontage of the development and the private land of the golf course. Each dwelling would have a private rear garden all in excess of 70sqm.
- 1.8. Of the 13 individual and 4 groups of trees on the site, all would be retained except for a group of trees (approximately 29 category C trees) in the centre of the site. This is a group of open spaced sapling Sycamore, Oak, Crack Willow, Goat Willow, Hawthorne, Holly, with understorey of Bramble, Gorse, Elder and Japanese Knotweed. Most of these are dead or have dying stems. Significant new tree planting is proposed, approximately 11 within the site and 11 off site on the golf course.
- 1.9. A public right of way (PROW) (No. 2673) runs through the north boundary of the site from Fredas Grove to the east across the golf course to Welsh House Farm Road to the west. A partial stopping up order is required for a length of the public right of way of approximately 51m at the entrance to the site. The footpath would still continue across the golf course.
- 1.10. A Planning Contribution offer has been made by the applicants offering an off-site contribution for the loss of open space of £94,850.
- 1.11. The following information has been submitted in support of the application: Design and Access Statement, Ecological Survey, Planning Statement, Transport Statement, SuDs Statements and information and Tree Survey.
- 1.12. The development site area is 0.38 hectares. Density 26 dwellings per hectare. The submitted red line boundary also includes an additional area of land within which the proposed drainage works would take place.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is an area of approximately 0.38 hectares of the existing Harborne Golf Course, located to the west (rear) of properties on Fredas Grove, Harborne. Harborne Golf Club occupies land bounded by Tennal Road, Northfield Road and Welsh House Farm Road. The clubhouse fronts Tennal Road and the golf course stretches out to the south. There is a general downward fall in ground level in a southerly direction.
- 2.2. The land subject of the application is accessed off Fredas Grove and is approximately 36m wide, extending for a length of 130m from north to south. A mound of earth was placed on the site in 2004, which significantly raised the height of part of the land 4m above the natural ground level. It is currently grassed and has self-seeded trees. The site is 20m off the line of the 11th fairway is not an active part of the course and is surplus to requirements.
- 2.3. The Golf Course extends to the north, west and south of the site, with land levels sloping down to the south. To the east are residential properties of Fredas Grove,

Northfield Road and to the south east Wyckham Close. A vehicular access to the rear of properties on Northfield Road is directly adjacent to the eastern boundary of the site.

- 2.4. A public right of way passes through the site from Fredas Grove, across the Golf Course.

[Location map](#)

3. Planning History

Application site:

- 3.1. 11/05/2016 – 2016/02684/PA Pre-application advice for a residential development to create 11 new dwellings. Advice given by officers included layout changes, reduction in the number of properties and overall design matters.

Relevant to this application:

- 3.2. 05/02/2016 – 2015/101435/PA Redevelopment of Home Farm Estate comprising: change of use and re-development (Unit 5) of Grade II Listed outbuildings from storage to 5 dwellings; erection of new storage building with service yard and access road; change of use of Grade II Listed farmhouse from vets surgery to dwelling; demolition of existing cattery and replacement with 2 dwellings and upgrading of existing access road. Approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objection subject to conditions in respect of access construction, pedestrian visibility, construction method statement and partial stopping up of the public right of way under S247 of the Town and Country Planning Act 1990.
- 4.2. Regulatory Services – No objection.
- 4.3. West Midlands Fire Service – No objection.
- 4.4. West Midlands Police – No objection. Recommend that the proposal is developed to enhanced security standards produced by Police Crime Reduction initiative 'Secured by Design'. An appropriate lighting scheme is also recommend.
- 4.5. Education – No comments.
- 4.6. Sport England – No objection.
- 4.7. Leisure Services - No objection, request a total contribution of £94,850 towards the provision, improvement and or maintenance of Public Open Space and Play facilities at Queens Park within the Harborne Ward.
- 4.8. Severn Trent – No objection subject to a drainage condition.
- 4.9. Lead Local Flood Authority (LLFA) – After active discussions with the Agent and their consultants the LLFA are content with the proposal subject to conditions requiring a surface water drainage scheme to be submitted; a Sustainable Drainage Operation and Maintenance Plan and flood resilience measures.

- 4.10. Letters of notification were sent to surrounding residents, local residents associations, Ward Councillors and the M.P for Edgbaston. A site and press notice were also posted.
- 4.11. Thirty one letters of objection were received from neighbouring occupiers objecting to the application on the following grounds.
- Vehicle Access to the rear of some properties on Northfield Road will become compromised.
 - Increase in parking in the local area, in particular inconsiderate parking.
 - Inappropriate development of green space.
 - Increase in pollution from extra cars.
 - Light pollution from new streetlights will cause detriment to existing residents.
 - Properties will overlook those at the rear.
 - These should be two and three bed affordable homes
 - Devaluation of existing properties.
 - Loss of wildlife.
 - Loss of views.
 - Loss of trees
 - The addition of 10 dwellings will contribute to and increase the flooding risk in the area. Houses have flooded as recently as 2016.
 - Contamination from foul water will also cause problems.
 - Access road will become a target for thieves to use it as a getaway.
 - Works have already begun on this development.
 - The Japanese Knotweed needs to be dealt with correctly.
 - Impact during construction would be chaos to local residents and cause significant safety concerns.
 - Dust from construction has the potential to cause health problems.
- 4.12. The application was also advertised as affecting a public right of way. No further comments were received.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017
- The Birmingham Unitary Development Plan (UDP) 2005 (saved policies).
- SPG: Places for Living (2001)
- SPD: Mature Suburbs (2008)
- SPD: Car Parking Guidelines (2012)
- The Birmingham (land to the rear of Northfield Road, Harborne) TPO 1982.

5.2. The following national policies are applicable:

- National Planning Policy Framework

6. Planning Considerations

6.1. The proposal raises two key policy issues in regard to the principle of redevelopment for residential use; the loss of the open space and the appropriateness of residential

development. Otherwise, there are a range of issues to address, including layout, design, drainage, trees, ecology and transportation matters.

Principle - loss of open space

- 6.2. The site is considered as open space. The Birmingham Development Plan at paragraph 6.57 defines open space as *“all open land of recreational or public value, including playing field, which primarily consists of natural elements such as trees, grass and water. It may or may not have free public access. It may not be used or held by the city council for recreational purposes”*.
- 6.3. Paragraph 74, of the NPPF states 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.”*
- 6.4. In terms of Open Space, Policy TP9 of the BDP, states *“Planning permission will not normally be granted for development on open space except where:*
- It can be shown by an up to date assessment of need that the open space is surplus taking account of a minimum standard of 2 ha per 1,000 population and the accessibility and quality criteria listed below.*
 - The lost site will be replaced by a similar piece of open space, at least as accessible and of similar quality and size.*
 - Where an area of open space is underused, as it has inherent problems such as poor site surveillance, physical quality or layout, which cannot be realistically dealt with, then in this case proposals that would result in the loss of a small part of a larger area of open space will be considered if compensation measures would result in significant improvements to the quality and recreational value of the remaining area.*
 - The development is for alternative sport or recreation provision, the benefits of which clearly outweigh the loss”*

Assessment of site being surplus to golf

- 6.5. The applicant has shown to my satisfaction that this small section (0.38 hectare) of the wider 40 hectare golf course is surplus. The land is not used or suitable for the playing of golf or any other recreational purposes given that it comprises waste material that has been piled 4m high in places and offers negligible amenity value to neighbouring properties. In addition, the proposal would offer compensatory measures to ensure the continued operation of the golf club on the rest of the site. Furthermore, the proposal would enable the funding of improvements to Queens Park with a planning contribution of £94,850. I consider that these benefits outweigh the loss of this small section of open space and create positive benefits for the local

and wider community. As such, the package as a whole would accord with Policy of the NPPF and the BDP as the loss would be replaced by equivalent or better provision and compensation measures would result in significant improvements to the quality and recreational value of the remaining area in accordance with policy TP9 of the BDP.

Principle – appropriateness of residential development.

- 6.6. The NPPF seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It 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 brownfield sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF also 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.
- 6.7. Policy TP27 of the Birmingham Development Plan also states that new housing in Birmingham is expected to contribute to making sustainable places...*"All new development will need to demonstrate that it is meeting the requirements of creating sustainable neighbourhoods"*. Policy TP28 of the plan sets out the proposed policy for housing location in the city, noting that proposals should be accessible to jobs, shops and services by modes of transport other than the car.
- 6.8. The principle of redeveloping this site for residential purposes would be a positive step in line with national and local policy. The site is within an established, residential area, close to public transport links and with easy access to local services. The proposed development would deliver a choice of homes through the effective re-use of this site.
- 6.9. The proposed density of 26 units per hectare is below the normal policy requirement of 40 dwellings per hectare but would reflect the character of this location. It would allow for the provision of new properties that housing needs of the city.

Design and Layout

- 6.10. Chapter 7 of the NPPF focuses on good design as a key element of sustainable development. Paragraph 56 states: *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*
- 6.11. Policy PG3 of BDP states that *"all new development will be expected to demonstrate high design quality, contributing to a strong sense of place"*. Saved policies 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles. In addition, 'Places for Living' SPG encourages good quality accommodation in attractive environments. It contains a series of urban design principles and makes reference to minimum design and amenity guidance. Particular emphasis is given to assessing context and responding positively to local character.
- 6.12. The area surrounding the site comprises of a mix of housing types and tenures. As such the development would not appear out of place locally. The location, size and shape of the site impose some constraints upon the potential layout of the

development. The proposal shows a new access from Fredas Grove, with a double fronted property at plot 1 at the entrance to the site, and then a linear row of semi-detached properties laid out fronting the cul-de-sac, with plots 9 and 10 set at an angle to finish the row.

- 6.13. The layout is generally consistent with the principles set out in “Places for Living”, and the proposals meet the required spatial standards therein. The dwellings also exceed the requirements of the National Space Standards which although not adopted by the LPA provide a useful benchmark. I consider that the development would provide a suitable degree of usable private amenity space for each house (all being above 70sqm).
- 6.14. The design of the properties is considered acceptable, being of a size and layout that would sit comfortably with existing properties in the area. The dwellings would be two and half storey in height and laid out in pairs. The houses would be constructed in facing brickwork, with plain tiled roofs, in keeping with other developments in the vicinity. Gable features are used throughout and bay windows have been utilised to the front and dormer windows to the rear. Overall, I consider the design and layout of the development to be acceptable and would have no detrimental impact on the surrounding area.

Impact on Residential Amenity

- 6.15. Your Regulatory Services Officer has raised no concerns. The proposal is for 10 new units. Whilst I appreciate that adjacent residents have become accustomed to a relatively quiet site, I would anticipate that the proposed new dwellings would not generate significantly more noise than the existing surrounding residential environment.
- 6.16. The houses are laid out backing onto an access road at the rear, which in turn would back onto the private garden areas of residential properties along Northfield Road. The layout and design is such that no undue overlooking of adjacent properties would occur. Gardens of the proposed development are between 11m and 13m in length, with a further 22m to the rear of properties on Northfield Road. The proposals meet the requirements for distance separation in Places for Living and, as such, I am satisfied that there would be no unacceptable impact on existing amenity.
- 6.17. In addition, details are recommended to be secured by conditions for proposed lighting and boundary treatment. The layout follows the principles in Places for Living which promotes the creation of safe residential environments and it seems likely that the development of this currently undeveloped site could potentially enhance the security of this area where there is currently very limited natural surveillance, I note that the Police have raised no objection.

Transportation

- 6.18. Transportation Development has raised no objection subject to conditions in respect of access construction, pedestrian visibility, construction method statement and partial stopping up of the public right of way under S247 of the Town and Country Planning Act 1990 and connecting the shortened PROW into the proposed new highway. .
- 6.19. My Transportation colleague notes all proposed properties benefit from driveway parking along with garages. The proposed roadway is a shared surface design. The initial stretch serving the first four dwellings and turning head is to be offered for

adoption. Beyond this, the remaining 6 dwellings would be reached off a private section of road. Within the existing Fredas Grove, parking on street is noted to be unrestricted and there are a number of regular buses running within 400m walking distance of this site throughout the day, along Northfield Road.

- 6.20. It is not considered traffic and parking demand generated by the proposed development would result in a significant increase at this location. In addition, the manoeuvre of a large refuse vehicle within the turning head has been adequately demonstrated. West Midlands Fire Service have raised no objections subject to the provision of suitable water supplies for firefighting. I also note that access to the rear of the properties on Northfield Road would not be compromised with existing gates remaining in place and being accessed independent of the proposed scheme.
- 6.21. With respect to the existing public right of way, the provision of a through-route is consistent with design policy aspirations for permeability through developments. A section of it does need stopping up, which the Public Rights of Way officer raises no objection to. I attach conditions for boundary treatment and lighting which, along with the natural surveillance introduced by the new housing, would improve personal safety for those wishing to use the footpath, and increase security for existing neighbouring residents' properties.

Trees and Landscaping

- 6.22. Of the 13 individual and 4 groups of trees on the site, all would be retained except for a group in the centre of the site which contains a group of 29 category C open spaced sapling Sycamore, Oak, Crack Willow, Goat Willow, Hawthorne, Holly, with understorey of Bramble, Gorse, Elder and Japanese Knotweed. The Tree Survey submitted with the application identifies that most of these trees are dead or have dying stems and have grown out of the tipped material. The removal of these trees would significantly improve the conditions and health of the retained mature trees surrounding the site. A number of trees along the western boundary of the site and within the golf course are to be kept and supplemented with new tree planting (approximately 22 in total). These would help assist in establishing a natural landscape buffer between the course and the development. Protected trees within the golf course covered by a Tree Perseveration Order would remain unaffected by the proposal. The Council's Tree officer raises no objection subject to condition to ensure retained trees are safeguarded during development.
- 6.23. Other landscape enhancements are provided throughout the site, including the planting of new trees and hedgerows. Conditions to secure appropriate landscaping across the site are recommended below.

Ecology

- 6.24. An Extended Phase 1 habitat survey has been submitted, which has been reviewed by the Council's Ecologist. The report highlights appropriate ecological issues and suitable mitigation and enhancement including the installation of bird and bat boxes. A condition to secure these measures in accordance with the survey is requested and recommended below. In addition, there is Japanese Knotweed on the site and an invasive species action plans needs to be put into place, which can be secured by condition and is also recommended below.

Drainage

- 6.25. The applicant has worked extensively with officers from the Lead Local Flooding Authority (LLFA) to ensure an appropriate sustainable drainage strategy for the site. Storm water run-off would be controlled within the site boundary in an oversized drainage pipe and run-off rate would be controlled by a static hydro-brake facility limiting the run-off from the developed area to a rate similar to Greenfield run-off, this being 5ltrs/s. Immediately beyond the hydro-brake a small element of pipe work to a head wall would be provided beyond which a dry swale would be formed running into the brook. The new swale would provide added benefits for flood defence to the rear gardens of Wyckham Close. The LLFA have confirmed that this is an appropriate strategy and raise no objection subject to conditions for a surface water drainage scheme and a sustainable drainage operation and maintenance plan, which would include details of the party responsible for the maintenance; specification for inspection and maintenance actions; 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.
- 6.26. In addition, Severn Trent have raised no objections subject to the imposition of appropriate drainage conditions.

Residents Objections

- 6.27. Local residents have raised a number of objections, most of which are dealt with elsewhere in this report. Objections relating to disruption during construction are noted, however this matter is controlled by legislation outside of the planning process and as such I attach little weight to this matter. The devaluation of property, is not a valid reason to withhold a planning consent and again I attach little weight to this.

Community Infrastructure Levy.

- 6.28. The application site is within a residential high value market area and as such may be liable for CIL (following its adoption on 4th January 2016). The submitted application forms specify that the floor area of the development would be 2,295.25sqm GIA. This would equate to a payment of £80,264.25 (index linked)

7. Conclusion

- 7.1. The application is recommended for approval as it would result in a sustainable development within an existing residential environment in accordance with policy. It would make a contribution to the city's housing supply, without undue amenity effects on local residents or the local highway network.

8. Recommendation

- 8.1. That no objection be raised to the partial stopping up of public right of way (2673 from Fredas Grove to the west most part of the application site), and that the Department for Transport (DFT) be requested to make an order in accordance with the provisions of S247 of the Town and Country Planning Act 1990.
- 8.2. That consideration of application 2017/01915/PA be deferred pending the completion of a suitable Section 106 legal agreement to require:

- a) 'off-site contribution for the loss of the open space of £94,850 (index linked to construction costs from the date of the committee resolution to the date on which payment is made) to be paid upon occupation of the first dwelling. To be spent towards the provision/improvement of Public Open Space and Play Facilities at Queens Park within the Harborne Ward.
 - b) Payment of a monitoring and administration fee associated with the legal agreement of £3,319.75.
- 8.3. That the Director of Legal and Democratic Services be authorised to prepare, seal and complete the appropriate Section 106 Legal Agreement.
- 8.4. In the event of the above Section 106 Legal Agreement not being completed to the satisfaction of the Local Planning Authority on or before 10th August 2017, planning permission be REFUSED for the following reason.
 - a) In the absence of any suitable legal agreement an off-site contribution to compensate for the loss of open space the proposal conflicts with policy TP9 of the Birmingham Development Plan (2017) and Paragraph 74 of the NPPF and Policy TP9 and TP11 of the BDP.
- 8.5. In the event of the S106 Legal Agreement being completed to the satisfaction of the Local Planning Authority on or before 10th August 2017 favourable consideration be given to application 2015/01915/PA, subject to the conditions listed below.

1	Requires the scheme to be in accordance with the listed approved plans
2	Requires the prior submission of sample materials
3	Requires the prior submission of a construction method statement/management plan
4	Requires the prior submission of hard and/or soft landscape details
5	Requires the prior submission of earthworks details
6	Requires the prior submission of a landscape management plan
7	Requires the prior submission of boundary treatment details
8	Requires the prior submission of a lighting scheme
9	Requires the prior submission of a method statement for the removal of invasive weeds
10	Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
11	Requires the prior submission of a sustainable drainage scheme
12	Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan

-
- 13 Requires the prior submission of flood resilient measures.
 - 14 Requires pedestrian visibility splays to be provided
 - 15 Requires the implementation of tree protection
 - 16 Requires the prior submission and completion of works for the S278 or other appropriate highway agreement.
 - 17 Implement within 3 years (Full)
-

Case Officer: James Mead

Photo(s)



Photograph 1: View of the centre of the application site from Golf Course – Looking east

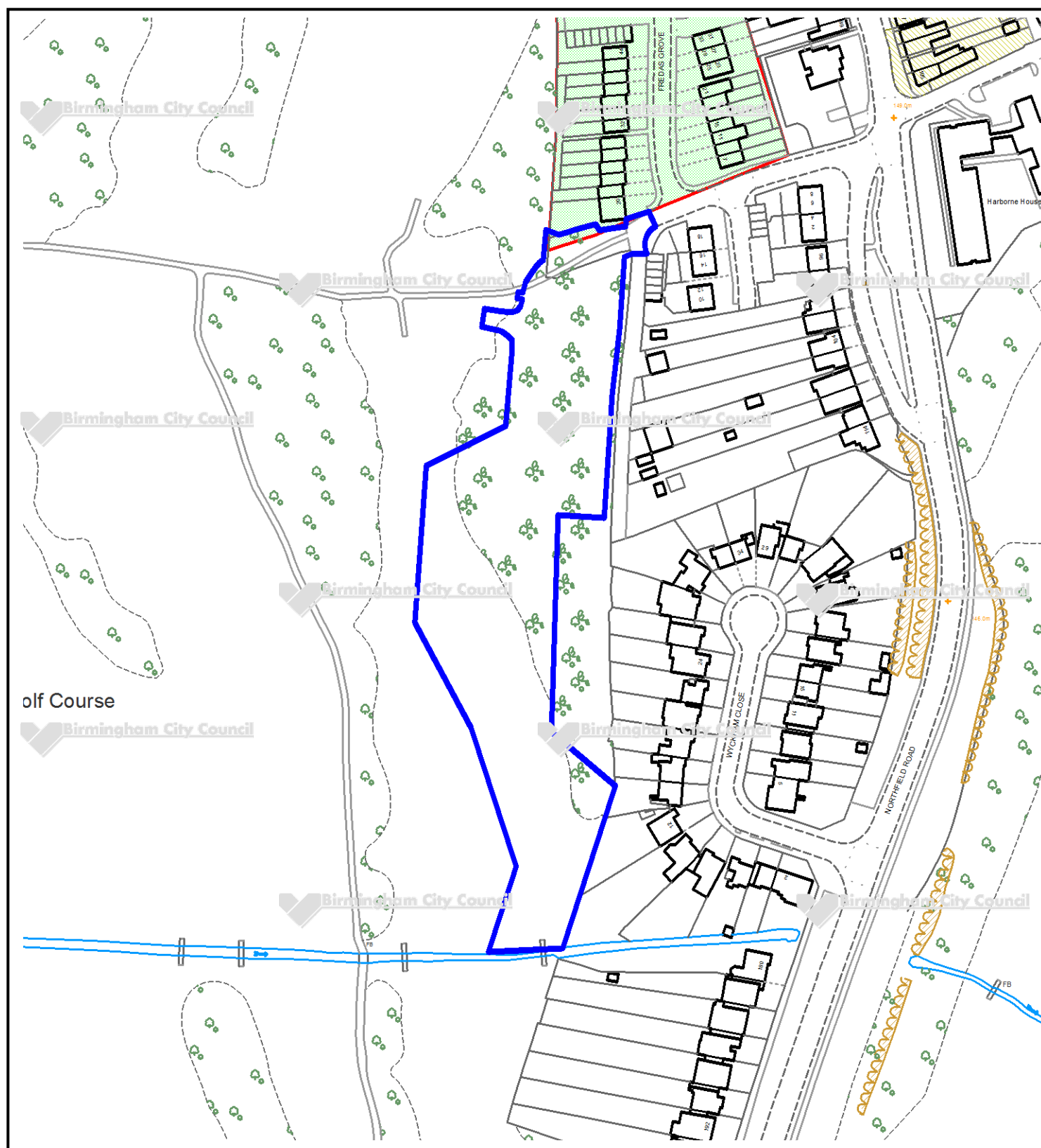


Photograph 2: View of site (left side) with the open golf course (right side) – Looking south



Photograph 3: View of the entrance to the site from Fredas Grove – Looking west

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/02720/PA
Accepted:	27/03/2017	Application Type:	Full Planning
Target Date:	04/08/2017		
Ward:	Edgbaston		

King Edward's School, Edgbaston Park Road, Edgbaston, Birmingham, B15 2UA

Construction of a sports centre and related storage, fitness suite, a classroom and changing rooms (Use Class D1) with associated external works, landscaping, car parking provision, alterations to existing access including the demounting and re-building of existing brick piers and wall, and works to the existing gymnasium building.

Applicant:	King Edward's School Edgbaston Park Road, Edgbaston, Birmingham, B15 2UA
Agent:	LUC 43 Chalton Street, London, NW1 1JD

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This application seeks planning permission for the construction of a sports centre and related storage, a fitness suite, a classroom and changing rooms. The scheme also includes associated external works, land reforming, the removal of 12 trees, new landscaping and car parking provision. The scheme includes recladding works to the existing gymnasium building. The scheme also includes alterations to the existing access including the demounting and re-building of existing brick piers and wall. The trees proposed for removal are 5 category B (being 2 oaks, a norway maple, a maple and a silver birch), 6 category C and a category U.
- 1.2. The sports centre would consist of a main hall and changing rooms to service both the hall and the adjacent playing fields. The ground floor would have the hall, 4 team changing rooms, a gym and a glazed and vaulted lobby area. The first floor would have a multi-purpose space (small hall), a plant room and a classroom. The building would have a total floor area of 2001sqm (Gross External Area). The building would be clad in a combination of standing seam zinc panels and brick, with a flat roof, hidden behind a parapet. The zinc panels would enclose the main hall and the brick areas would enclose the rest of the building, defining a clear delineation between the spaces within. The main hall would be 10.8m high (to top of parapet) and the slightly smaller connected brick building being 9.4m (again to parapet). The building would be 'L-shaped' with a principle width (facing onto Bristol Road) of 46m and depth (into the site) of 39m. The building would be raised 0.8m above the height of the highway footpath as the site would be on slightly elevated land.

- 1.3. The improvements to the existing gymnasium, adjacent to the proposed building, would consist of replacement cladding, removing the existing plastic panels and replacing it with standing seam zinc panels. The replacement panels would also obscure some existing high level windows to reduce solar gain and glare to the existing hall and to improve the external appearance.
- 1.4. 8 new disabled spaces would also be provided within the courtyard, created between the proposed sports hall and the existing gym. Vehicular access would be via Bristol Road using an existing access.
- 1.5. To improve the vehicular access, the scheme proposes to take down the north pier and wall of the existing entrance and reassemble it to widen the entrance from 2.1m to 5m.
- 1.6. Part of the existing cypress hedge, on the boundary with Bristol Road is proposed to be removed (along a total length of 130m). 12 trees are also proposed to be removed (5 category B, 6 category C and one category U) and 18 new trees and further planting is proposed as mitigation for the loss.
- 1.7. The application is supported by a Design and Access Statement, Tree Survey, Drainage Design Statement, Noise Impact Assessment and Planning Statement.
- 1.8. Screening for an Environmental Impact Assessment has been undertaken at the pre-application stage and it was determined that one was not required.
- 1.9. Site Area 0.84ha.
- 1.10. Amended Plans have been received that show an improved relationship to the main school and greater articulation of the Bristol Road elevation.
- 1.11. [Link to Documents](#)
2. Site & Surroundings
 - 2.1. The application site sits adjacent to the southern boundary of the site, which is itself adjacent to Bristol Road. The site is also adjacent to the school's existing playing fields and the school's main buildings are to the north of the playing fields on higher land. To the west of the proposed sports centre is an existing gymnasium (also owned and used by the school) and to the further west is 'Edgbaston Park' a site with four office blocks, landscaped grounds and car parking. To the immediate north of the site is the Headmaster's house.
 - 2.2. The surrounding area is residential (to the south of Bristol Road) and commercial (on the north side of Bristol Road). There are also large pockets of green space in the immediate vicinity, apart from the school's playing fields, including; Edgbaston Golf Course, Edgbaston Mill SSSI, and King Edward school's annex playing fields.
 - 2.3. The site is within the Edgbaston Conservation Area. There is a Grade II* Listed Building (the Chapel) within the grounds of the school, over the playing fields 212m to the northeast of the site. Furthermore, University House is a Grade II Listed Building 126m to the northwest of the applications site.
 - 2.4. The site is 0.5kms east of the Selly Oak Local Centre.
 - 2.5. [Site Location Plan](#)

3. Planning History

- 3.1. Various applications have been made within the school grounds but none are relevant to this site/project.

4. Consultation/PP Responses

4.1. Public Participation

- 4.2. Residents, resident Associations, Councillors and the MP consulted. 3 Site Notices posted on Bristol Road and Press Notice published.

- 4.3. Councillor Deirdre Alden – Objects and considers that the choice of cladding is inappropriate and the building resembles a shed. Also, she comments that residents are concerned that there would be noise issues with traffic noise bouncing off of the building back onto residents' houses.

- 4.4. Councillor Matt Bennet - Objects on the grounds that the design and materials are not in keeping with the area, specifically with the school. A brick built structure would be more appropriate. He is also concerned about the impact on noise levels, with the potential for the metal to reflect traffic noise back to the residential properties opposite. Both the noise and the appearance of the building would have an adverse effect on residents' peaceful enjoyment of their own properties.

- 4.5. An objection has been received from Calthorpe Estates who have objected on the basis that the Sports Hall is tall and stands about 12m tall, taking into account the fact that the site is 2m above the road level. The Bristol Road elevation lacks articulation and zinc is not a high quality material.

- 4.6. 6 objections received from residents with concerns in regard to;

- Looks like a rusty commercial shed and will detract from the appearance of the main school buildings. The Bristol Road elevation is a blank wall. The design is out of character with the adjacent existing buildings. The hall is too large and too near the road. It will dominate the view from residents opposite the site.
- Following the removal of the cypress hedge, noise pollution from the players and supporters on the rugby fields.
- Following the removal of the cypress hedge, safeguarding concerns.

- 4.7. Re-consultation on amended plans, 2 further comments received,

- Impact on parking and traffic
- The removal of the Rugby Pitch from its current position on their South Field, to the eastern end of the Eastern Road Playing Fields, would affect noise levels for residents on Eastern Road.

4.8. Consultation Responses

- 4.9. Transportation – No objection, no condition requested.

- 4.10. Regulatory Services - no objection, subject to conditions to require noise insulation for the building and for plant and machinery to not exceed background noise levels.
- 4.11. Historic England – No comments to make. It advises that the advice of conservation colleagues is sought and consider that it is not necessary for it to be re-consulted.
- 4.12. Sport England – No objection subject to a condition that the school enter into a community access agreement.
- 4.13. West Midlands Police – No objection.
- 4.14. Conservation Heritage Panel – The amended scheme is much improved to the version shown to them at a pre-app stage. The Panel are now satisfied that the building would make a strong contribution to Bristol Road with confident articulation and contemporary and complementary materials.
- 4.15. Lead Local Flood Authority – No objection subject to conditions to secure a sustainable drainage strategy and a drainage operation and management scheme.

5. Policy Context

- 5.1. Birmingham Development Plan, Birmingham UDP (saved policies), Edgbaston Conservation Area and Character Appraisal, Car Parking Standards SPD, Nature Conservation Strategy SPG, Places for All SPD.
- 5.2. Edgbaston Mill SSSI, Edgbaston Park Golf Course SINC site, and within the setting of Grade II* King Edwards Chapel and Grade II Listed University House.

5.3. NPPF (2012)

6. Planning Considerations

- 6.1. The scheme raises issues in regard to loss of playing field land, conservation/design, transportation, ecology, trees and drainage.

6.2. Loss of playing field land

- 6.3. The scheme would result in the loss of 0.84ha of playing field land, this is to the south west corner of a large playing field. A rugby pitch and cricket square would be affected by the loss and these are both proposed to be adjusted to exclude them fully from the application site. A senior rugby pitch would be replaced with a smaller pitch and the a new senior rugby pitch created on Eastern Road Playing Fields.
- 6.4. Policy TP11, of the BDP, states that the City Council will keep the provision of sports facilities under review in light of the changing demands and preferences. It also states that Sports facilities will be protected from development, unless it can be demonstrated that they are surplus to requirements through a robust and up to date assessment of need. Where there is identified need for particular sports and physical recreation facilities, the loss of existing sports facilities for these sports would not be allowed unless an equivalent or better quantity or quality replacement provision is provided, as identified in Paragraph 74 of the NPPF.
- 6.5. Paragraph 74, of the NPPF states 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.”*
- 6.6. Sport England has not raised an objection to this application as it is considered to broadly meet their exception E5 of the above policy. Exception E5 states that “*The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields*”. Sport England also considers that the proposal meets the Exceptions set out in the NPPF at Paragraph 74. This view is subject to a community access condition being attached.
- 6.7. In summary, whilst the scheme would result in the loss of part of a playing field, the affected pitches would be relocated and the loss of land would be replaced with an enhanced sporting facility with wider appeal in a specialist market. The school has substantial playing fields on both sides of Bristol Road (focussed on rugby and cricket) and Sport England is satisfied that the proposal would deliver enhanced sporting benefits to the local area. On this basis I have no objection to the loss of part of the playing field and consequently also have no objection to the principle of the use subject to careful assessment of car parking needs, conservation, design, ecological and arboricultural matters.
- 6.8. Conservation/Design
- 6.9. Paragraph 128, of the NPPF states that “...In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets (HA’s) affected”. Paragraph 129 states that the LPA should identify and assess the particular heritage asset that may be affected (including setting) and take this assessment into account when considering the impact to avoid or minimise conflict. Paragraph 137 seeks LPA’s must look for new opportunities to enhance the setting of the conservation area and reveal their significance. Proposals that preserve those elements that make a positive contribution should be treated favourably. Paragraph 138 states that not all parts of a conservation area will necessarily contribute to its significance.
- 6.10. The Planning (Listed Buildings and Conservation) Act 1990 [The 1990 Act] includes the statutory instruments to guide the process of planning applications affecting listed buildings and conservation areas. Section 72, of the Act, states that “In the exercise, with respect to any buildings or other land in a conservation area, ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” These requirements have been carried into the Development Plan through Policy TP12.
- 6.11. Policy TP12, of the BDP, states that in regard to the historic environment “the Council will seek to manage new development in ways which will make a positive contribution to its character”. In terms of development that affects the significance of a designated or non-designated heritage asset or its setting will be determined “in accordance with national policy” and for proposals including removal “will be required to provide sufficient information to demonstrate how the proposals would

contribute to the asset's conservation whilst protecting or where appropriate enhancing its setting."

- 6.12. The proposed building is designed as two interlocking buildings that would be clad in different materials. The main sports hall, adjacent to Bristol Road, would be clad in zinc panels with a standing seam, the remaining building (with changing rooms, gym multi-use hall and class room) would be brick clad.
- 6.13. The application has been the subject of significant pre-application advice both in meetings; on site and through the Conservation Heritage Panel's (CHP) consideration process, going both at a pre-app stage and again during the application consideration. The proposed scheme has recently been amended to show a realigned footprint, creating a new vista to the school buildings to the northwest of the site and creating a strong building edge through that vista.
- 6.14. The amended scheme also now would result in the betterment of the existing 1970's gym building to the east of the proposed building (on the Bristol Road frontage), by proposing new cladding that complements the proposed building. The existing gym, is proposed to be partially re-clad with the same zinc cladding (with a standing seam) to create a common language between this and the proposed building.
- 6.15. The landscaping has also been revised to reinforce the vista and open up the views of the school, to help reinforce the building's relationship with the wider campus (with new markers on the perimeter to establish the origin of the vista). Furthermore, the architecture has been enhanced, partly to address CHP comments, adding further windows and articulation to the Bristol Road frontage, and remove a proposed flight of external stairs. CHP have since reviewed this scheme for a second time and comment that the scheme is much improved and now presents a strong relationship to Bristol Road and the conservation area. Further discussion suggested that a greater level of brick be introduced to the elevation and the oriel windows be adjusted. The scheme has been amended to show a brick plinth, brick sections on the adjacent boundary (aligning with the windows) and adjustments to the windows themselves to make them slimmer and symmetrical. I am satisfied that the theses changes have further enhance the appearance of the proposed building and would present a building, with good articulation, that would enhance the conservation area and the local street scene.
- 6.16. The proposed removal of a large section of the cypress hedge, along the Bristol Road boundary, would open out views into the school and provide an opportunity for natural surveillance. The proposed widening of the vehicular entrance, by relocating the northeast pillar, is supported in principle. Full details, including methodology, would be required by condition to ensure that the work would be undertaken in accordance with conservation requirements.
- 6.17. The proposed scale and massing, being essentially three storey (10.8m) over two levels, is considered to be appropriate for the context. Also, the degree of articulation is acceptable; the Bristol Road elevation has been amended to include 5 large (3.2m deep) triangular symmetrical oriel windows that would illuminate the main hall and that would project 1.4m. This elevation also includes a large glazed area serving the first floor classroom on the western corner of the building. These changes now satisfy officer's original concerns in regard to the function, location and arrangement of the building.
- 6.18. The scheme proposes the use of brick and standing seam zinc cladding. The materials separately define the main hall and support rooms; meaning that the

building clearly defines and reflects, on the external shell, the uses that would occur within. This is a similar approach to that taken with the University's Sports Facility, recently completed on the former Gun Barrels site, to the southwest. I note the concerns of Calthorpe Estate and residents in regard to the choice of materials. However, the materials have been carefully considered by both my urban designer and conservation officer and seen at Conservation Heritage Panel. It has been agreed that the materials proposed are of excellent quality and will suit the contemporary design of the building and the context of the site.

- 6.19. It is further considered that the proposal would have a neutral impact on the setting of the Grade II* Listed Chapel and University House due to distance (in terms of the chapel) and distance and degree of screening (in terms of University House).
- 6.20. My Landscape officer has also raised no objection subject to conditions to require a detailed landscape scheme, a landscape Management Plan, boundary details, surfacing materials and levels.
- 6.21. I am satisfied that the proposal would make a positive contribution to the conservation area and have a neutral impact on the setting of the nearby listed buildings. As such the scheme would satisfy paragraphs 128, 129 and 137 of the NPPF and Policy TP12 of the BDP.
- 6.22. Transportation
- 6.23. The layout of the site includes provision for 8 mobility parking spaces. It is noted vehicular access to the site would be via the existing route, from Bristol Road, serving a driveway with a width of 5m. It is stated by the applicants that this width could accommodate emergency and refuse vehicle access. The redefined gateway on to Bristol Road would involve demounting and rebuilding the existing brick piers and wall. This would to allow vehicles to safely turn into the site and be clear of vehicular traffic from Bristol Road. No highway change is proposed. It is proposed that this reconfigured southern access would only be used by those who would park in the disabled spaces and would be gated and access controlled.
- 6.24. Transportation colleagues have raised no objection, as there would be no increase in staff or pupils as a result of the development, and it is not expected traffic and parking demand associated with the site would alter. The applicants have stated that;
- the proposal would result in no change to the current level and pattern of use at the School;
 - that no existing parking spaces within the site would be lost;
 - the proposal includes the addition of 8 new disabled spaces; and
 - that 14 new cycle spaces are also included as part of the development.
- 6.25. An objection received includes a highway objection stating '*parking and congestion is bad at the moment but I feel this project would make it intolerable*'. However, this proposal is for an improved sporting facility for existing users at the school. With no increase in staff or pupil numbers or evidence to suggest that the school creates or is part of any parking/congestion issue locally, I consider that it is unlikely the proposed development would exacerbate any existing problem.

6.26. Transportation colleagues have raised no objection, I concur with this conclusion.

6.27. Ecology

6.28. The Edgbaston Mill SSSI is located 307m to the northeast of the site. Also, the Edgbaston Park Golf Course 'Site of Interest to Nature Conservation' (SINC) site is 315m northeast from the application site.

6.29. The Preliminary Ecological Appraisal highlights that although 12 trees are proposed for removal, none of these hold features suitable for Bat roosting, although a few did hold dead wood which is valuable for invertebrates and bird foraging. The landscape plan proposes the planting of 18 trees of a variety of species many of which will provide wildlife benefit. In addition to the trees is a range of herbaceous and shrub species, which provide wildlife benefit. My ecologist has raised no objection provided that the tree removals are undertaken in a sympathetic manner (outside bird nesting period) and the landscaping is installed as set out in the supporting statement.

6.30. Trees

6.31. The scheme includes the removal of 12 trees (5 category B, 6 category C and one category U). The category B trees are 2 oaks, a norway maple, a maple and a silver birch. My arboriculturalist recognises that by placing the building in the far corner of the playing fields, and hence maximising the retention of playing field, that the removal of the B category (5 trees) would be necessary to form level surfaces in the position of the parking bays and requires a significant change in ground levels within root protection areas. The remaining C category trees are of limited value and would not act as a constraint. The value of the trees in the current location is in private amenity and habitat, they are not particularly visible from the public realm due to the volume of trees on the highway verge. While it is unfortunate to lose these benefits in the short term, the future benefits can be improved, particularly if the quantity of native oak is increased in the landscape planting. There is adequate room to accommodate at least 3 oak trees to develop to full size around the new building and along the path to the north. The proposed landscape strategy shows the provision of 18 new trees to be placed along the Bristol Road boundary and within the site, which would include at least 3 Oak trees.

6.32. The arboricultural impact assessment contains a tree protection plan but leaves its site specific detail for later submission. A specific Tree Protection Plan and Arboricultural Method Statement is recommended by my arboriculturalist to be required by conditions.

6.33. Drainage

6.34. The proposed drainage strategy shows that the site is likely to be suitable for infiltration drainage, most likely in the form of a soak-away. The Lead Local Flood Authority have accepted the principles of the Drainage Design Statement. It has raised no objection subject to conditions to secure a sustainable drainage scheme and an Operation & Maintenance Plan. I concur with these conclusions.

6.35. Impact on residential amenity

6.36. The nearest residential properties are opposite the site, across Bristol Road. These are a minimum of 58.7m to the southeast of the proposed building, the nearest being 332-336 Bristol Road (opposite).

- 6.37. Regulatory Services raise no objection subject to glazing attenuation (for the sports hall) and for any plant to not exceed background noise. These can be secured by conditions and on this basis I am satisfied that residents' amenity would not be affected, by any further noise above ambient background levels.
- 6.38. I note that a resident has raised a concern that the proposed building would act as a 'sound deflector' bouncing road noise back towards houses opposite the site that front onto Bristol Road. The applicant has considered this concern and comments; "...the [potential] increase in the traffic noise due to the new building is not a valid concern as the houses are much closer to the direct [traffic] noise from the actual road than any noise that has to travel to the new building, reflect, and then travel back over the road to the houses. This means that there is effectively no increase in noise level at the houses due to the introduction of the new building....based on worst case rush-hour data, shows an increase in noise level at the houses of around 0.02 decibels (an increase of 3 decibels is typically required for it to be just perceptible) [is predicted]". I find this commentary to be reasonable and convincing to illustrate that there would be no real change in noise levels pre and post development.
- 6.39. In conclusion, I concur with the applicant and consider that the location of the proposed building would not affect noise levels within houses opposite the site, subject to the two conditions referred to above.
- 6.40. Safeguarding
- 6.41. The issue of safeguarding has been raised by an objector, on the basis that the playing field would be more visible from the public realm following the removal of part of the boundary conifer hedge. The agent has considered this and discussed the matter with the school, the school have responded that the proposed new hedge planting would be provided alongside the boundary which would provide a visual screen and there is a height difference between the footpath and the fields. This consequently means that any safeguarding issues would be mitigated by a landscape solution.
- 6.42. Community Infrastructure Levy
- 6.43. This development does not attract a CIL contribution.
7. Conclusion
- 7.1. The proposed sports facility would satisfy design and conservation aspirations, would off-set the loss of the trees with suitable mitigation and would not affect residential amenity or highway safety. The loss of a small area of playing field would be adequately off-set through the introduction of a community access agreement.
- 7.2. The proposal represents sustainable development by extending the range of facilities within an existing school.
8. Recommendation
- 8.1. That planning permission be granted with the following conditions;

1	Requires the scheme to be in accordance with the listed approved plans
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-
- 2 Requires the prior submission of hard and/or soft landscape details
 - 3 Requires the prior submission of boundary treatment details
 - 4 Requires the prior submission of a lighting scheme
 - 5 Requires the prior submission of sample materials
 - 6 Requires the prior submission of level details
 - 7 Requires the prior submission of a community access agreement
 - 8 Arboricultural Method Statement - Submission Required
 - 9 Requires tree pruning protection
 - 10 Requires details of noise insulation
 - 11 Limits daytime noise levels
 - 12 Limits night-time noise levels
 - 13 Requires the prior submission of a demolition method statement
 - 14 Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 15 Requires the prior submission of a sustainable drainage scheme
 - 16 Implement within 3 years (Full)
-

Case Officer: Ben Plenty

Photo(s)



Fig 1 looking southeast on Bristol Road



Fig 2 entrance gates and existing gym behind

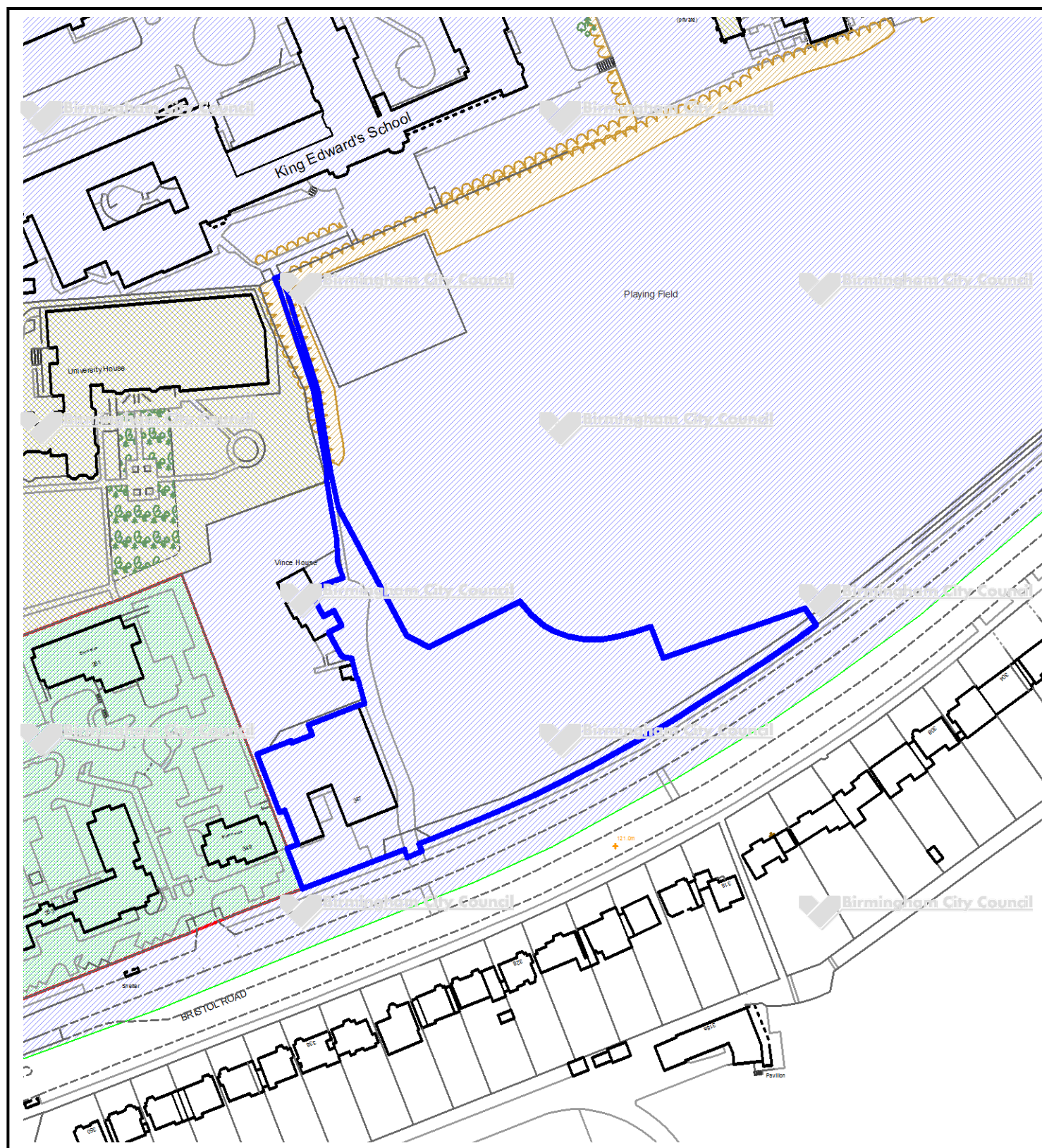


Fig 3 looking west, houses opposite the site



Fig 4 looking north, trees to be removed and existing playing fields

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/05190/PA
Accepted:	13/06/2017	Application Type:	Full Planning
Target Date:	08/08/2017		
Ward:	Quinton		

Selcroft Avenue, Site A: land adjacent No 77, Site B: land adjacent No 85, Quinton, Birmingham, B32 2BX

Site A: Erection of 3 no. Dormer bungalows and 2 no. semi-detached two storey houses; Site B: Erection of 4 no. semi-detached two storey houses.

Applicant:	Birmingham City Council Birmingham Municipal Housing Trust, 1 Lancaster Circus, Queensway, Birmingham, B4 7DG
Agent:	Acivico Ltd PO Box 17212, Louisa House, 92-93 Edward Street, Birmingham, B2 2AQ

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The application is for the erection of 9no. social rented residential units on two separate sites owned by the City Council and it is proposed to develop the sites as part of the Council's Stock Replacement Programme, on behalf of Birmingham Municipal Housing Trust (BMHT).
- 1.2. Site A: Land Adjacent 77 Selcroft Avenue would consist of 5no. dwellings (2no three bed semi-detached and 3no. two bedroom dormer bungalows). The site extends northward from no.77. The properties would be laid out in a row fronting Selcroft Avenue.
- 1.3. Site B: Land adjacent 85 Selcroft Avenue would consist of 2 pairs of two bedroom semi-detached dwellings set out in a linear row all fronting onto Selcroft Avenue.
- 1.4. There are three house-types proposed across the two development sites;
 - Dormer bungalows which would generally comprise: – kitchen, dining room, living room, WC and bedroom at ground floor, with a further bedroom and bathroom within the roofspace.
 - Three bedroom semi-detached two storey properties comprising kitchen/dining room, living room and WC on the ground floor with three bedrooms and a bathroom at first floor.
 - Two bedroom semi-detached two storey properties comprising kitchen/dining room, living room and WC on the ground floor with two bedrooms and a bathroom at first floor.

- 1.5. The houses and bungalows would have generously sized gardens (in accordance with 'Places for Living'). All exceeding 70sqm (three bed) and 52sqm (two bed)
- 1.6. All houses would have in-curtilage parking provision – 100% for the bungalows and 200% for the houses.
- 1.7. The properties would be of traditional design, within the agreed design and palette of BMHT house types elsewhere in the city. They would be constructed in brick with tiled roofs and incorporating features characteristic of properties in the surrounding area, including porch canopies.
- 1.8. The development would necessitate the removal of 3no. trees, a Category C Hawthorn and Category U Whitebeam and Lilac all in site B. Six new trees are proposed across the two sites, and all other existing trees would be retained. The Landscaping Plan/Strategy also incorporates a hedgerow at the back of pavement for both sites.
- 1.9. Site A area 0.13 hectares. Density 38 dwellings per hectare. Site B area 0.15 hectares. Density 26 dwellings per hectare.
- 1.10. The following information has been submitted in support of the application: Design and Access Statement, Ecological Assessment; Ground Condition Desk Study and Tree Survey.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. Site A: located adjacent to 77 Selcroft Avenue, this is approximately 0.13 hectares of open space, consisting of grassed areas with a small wooden trip rail at the back edge of the footpath. It slopes upwards from south to north being approximately 16m in depth to the boundary with Harborne Day Care Centre for Adults that is situated to the west of the site. Opposite are residential properties and further to the north a Doctors Surgery. The site has been subject to infilling, with archive maps showing a former sand pit and is a known former landfill site.
- 2.2. Site B: located between 85 Selcroft Avenue and 78 Rilstone Road, this is approximately 0.15 hectares of green space, consisting of grassed area and trees, with overgrown bramble. It is relatively flat towards the front of the site, with a slight slope downwards toward the rear (south). Opposite and to both sides are residential properties, with the garden areas of properties on Blandford Road to the south. Two drainage easements run through the site. A power cable requires diversion to the rear of the site.

[Location map](#)

3. Planning History

- 3.1. Site A:
13/09/1996 – 1996/03687/PA Installation of passive wells and 11 venting columns to control migrating landfill gas and temporary accesses off Selcroft Avenue and West Boulevard. Approved subject to conditions.
- 3.2. Site B:
No planning history.

4. Consultation/PP Responses

- 4.1. Transportation – No objection subject to conditions in respect of the provision of pedestrian visibility splays/
- 4.2. Regulatory Services (Land Contamination) – Due to the former landfill on the site, it is recommended that a condition for a full contaminated land remediation scheme and verification report is added to any permission.
- 4.3. Severn Trent – No objection, subject to a condition in respect of drainage details.
- 4.4. West Midlands Police – No objection. Recommend the development be built to enhanced security standards as advised by Police crime reduction initiative 'Secured by Design'.
- 4.5. LLFA (Lead Local Flood Authority) – Note, that the proposed development is in close proximity to a significant surface water flow path and recommend that a suitable drainage condition is added to any approval.
- 4.6. Letters of notification have been sent to surrounding occupiers, local residents associations, Ward Councillors for Quinton and the MP for Edgbaston. A site notice has also been posted.
- 4.7. Cllr Matthew Gregson has requested that local residents concerns are considered in particular reference to parking.
- 4.7. Six letters of objection have been received from surrounding occupiers, objecting to the application on the following grounds.
 - Loss of views and green space
 - There are serious parking problems on Selcroft Avenue
 - The sites are not big enough for 9 new houses.
 - Properties may overlook existing houses.
 - There will be noise and disruption during construction.
 - Existing residents should be offered new dropped kerbs to accept this development/

5. Policy Context

- 5.1. The following local policies are relevant.
 - Birmingham Development Plan (BDP) (2017);
 - The Birmingham Unitary Development Plan (UDO) (2005) (saved policies)
 - Places for Living SPG (2001);
- 5.2. The following national policy is relevant.
 - The National Planning Policy Framework (2012)

6. Planning Considerations

Background

- 6.1. The proposal is for 9 new residential units on two adjacent plots to be developed for Birmingham Municipal Housing Trust (BMHT). The scheme is part of the Council's ongoing initiative to provide new high quality housing development in the City through BMHT.
- 6.2. The initiative would result in the Council receiving 9 new houses for social rent purposes. All the dwellings would be built to Code for Sustainable Homes Level 4, as part of the Government agenda to reduce carbon emissions in new housing.

Principle

- 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.
- 6.4. Policy TP27 of the Birmingham Development Plan also states that *"new housing in Birmingham is expected to contribute to making sustainable places...All new development will need to demonstrate that it is meeting the requirements of creating sustainable neighbourhoods"*. Policy TP28 of the plan sets out the proposed policy for housing location in the city, noting that *"proposals should be accessible to jobs, shops and services by modes of transport other than the car"*.
- 6.5. Saved Paragraphs 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles. In addition, 'Places for Living' SPG encourages good quality accommodation in attractive environments. It contains a series of urban design principles and makes reference to minimum design and amenity guidance. Particular emphasis is given to assessing context and responding positively to local character
- 6.6. The principle of redeveloping this site for residential purposes would be a positive step in line with national and local policy. The site is within an established, predominantly residential area, close to public transport links and with easy access to local services. The proposed development would deliver a choice of homes through the effective re-use of this site.
- 6.7. The proposed density of 26 & 38 units per hectare is below the normal policy guidance of 40 dwellings per hectare but would reflect the character of this location and allow for the provision of a wider mix of house-types, including larger family units, to meet the needs of different groups in the community.

Layout and Design

- 6.8. The residential properties on Selcroft Avenue are sited in rows set back from the road with an established building line. The position/width of these proposed dwellings would not appear out of context. In fact, with respect to site B, the proposal fills a gap which is uncharacteristic of this area. In light of this, I do not consider the proposed dwellings would have a harmful impact on the characteristic pattern of development in the surrounding area.

- 6.9. The dwellings would be of an appropriate scale and design that would reflect the character of dwellings in the surrounding area. The eaves of the proposed houses would sit at similar heights of neighbouring properties. All dwellings would be brick built with plain tiled roof, with canopies over the entrances. In the light of the above, I consider that the design of the proposal would enable the creation of a high quality residential environment that would sit comfortably within its surroundings.
- 6.10. The Council's Places for Living SPG recommends a series of numerical separation standards to ensure existing and future occupiers privacy and outlook. In this instance, the development has been designed so that the main habitable room windows of the proposed houses are orientated away from existing properties. Windows to habitable rooms are either to the front or rear. All are provided with an appropriate set back from boundaries (5m for single storey development and 10m for two storey development) and 21m is provided between windowed elevations to both the front and rear. As such, I consider that there would not be any overlooking of adjacent properties significant to warrant refusal of the application. I note that some objectors have referred to overlooking in particular over 78 Rilstone Road, to the south east of site B. No windows are proposed to the side facing this property.
- 6.11. The layout shows that all rear gardens would provide in excess of 70sqm of private amenity space for the three bedroom properties and 52sqm of private amenity space for the two bedroom properties which exceeds the minimum guideline as advocated in "Places for Living".
- 6.12. In addition, the properties would provide an internal layout of suitable size, with bedrooms in the dormer bungalows and 2 bed properties all being 12sqm or above. Two double bedrooms are provided in the three bedroom properties of 12sqm and 14sqm and one single room of 6sqm. All except the single bedrooms would be in accordance with the nationally described space standards, which are not adopted by the Local Planning Authority but provide a suitable benchmark. These standards recommend 7.5sqm for a single bedroom. However, smaller bedrooms are common in many houses across the city and have been delivered on other BMHT schemes and these are only 1.5sqm short, a furniture layout shows that ample storage can be accommodated to meet the expected requirements. As such, I do not consider this a sufficient reason to warrant the refusal of the application.

Impact on residential amenity

- 6.13. Applying the 45 degree code, it is noted that the properties would not breach the code, to any neighbouring property. Therefore, I do not consider there would be any undue loss of light or outlook to any adjacent property. I note that there is a side window to the ground floor of number 85 Selcroft Avenue. This is a secondary window serving a non-habitable room. As such, I do not consider there would be any detriment in terms of overshadowing to the occupiers

Transportation

- 6.14. No objection has been raised by Transportation, who are satisfied that the proposed level of parking is adequate and that there would be no unacceptable impact on the surrounding road network. An overall 133% parking is provided and all spaces are frontage driveway parking directly off Selcroft Avenue. Beyond the site, parking on street is unrestricted and there are regular buses running within reasonable walking distance of this site throughout the day. Conditions are recommended to reflect the requirements of Transportation in respect of pedestrian visibility.

Trees and Landscaping

- 6.15. The development would necessitate the removal of 3no. trees, a Category C Hawthorn and a Category U Whitebeam and Lilac from site B. Six new trees are proposed across the sites, and all other existing trees would be retained. The Tree Officer raises no objection to this scheme subject to conditions including an arboricultural method statement and general good arboricultural working practice. He notes that two off site willow trees, within the grounds of the adjacent Harborne Day Centre, are shown to be retained. However, he recognises that these may not be suitable for retention should the houses be built. In addition, the Landscaping Plan/Strategy also incorporates a hedgerow at the back of pavement.

Ecology

- 6.16. An Ecological Assessment submitted with the application notes that the site offers limited ecological value and the Council's Ecologist is satisfied that there appears to be no significant ecological constraints associated with the proposed development. A number of enhancement measures are recommended including the provision of replacement trees and soft landscaping with species of high value to wildlife and the creation of Hedgehog access points which can be secured through appropriate planning conditions. It is also requested that an advisory note be added to ensure site clearance is carried out at an appropriate time.

Drainage

- 6.17. No surface water information has been provided. Severn Trent Water has not objected to the application subject to a suitable drainage condition. The Lead Local Flood Authority (LLFA) note that the proposed development is in close proximity to a significant surface water flow path. They actively promote and encourage the implementation of SuDS on all developments, as such; they consider that the site drainage should be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be provided to be secured by condition. I concur with this view.

Contamination

- 6.18. The southernmost part of Site A is a former landfill site. The application is supported by a contamination desk top assessment. The Assessment notes that the ground on this site is made with materials generally consisting of a layer of topsoil overlaying loose clayey gravelly sands or soft sandy gravelly clays and pockets of relic topsoil, gravel, bricks and quartzite. This made ground is different to that found in the main area of the former sand pit. Tests undertaken have confirmed that there is no significant chemical contamination on either site that would effect the proposed development or be potentially harmful to future users. However, it notes that ground gases affect site A, and as such some of the proposed properties would require gas protection measures within the foundation design. The Council Regulatory Services officer (Contaminated Land) therefore recommends that a condition for a remediation strategy and verification report is provided. I am satisfied that these conditions would adequately address this matter.

Other Matters

- 6.18. Objectors have complained about potential noise and disruption during the construction phase of the development. This is matter is controlled through

legislation outside of the planning process and is only a short term impact. Therefore, I attach little weight to this matter.

6.19. The proposed development does not attract a CIL contribution.

7. Conclusion

7.1. The development of these sites for housing accords with both national and local policy. The development would constitute sustainable development, and add to the Council's stock of social rented housing for which there is a significant need. The proposed mix, layout and design are appropriate for the area and can be accommodated without any adverse impact on existing residents or the local highway network. The proposals would provide a high quality development, which I consider would make a positive contribution to the area.

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 a scheme for ecological/biodiversity/enhancement measures |
| 3 | Requires the prior submission of hard and/or soft landscape details |
| 4 | Requires the prior submission of boundary treatment details in a phased manner |
| 5 | Requires the prior submission of sample materials |
| 6 | Requires pedestrian visibility splays to be provided |
| 7 | Arboricultural Method Statement - Submission Required |
| 8 | Requires tree pruning protection |
| 9 | Requires the prior submission of contamination remediation scheme on a phased basis |
| 10 | Requires the prior submission of a contaminated land verification report |
| 11 | Requires the prior submission of a sustainable drainage scheme in a phased manner |
| 12 | Implement within 3 years (Full) |
-

Case Officer: James Mead

Photo(s)



Photograph 1: Site A – Looking South across the site from Selcroft Avenue

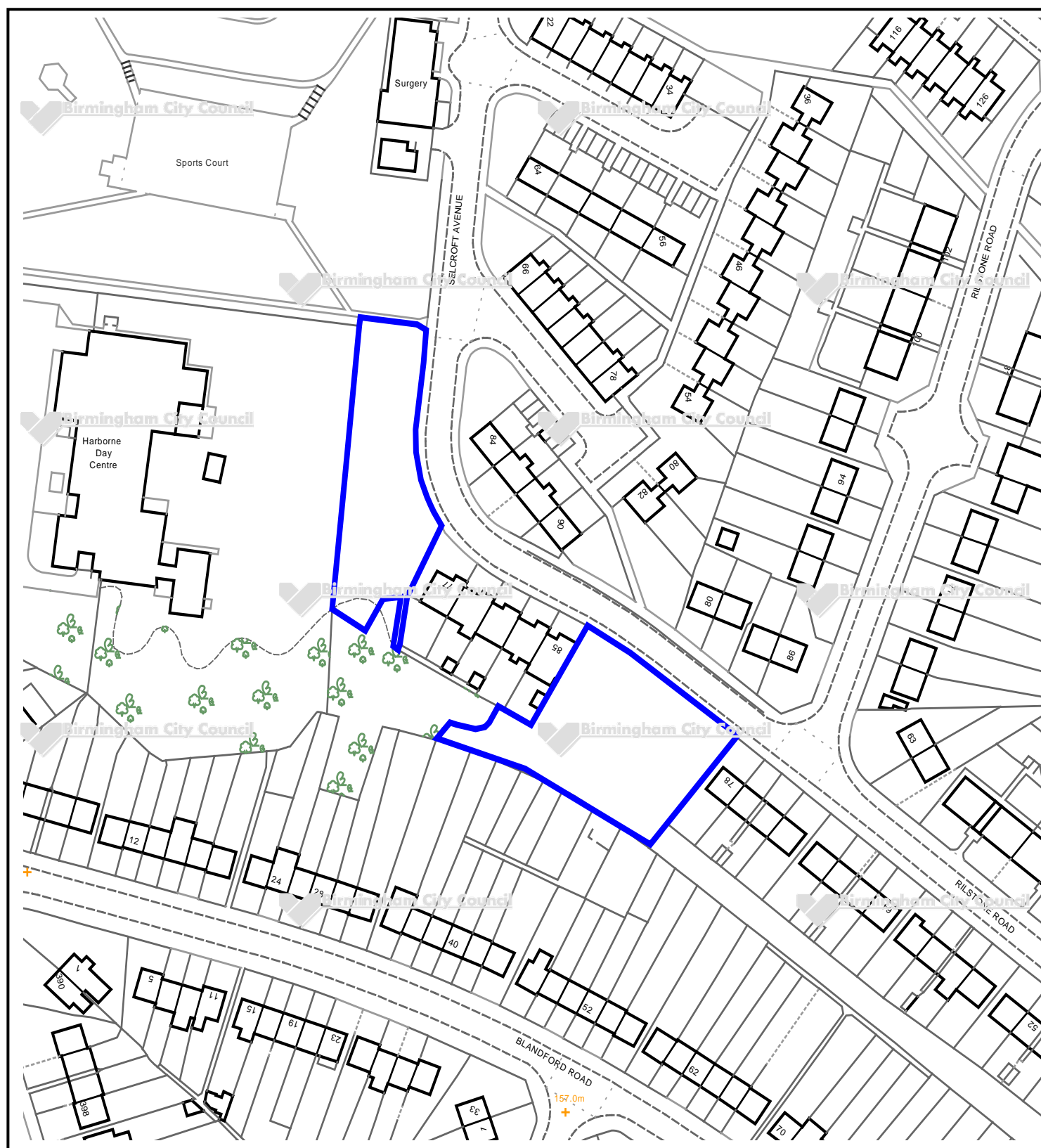


Photograph 2: Site B - Looking east towards 85 Selcroft Avenue



Photograph 3: Looking west towards 78 Selcroft Avenue

Location Plan



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Birmingham City Council

Planning Committee

03 August 2017

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Defer – Informal Approval	12	2017/03355/PA Computer Centre 21 William Street City Centre Birmingham B15 1LH Residential development of 214 no. apartments with associated access, parking and landscaping.
Defer – Informal Approval	13	2017/04573/PA Land fronting Pemberton Street Jewellery Quarter Birmingham B18 6NY Erection of eight dwellinghouses with associated amenity space and parking.
Prior Approval Required – Approve Conditions	14	2017/05301/PA Near junction of Bristol Street/Wrentham Street City Centre Birmingham B5 6QU Application for a prior notification of the installation of 20m high telecommunication tower with 3no. antennas, 2no. dishes, 3no. equipment cabinets and ancillary equipment
Approve – Temporary	15	2017/03938/PA 156-182 Bristol Street City Centre Birmingham B5 7AZ Display of no. 1 internally illuminated hoarding sign

Committee Date:	03/08/2017	Application Number:	2017/03355/PA
Accepted:	26/04/2017	Application Type:	Full Planning
Target Date:	26/07/2017		
Ward:	Ladywood		

Computer Centre, 21 William Street, City Centre, Birmingham, B15 1LH

Residential development of 214 no. apartments with associated access, parking and landscaping.

Applicant:	William Street Company Ltd. C/O Agent
Agent:	Brooke Smith Planning- Arcadis Baskerville House, 2 Centenary Square, Birmingham, B1 2ND,

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

- 1.1 The application seeks consent for 214 residential apartments arranged in a part five part eight storey perimeter block facing William Street, Holliday Street and Communication Row. The proposal includes 64 car parking spaces, to provide 30% parking provision together with some private gardens and a decked area of communal amenity space in the centre of the site, creating a 'U-shaped' courtyard effect, overlooked by apartments.
- 1.2 The western elevation of the building that would front William Street is proposed to stand at ground plus four storeys and this massing would continue around onto Holliday Street to the north. The building would then step up to seven storeys for part of this frontage continuing around the corner onto Communication Row where part of the frontage would step up to eight storeys.
- 1.3 The footprint of the proposed development would comprise of four separate blocks, each with its own independent pedestrian access so that the proposed apartments are accessed in 'clusters', rather than via shared corridors that link together. Each block is then subdivided into bays that would be expressed as separate pitched roofs to provide interest within the street scene.
- 1.4 The proposed vehicular access point would be from Communication Row, utilising the existing access that serves the existing building known as the Computer Centre.
- 1.5 Of the 214 apartments there would be 114 x 1 bed units and 100 x 2 bed units. Six of the apartments would offer duplex accommodation over two floors. Of the total number of apartments 84 would be 1 bed 1 person, 30 would be 1 bed 2 person, 67 would be 2 bed 3 person and 33 would be 2 bed 4 person units. . Therefore 61% of the total number of units would provide accommodation for two or more people. The apartments would range in size from 44sqm to 82sqm meeting the national space standards. A communal amenity space of space measuring approximately 400sqm

is proposed in addition to private gardens ranging from 27sqm to 48 sqm for six of the ground floor apartments.

1.6 [Link to Documents](#)

2. Site & Surroundings

2.1 The application site extends to approximately 0.54 hectares, and was previously occupied by a building that functioned as a data centre. The building was vacated in March 2014 and a separate Prior Notification application was approved earlier this year permitting its demolition (Application reference 2017/01662/PA). Demolition works have recently commenced.

2.2 William Street borders the west of the site, with modern brick built three storey maisonettes located opposite. The maisonettes continue around to the north of the site, which turns into Holliday Street. The Trident Housing Association head office is also located to the north of the site on Holliday Street. To the north lies a vacant warehouse where permission was granted last year for its demolition and redevelopment to provide two dwellings (Application reference 2016/07489/PA).

2.3 Communication Row to the east separates the site from the adjacent railway line and the Birmingham and Worcester Canal that lie at a significantly lower level. Bishopsgate Street runs along the southern boundary of the site linking Broad Street and Bath Row. The Nautical Club is located immediately adjacent to the site at the corner of Bishopsgate Street and Communication Row, and the 'Pavillion', which offers student accommodation sits on the corner of Bishopsgate Street and William Street.

3. Planning History

3.1 2017/01662/PA - Application for prior notification of proposed demolition of existing building. Approved 03/04/2017

240 Holliday Street

3.2 2016/07489/PA - Demolition of existing vacant warehouse and erection of 2 residential dwellings with shared garaging. Approved 01/12/2016

The Pavilion student accommodation Bishopsgate Street

3.3 2011/07582/PA - Erection of pavilion within the courtyard of existing building. Approved 03/01/2012

3.4 2007/06515/PA - Erection of student accommodation block comprising 149 one bed units and associated landscaping, car park and bin storage. Approved 05/09/2008

Land at corner of Granville Street and Holliday Street, 'Granville Lofts'

3.5 2015/00737/PA - Erection of a six to seven storey residential building comprising 112 units (one and two bedroom residential units) with associated basement car parking and landscaping and associated works. Approved 06/11/2015

4. Consultation/PP Responses

4.1 BCC Transportation – No objections subject to the following conditions:

- Implementation of approved covered bicycle/motorcycle storage spaces prior to occupation;
 - Approved parking area to be laid out prior to first use;
 - Provision of pedestrian visibility splays to access; and
 - submission and completion of works for the S278/TRO Agreement to alter the existing access on Communication Row and reinstate two redundant footway crossings on William Street.
- 4.2 Leisure Services - No objections. As a development of over 20 dwellings it would, in accordance with the BDP policy, generate an off-site POS contribution. As it is situated within the City Centre it is not classed as family accommodation and would therefore not be liable for a play area contribution. Based on the number of apartments and bedrooms the contribution has been calculated to total £374,400. This would be spent on the improvement of the open space within the nearby Moonlit and Sunset Parks within the Ladywood Ward, and the maintenance thereof.
- 4.3 Local Lead Flood Authority - Accept the principles of the Surface Water Management Strategy. The proposed strategy of pipe network with underground storage and flow control structure would however provide limited amenity and biodiversity opportunities that have been explored and implemented as far as reasonably practicable with the Surface Water Management Strategy stating that rain gardens are to be incorporated into the final drainage scheme. Recommend conditions to require further details of a sustainable drainage scheme and a sustainable drainage operation and maintenance plan.
- 4.4 Severn Trent Water - No objections to the proposals subject to a condition to require the submission and implementation of drainage plans for the disposal of foul and surface water.
- 4.5 Regulatory Services - The development site is adjacent to the Mishar Lounge on Bishopsgate Street (the former Nautical Club), however the plans show that there will be no overlooking windows. Provided this does not change noise from this premises should not be an issue. There is no record of any complaints from residential premises on the opposite side of Bishopsgate Street. The acoustics report indicates that, as a result of noise from traffic, the internal noise levels to open windows facing William Street and Communication Row would be higher than the guidance provided by the WHO or BS8233. In general residents are less sensitive to traffic noise than they are to other more specific noises. In this case the residents should have the option to open their windows if they desire whilst being provided with alternative ventilation should they chose not to open the windows. The site is close to a major railway line however the submitted vibration survey carried out indicates that vibration would not be an issue at this site. The Phase I Desk Study Report has been reviewed and potential contamination risks have been identified. The submitted ground conditions report concludes that a Phase 2 investigation is required. No objections subject to conditions to require the following:
- the submission of a contamination remediation scheme;
 - a contaminated land verification report;
 - a scheme of noise insulation to reduce the noise effects of traffic to all windows, any other glazed areas and external doors to habitable rooms facing William Street and Communication Row; and
 - the provision of a vehicle charging point.
- 4.6 Schools Organisation Team - Request a Section 106 contribution of £390,796.88.
- 4.7 Police – Would like to make the following comments:

- All work should be undertaken to the standards laid out in the Secured by Design 'Homes 2016' guide;
- Recommend that a lighting plan for the site be produced, particularly for the central parking area that follows the guidelines and standards as indicated in 'Lighting Against Crime' guide;
- Recommend that the site be the subject of CCTV coverage providing coverage of the area outside the building, external views of all exits, the car parking areas, all cycle storage areas, any publically accessible area and an internal facial view of anyone entering the premises through all of the entrances;
- Two of the refuse areas have doors leading to the central courtyard and two leading into internal corridors of the building. Confused as to the refuse collection policy / plan;
- Recommend that any doors, external and internal, to the bin stores be to an appropriate security standard;
- Recommend that the four pedestrian entrances be reviewed to ensure that a secondary door is installed to prevent offenders tailgating their way into the building unseen before committing offences;
- Recommend that video intercom access control systems be installed on all doors into the building;
- No adverse comments to make in relation to the number of parking spaces proposed; and
- Confirmation as to whether the vehicle access to the car park is to be gated, recommend that some form of access control be installed.

4.8 Canal and River Trust - The site is in close proximity to the canal corridor, but separated from the proposed development by the railway line and Communication Row. As such, there are no physical concerns in relation to the development, however the use of it is likely to result in an impact on the canal network due to the location of the access point from Bath Row onto the towpath of the Worcester and Birmingham canal being very close to the site. The towpath provides a sustainable traffic-free route and valuable recreational facility for future occupants of the development. The towpath would provide a convenient, traffic-free route for future residents to local facilities such as the city centre, railway stations and retail/commercial developments as well as Birmingham University and the QE Hospitals campus. The application proposal therefore has the potential to generate a significant increase in use of the canal towpath. This usage is likely to be necessary at commuting times as well as in the evenings and at weekends for leisure purposes. This stretch of canal is currently unlit and as such not an attractive option to pedestrians after dark due to its character and location within a cutting. Whilst lighting can cause conflict with other biodiversity interests, it is possible to light towpaths for use by pedestrians and cyclists without causing reflective glare off the water or disturbance to nocturnal species. Therefore, in order to encourage greater use of the towpath during the hours of likely demand, which include commuting times in winter months and evenings at weekends, it is requested that a contribution towards providing lighting along the stretch of towpath between Bath Row and Holliday Wharf/Waterfront Walk is sought, along with a mechanism for the provision and future maintenance thereof. We note that other stretches of towpath within the City Centre have already had lighting schemes installed in partnership with the City Council. We would also request that the developers work with the Trust to develop appropriate information for new residents as part of their welcome pack that draws their attention to traffic free travel routes in the vicinity of the site.

4.9 Network Rail - Network Rail has a Basic Asset Protection Agreement (BAPA) with the outside party and is seeking confirmation of the closest dimension of the proposed

piles to the rail tunnel. Demolition at more than 10m from our boundary is acceptable to proceed. The developer should continue to liaise with Network Rail to ensure that works that could potentially impact upon the tunnel and the existing railway infrastructure are agreed with Network Rail prior to any works on site.

- 4.10 Birmingham City Centre Management, Birmingham Public Health, Local Action Groups, Community and Neighbourhood Forums, Local Councillors, and the MP have been consulted but no replies received.
- 4.11 Neighbours have been notified and a site notice and press notice have been posted. One neighbour has responded saying that the scheme should, *“not be allowed to get away with building 100% unaffordable homes in our city. This is in complete contravention of planning policy and common decency.”*

5. Policy Context

- 5.1 Birmingham Development Plan (BDP) 2017, Birmingham Unitary Development Plan 2005 (Saved Policies), Places for All (2001), Car Parking Guidelines SPD (2012), Public Open Space in New Residential Development SPD (2007), Loss of Industrial Land SPD, Affordable Housing SPG, Public Open Space in New Residential Development SPD and the National Planning Policy Framework.

6. Planning Considerations

PRINCIPLE OF LOCATING RESIDENTIAL APARTMENTS AT THIS LOCATION

- 6.1 Policy PG1 within the Birmingham Development Plan states that the plan aims to deliver 51,100 additional homes over the plan period, in order to cater for the City's increasing population, and it is expected that a minimum of 80% of all new homes provided over the plan period to be located on previously developed land. Policy GA1.1 sets out the vision and strategy for development specifically within the City Centre and supports it as the focus for retail, office, residential and leisure activity within the context of the wider aspiration to provide a high quality environment and visitor experience. The application site sits within the Westside and Ladywood quarter, with Policy GA1.3 stating that the aim within this quarter is to create a vibrant mixed use area combining visitor, cultural, commercial and residential offer into a dynamic, well connected area.
- 6.2 The policy support for redeveloping this previously developed land for residential purposes does however need to be balanced against the loss of this employment site. Whilst not specifically allocated as a regional investment site or a core employment area Policy T20 seeks to protect other existing employment land. It does, however, acknowledge that there may be occasions where such employment land has become obsolete and can no longer make a contribution towards the portfolio of employment land. In such cases, the policy requires that it be demonstrated that the site is either a non-conforming use, or that the site is no longer attractive for employment development. The SPD on the loss of industrial land to alternative uses provides more information on what evidence is required to be submitted with planning applications. This could include evidence to demonstrate that active marketing has been undertaken for a reasonable period (normally a minimum of two years) and/or evidence that it is not commercially viable to re-develop the site for employment use.
- 6.3 Whilst some limited information is provided in the Planning Statement about the marketing of the site it is considered that it does not comply with the requirements of

the SPD. Therefore, a viability assessment has been submitted to demonstrate that it is not commercially viable to redevelopment site for employment uses. The viability assessment has been evaluated independently and it concludes that the building has been vacant for a number of years and is considered to be functionally obsolete. Furthermore due to the secondary nature of the location from a commercial perspective, together with the costs associated with clearing and developing the site, commercial redevelopment would be unviable with a change of use to residential the only obvious feasible option to bringing the site back into use.

- 6.4 Therefore I consider that it has been demonstrated that the site is no longer attractive or viable for employment use, and as such I consider that residential development would be acceptable in principle as it would contribute to the aims of Policies PG1, GA1.1 and GA1.3.

PROPOSED LAYOUT, DESIGN AND APPEARANCE

- 6.5 Policy PG3 (Place Making) ensures that all new development demonstrates high quality design, contributing to a strong sense of place. As stated previously the layout of the site has been arranged to provide a 'U' shaped perimeter block of development with the apartments facing outwards towards the three roads that border the site. At present William Street feels like a wide street due to its green verges to either side. The proposed building line to William Street would follow that of the adjacent Pavilion student accommodation development by maintaining the existing grass verge that measures approximately 6m in depth. Again the grass verge measuring between 2m and 11m fronting Holliday Street to the north east would be retained. It is considered that the retention of these spaces would maintain the existing sense of space around the site.
- 6.6 In terms of the scale of the development the proposed height of the development facing William Street would match that of the adjacent five storey high Pavilion building to provide an appropriate scale. The five storey block would then turn the corner into Holliday Street where it would step up to seven storeys opposite No.240 Holliday Street before stepping up to eight storeys part way along the frontage to Communication Row, overlooking the railway line and Canal that are located at a significantly lower level. The elevations facing William Street and Communication Row would include a small number of windows in the roofspace to accommodate the six duplex apartments. It is considered that the proposed height would be appropriate with an acceptable separation distance to Holliday Street and no overlooking issues across the railway line and Canal
- 6.7 The proposed layout would provide a central courtyard incorporating some private gardens at ground floor and an area of communal amenity space measuring approximately 20m by 20m at first floor providing a deck above part of the parking area at ground floor.
- 6.8 Meanwhile the massing of the proposed development would be broken down primarily by arranging the building into four separate blocks with independent fully glazed entrances breaking up the roofline. Furthermore each of the blocks would be sub-divided vertically by way of different facing bricks and roof shapes. Articulation would be also be provided by balconies to some of the apartments and minor variations to the building line so as not to provide a straight frontage, and to create relief and shading.
- 6.9 It is considered that the proposed design of the building has been well thought through to provide attractive and active frontages to the primary elevations. The

soon to be demolished part concrete part brick Computer Centre building presents stark blank elevations and the proposed scheme would improve the appearance of the street and uplift the area.

- 6.10 Furthermore the proposals would not prejudice the redevelopment of the adjacent Nautical Club site to the south east.
- 6.11 The site is capable of supporting residential development at a density of 396 dwellings per hectare to accord with Policy TP30 of the Birmingham Development Plan, which states that residential development within the City Centre should achieve a minimum density of 100 dwellings per hectare. The layout also meets the national space standards for one and two bed dwellings.

HIGHWAYS

- 6.12 According to the submitted Transport Statement there would be fewer number of trips generated by the proposed residential development in comparison to the previous data centre use. BCC Transportation Development consider that the proposed redevelopment would be unlikely to lead to a noticeable level of trips on the local highway network that would create any adverse highway issues.
- 6.13 The application would provide a total of 64 car parking spaces accessed off Communication Row and 100% cycle parking spaces. The level of parking provision is considered to be acceptable given the proximity of the site to the City Centre.
- 6.14 Conditions regarding the implementation of the proposed cycle storage spaces, the laying out of the parking area, the provision of pedestrian visibility splays to the access and the submission of a S278/TRO Agreement have been suggested and are attached.

IMPACT OF NOISE ON FUTURE RESIDENTS

- 6.15 The land is in close proximity to both Bath Row (B4127) and Broad Street (A456) and there is a railway line to the east that is approximately 26 metres away at its closest point. An unattended ambient noise and vibration survey was carried out in March 2017 that identified that ambient and background noise levels were mostly governed by traffic noise. The submitted noise assessment suggests that windows would need to be closed, typically to the external elevations, in order to provide the necessary protection from traffic noise. In this situation an alternative ventilation system as well as a natural ventilation option would be required, and a condition to require details of the glazing and means of alternative ventilation is attached.
- 6.16 Regulatory Services consider that the proposed layout and design would provide sufficient mitigation from late night noise and disturbance from the Mishar Bar on Bishopsgate Street.
- 6.17 Separately, levels of vibration from the railway line were found to be significantly lower than the criteria outlined within the relevant standards, and the vibration from train movements is therefore considered not to have any adverse effect on the site.

ECOLOGY AND TREES

- 6.18 The application has been submitted together with an Extended Phase 1 Habitat Survey Report and Bat Risk Assessment. The Reports identify that there is very little vegetation on site and although there are several records of notable species within

the vicinity the site offers little value to these in its current state. Furthermore there are no designated sites immediately adjacent to the site. A condition is attached to secure ecological enhancements that may be in the forms of bird boxes and the planting of native species.

- 6.19 Since the submission of the application and during the demolition of the Computer Centre building, which is ongoing, an underground tank has been discovered that has resulted in the loss of all of the 11 existing trees on the frontages to William Street and Holliday Street. It should be acknowledged that the existing trees are not protected and their removal has been undertaken in consultation with Arboricultural officers. An initial replanting scheme has been submitted to show a total of 20 replacement trees to maintain a green avenue to William Street and these replacements would be secured via a condition.

GROUND CONTAMINATION

- 6.20 The site was redeveloped in 1968 to provide a depot, however the use of the former depot is unclear, and it is therefore possible that it may have contained chemicals and hydrocarbons. Furthermore the demolition of the depot is likely to have produced further made ground contaminants, before being redeveloped as the existing Computer Centre in 1973. The submitted ground investigation report suggests an additional Phase II investigation be carried out and a condition to this effect is attached to ensure that any requirements for remediation are undertaken

FLOOD RISK AND DRAINAGE

- 6.21 A Sustainable Drainage Statement that accompanies the application acknowledges that the proposed site layout would reduce the impermeable catchment of the site by approximately 20%, when compared with the existing form. As such, the proposed scheme is likely to discharge less surface runoff than the present levels. However surface water attenuation is proposed by way of a tank below the car park, and a condition is attached to require further details and to ensure that it is implemented and managed.

OTHER

- 6.22 The Council's Employment Team have requested a condition to ensure that the construction of the scheme is undertaken utilising a local workforce and this is attached.
- 6.23 In response to queries raised by the Police the agent has advised that refuse would be collected from the Communication Row car park whilst the car park access would be controlled by an open mesh steel shutter.

PLANNING OBLIGATIONS

- 6.24 Given the number of proposed apartments the City Council's policies for Affordable Housing and Public Open Space in New Residential Development apply. BCC Schools Organisation Team has also requested a sum of money as the development has the potential to impact on the provision of places at local schools.
- 6.25 The applicant has submitted a financial appraisal that demonstrates that the scheme cannot fully meet these obligations. The financial appraisal has been independently reviewed and the assessment concludes that a figure of £492,200 would be achievable.

- 6.26 The various requests for S106 monies have been noted and it is considered that affordable housing and public open space provision should take priority. The Canal and Rivers Trust have requested a contribution towards lighting the canal towpath, however they have been unable to submit an exact costing for its implementation and maintenance and regrettably therefore this has not been pursued. It is therefore suggested that contribution is split between public open space (£200,000) and affordable housing (£292,000). Given that the scheme is for one and two bedroom apartments then the number of families with children is likely to be low. It is therefore considered that an education contribution cannot be justified. As the applicant does not currently have an interest in land for Section 106 purposes, it would be necessary for the Section 106 to be secured via the applicant completing a Section 111 of the Local Government Act 1972 legal agreement. The site is located within a high value area and therefore these contributions would be in addition to CIL which has been calculated to total £1,008,400.

7. Conclusion

- 7.1 The principle of locating residential development on this site, despite losing an existing employment land is, after independently reviewing the supporting viability information agreed.
- 7.2 The proposed scale, design and layout would respect the existing street scenes to William Street, Holliday Street and Communication Row whilst the proposed detailed design would uplift the appearance of the area, particularly if compared to the existing building on site. The amount of private amenity space and parking provision is considered to be sufficient. It is considered to accord with the NPPF and the presumption in favour of sustainable development and therefore the scheme should be supported.
- 7.3 It is therefore considered that the application is acceptable subject to safeguarding conditions and the completion of a S106 agreement to secure a financial contribution of £492,200 towards off site affordable housing and public open space improvements.

8 Recommendation

- 8.1 That consideration of the application be deferred pending the completion of a Section 111 of the Local Government Act 1972 legal agreement to require the applicants to enter into a Section 106 agreement to secure;
- a) A financial contribution of £292,000 (index linked from the date of this resolution) toward off site affordable housing to be paid prior to first occupation;
 - b) A financial contribution of £200,000 (index linked from the date of this resolution) towards the improvement of the open space within the nearby Moonlit and Sunset Parks within the Ladywood Ward, and the maintenance thereof;
 - c) Payment of a monitoring and administration fee associated with the legal agreement of 3.5% of the affordable housing and public open space sum, subject to a maximum of £10,000.

- 8.2 That, in the event of the above legal agreement not being completed to the satisfaction of the Local Planning Authority on or before 1st September 2017, planning permission be refused for the followings reasons:
- a) In the absence of any suitable legal agreement to secure a financial contribution towards off site affordable housing the proposal conflicts with Policy TP31 of the Birmingham Development Plan and the Affordable Housing SPG; and,
 - b) In the absence of any suitable legal agreement to secure a financial contribution towards off site public open space the proposal conflicts with Policy TP9 of the Birmingham Development Plan and the Public Open Space in New Residential Development SPD.
- 8.3 That the City Solicitor be authorised to prepare, seal and complete the planning obligation.
- 8.4 That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 1st September 2017, favourable consideration be given to this application, subject to the conditions listed below

-
- 1 Requires the prior submission of sample materials
 - 2 Requires the prior submission of window details
 - 3 Requires the prior submission of a sustainable drainage scheme
 - 4 Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 5 Requires the prior submission of a contamination remediation scheme
 - 6 Requires the prior submission of a contaminated land verification report
 - 7 Requires the prior submission a scheme of noise insulation
 - 8 Provision of vehicle charging points
 - 9 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
 - 10 Requires the prior submission of hard and soft landscape details to approved amenity courtyard area
 - 11 Details of replacement tree planting as shown on Ground Floor Plan
 - 12 Requires the prior submission of a construction employment plan.
 - 13 Requires the provision of cycle parking prior to occupation.
 - 14 Requires the parking area to be laid out prior to use.
-

-
- 15 Requires pedestrian visibility splays to be provided
 - 16 Requires the prior submission and completion of works for the S278/TRO Agreement.
 - 17 Implement within 3 years (Full)
 - 18 Requires the scheme to be in accordance with the listed approved plans
-

Case Officer: Julia Summerfield

Photo(s)

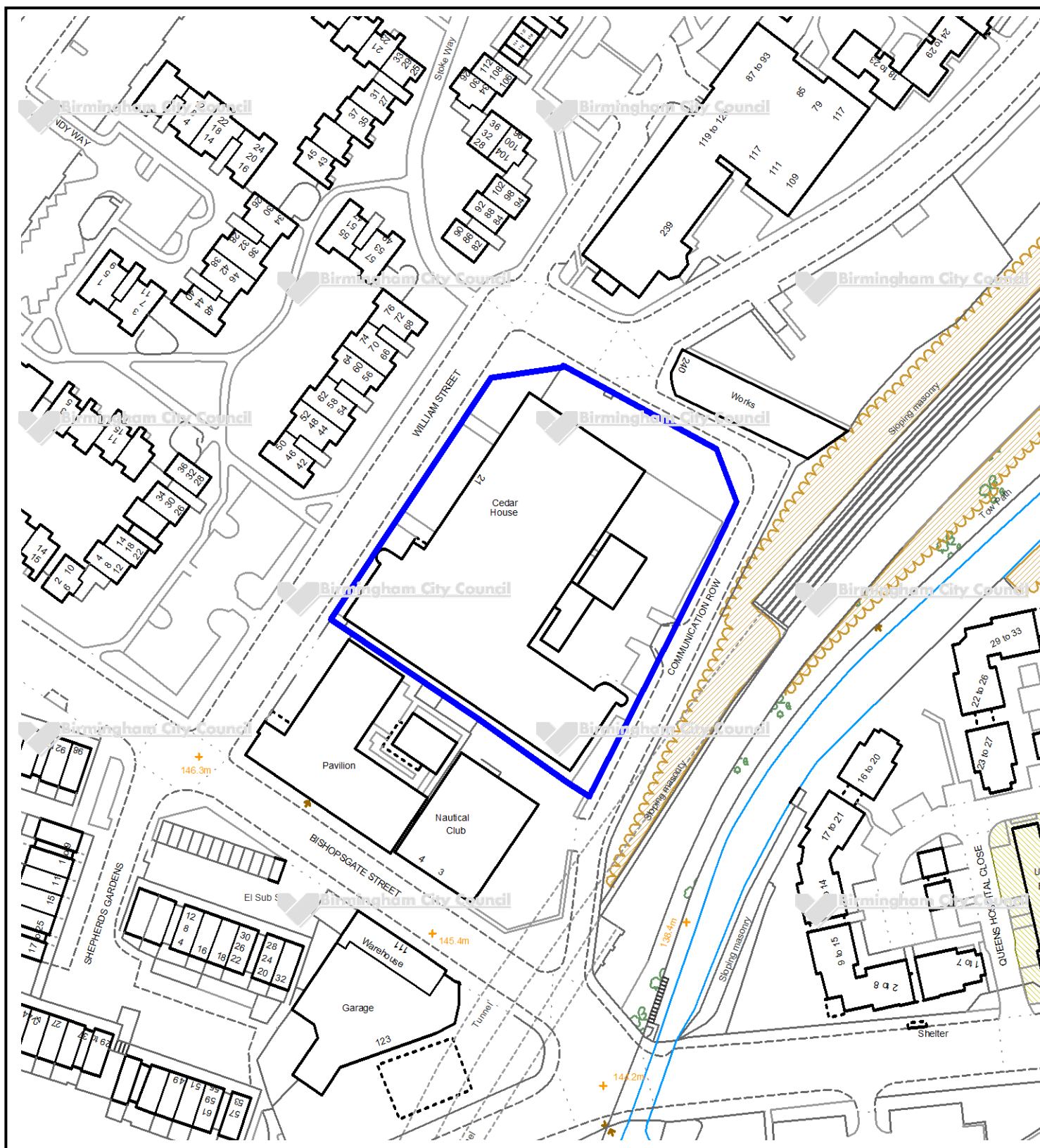


Looking west down William Street



Looking northwards up Communication Row

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/04573/PA
Accepted:	23/05/2017	Application Type:	Full Planning
Target Date:	11/08/2017		
Ward:	Ladywood		

Land fronting Pemberton Street, Jewellery Quarter, Birmingham, B18 6NY

Erection of eight dwellinghouses with associated amenity space and parking.

Applicant: Sidley Piper (Pemberton Street) Ltd
327 Jockey Road, Sutton Coldfield, Birmingham, B73 5XE,
Agent: Cerda Planning Limited
Vesey House, 5 - 7 High Street, Sutton Coldfield, Birmingham, B72 1XH

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal
 - 1.1. [Link to Documents](#)
 - 1.2. Planning permission is sought for the erection of 8 three storey townhouses to be erected in a terraced row.
 - 1.3. The proposed town houses have been designed with a distinctive industrial style. Each of the proposed units would be constructed with a traditional brick bond frame and a shallow central recess set within the frame using an alternative brick bond in order to seek to provide articulation to the terraced row. Proposed windows have been designed as large industrial style openings with smaller crittal style glazing panes. The industrial character to the proposed dwellings is also iterated in the proposed standing seam roof design. Small roof lights are proposed on the front facing roof slope of each unit.
 - 1.4. The proposed town houses seek to provide overall floor spaces ranging from 111.3sqm to 115.5sqm and would each comprise open plan kitchen/ dining area, utility and WC at ground floor; lounge, bedroom/study and toilet at first floor and 2 double bedrooms and a bathroom at second floor level. The first double bedroom in each unit would range between 12.4sqm-12.8sqm and the second double bedroom in each unit would be in excess of 10.8sqm. The third bedroom/ office space of each unit would exceed 8sqm.
 - 1.5. Each property would have a private rear garden area ranging from 40sqm to 58sqm. Bin storage and access from the rear of each unit to the street frontage has been designed into the rear amenity space provision.

- 1.6. No in curtilage parking is proposed as part of this scheme however the road fronting the majority of the application site is privately owned by the applicant, consequently the applicant has shown on-street parking to the front of units 3-8 demonstrating 6 spaces associated with the proposal.
- 1.7. The applicant has agreed to enter into a Section 106 planning obligation to pay a financial contribution of £30,000 towards improvement works at the Warstone Lane cemetery which adjoins the site to the north as part of this proposal. The application site falls outside of a CIL liable area.
- 1.8. Documents submitted in support of this application include a Design and Access Statement, Heritage Statement, Arboricultural Statement and Planning Statement.

2. Site & Surroundings

2.1. [Site location](#)

- 2.2. The site comprises a cleared area of land which formerly contained a number of large tanks associated with the previous industrial use as part of the wider Birmingham Mint site.
- 2.3. The site is bounded to the west by a retaining wall, with a 15m-20m drop to the amenity areas of a residential block built as part of the redeveloped of Birmingham Mint site. To the south is a surface level car park. On the opposite side of Pemberton Street are a number of 3 storey, 1970s buildings that have historically had commercial use but several of which have recently been converted in residential premises. To the north of the site is the Warstone Lane cemetery.
- 2.4. Approximately 34m of the northern end of Pemberton Street is a private road which is partially in the applicant's control, and which they have a right of way over the remainder of.
- 2.5. The application site falls within the area defined as the 'Industrial Fringe' in the Jewellery Quarter Conservation Area Character Appraisal and Management Plan. The former Birmingham Mint to the west of the application site is grade II listed.

3. Planning History

- 3.1. 23/07/2012 - 2011/06730/PA - Erection of 8 no. 3 bedroom, three storey townhouses with associated parking and rear private amenity space – Approved subject to planning conditions and S106 Legal Agreement for one x 2-bedroom shared ownership unit at an affordable discounted rate and £11, 040 towards enhancements at Warstone Lane Cemetery.
- 3.2. 25/01/08- 2007/06382/PA (LBC) - Permanent stability works to cemetery retaining walls - Approved.
- 3.3. 19/07/07- 2007/02950/PA - Erection of 3 storey apartment block for 10 no. 2 bed units and 2 no. 1 bed units, with associated parking and landscaping- Approved subject to planning conditions and a S106 Legal Agreement for one two bedroom unit to be provided as shared ownership housing unit and a financial contribution of £11,040 towards enhancement works at Warstone Lane Cemetery.

- 3.4. 08/12/05 - 2003/00393/PA (Listed Building Consent) and 2003/00394/PA (Full planning - Listed building and planning consent for demolition of buildings, conversion of frontage buildings to commercial, new build commercial units, 180 new apartments, 6 live / work units, new access point, parking and external works at the Birmingham Mint, Icknield Street. Planning consent subject to a S106 legal agreement to secure affordable housing and financial contribution towards Warstone Cemetery, public open space, children's play facilities and upgrading nearby bus stops.

4. Consultation/PP Responses

- 4.1. Regulatory Services – No objection in principle subject to conditions ensuring appropriate levels of weighted sound reduction to habitable rooms on the Pemberton Street elevation; contaminated land conditions and conditions requiring electric car charging point.
- 4.2. Transportation Development - No objection. The proposal is for 8 houses that have no in-curtilage parking; however plots 3 to 8 have parallel spaces that are about 5.9m in length and 2.5m wide. This is an unusual arrangement as this section of road is private with the applicants having access rights over the opposite half of the road. The parking would still allow some space for pedestrians to get access into the dwellings.
- 4.3. West Midlands Police – No objections in principle, the design of the proposed rear access is supported and the proposal as a whole should adhere to the principles set out in secure by design.
- 4.4. Severn Trent Water – No objection in principle the scheme should be suitably connected to foul and surface water drainage systems.
- 4.5. Local occupiers, Ward Councillors and local MP notified. Site and press notice displayed. One letter of objection received raising the following matters:

*There are already too many vacant residential units in this area;
This is a commercial road and adding residential to the road will cause problems;
and
There is limited parking availability in this area.*

5. Policy Context

- 5.1. Birmingham Development Plan (BDP) 2017; Birmingham Unitary Development Plan 2005 (Saved Policies); National Planning Policy Framework (NPPF); Jewellery Quarter Conservation Area Character Appraisal and Management Plan (JQCACAMP) (2002) and Jewellery Quarter Design Guide (2005).

6. Planning Considerations

Principle

- 6.1. The NPPF outlines a presumption in favour of sustainable development and underlines the Government's commitment to securing economic growth and job creation together with high quality design. Paragraph 17 of the NPPF supports sustainable economic development to deliver new homes and encourages the use of brownfield land. Paragraph 19 states that significant weight is placed on economic growth within the planning system, with paragraph 50 highlighting that residential development should reflect local demand and create mixed and balanced

communities.

- 6.2. This site falls within the industrial fringe sub area of the Jewellery Quarter Conservation Area. There are a mixture of uses in this area including residential, office and industrial units. Policy GA1.3 of the BDP states that new development must support and strengthen the distinctive character of the areas surrounding the City Centre Core raising their overall quality, offer and accessibility. With regard to the Jewellery Quarter policy GA1.3 goes on to state that proposal should contribute to creating an urban village supporting the areas unique heritage with the introduction of an appropriate mix of uses.
- 6.3. With regard to the policy context above, the general principle of this proposal is acceptable within this location of the Jewellery Quarter however the proposal should be subject to meeting the detailed policy requirements set out below.

Overall Design and Impact on Heritage Assets

- 6.4. Policy PG3 of the Birmingham Plan states that all new development will be expected to be designed to the highest possible standards, contributing to the a strong sense of place including by reinforcing or creating a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovative design.
- 6.5. The application site is located within the Jewellery Quarter Conservation Area and is adjacent to the grade II listed former Birmingham Mint site. The NPPF makes specific reference to 'Heritage Assets', which includes conservation areas and listed buildings. Paragraph 129 refers to a need to assess the significance of a proposal on any heritage asset, with paragraph 131 stating that local planning authorities should take into account the desirability of sustaining and enhancing heritage assets and the positive contribution that the new development would make to local character and distinctiveness. TP12 of the Birmingham Plan states that the historic environment will be valued, protected, enhanced and managed for its contribution to character, local distinctiveness and sustainability and that the Council will seek to manage new development in ways which will make a positive contribution to its character.
- 6.6. The industrial character of the area has inspired the architectural design of the proposed dwelling houses. The scale, form and mass of the terraced row is appropriate to the street scene and the architectural detailing adds to the character and local distinctiveness of this part of the Jewellery Quarter Conservation Area. My Conservation Officer has considered this proposal and raises no objections in principle to the proposed development noting that the scheme has progressed significantly following pre-application consultation. In order to ensure the proposed design has strength, conviction and sound detailing my Conservation Officer has sought to clarify a number of design details such as seeking to ensure that obscure glazing to bathrooms at ground floor level and internal sub divisions do not harm the overall architectural appearance that is sought to be achieved. I consider that these design details can be secured by planning condition and have recommended a number of design detail conditions accordingly.
- 6.7. The option of locating roof lights to the rear facing roof slope has been explored with the applicant, however the internal configuration does not allow for the repositioning of these roof lights. The roof lights have been designed as small conservation roof lights and on balance I do not consider that these would harm the character of the area.

- 6.8. I consider that this proposal would contribute to creating a strong sense of place including reinforcing local distinctiveness with design that responds to site conditions and the local area context. This proposal would bring forward a gap site and would not in my view harm the significance of adjacent grade II listed Mint site. The proposal therefore meets with policies PG3 and TP12 of the BDP and policy 129 and 131 of the NPPF.

Proposed residential amenity

- 6.9. The Nationally Described Space Standards require 108sqm of floor space for a three bedroom, 6 person dwelling house. Each of these units would exceed these standards. Three of the proposed first double bedrooms would be marginally below guidance set out in Places for Living SPG at 12.4sqm rather than 12.6sqm, however the bedrooms are laid out in a logical format and submitted plans demonstrate that these rooms would be capable of housing bedroom furniture. All other proposed bedrooms would accord with bedroom space guidance set out in Places for Living SPG.
- 6.10. The proposal includes private amenity space for all of the proposed town houses. The amount of space being proposed is limited, but is consistent with high density city living. I raise no objection to the level of private amenity space proposed.
- 6.11. Regulatory Services have considered this proposal and raise no objections subject to safeguarding conditions for sound weighting to be included to window glazing and for land contamination investigations to be carried out. I consider that such conditions would be reasonable and justifiable and have recommended conditions accordingly.

Impact on existing Residential Amenity

- 6.12. The proposed development would be erected to the rear of residential units at the former Birmingham Mint site. Due to the sheer land level drop at the rear of the application site to the adjoining residential dwelling there would be no direct overlooking between the existing and proposed dwellings. Light amenity to the rear of properties at the Mint is already impeded by the sheer wall to the rear of the site, I do not consider that this proposal would further impact on these dwellings. I am satisfied that this proposal would not therefore impact on existing residential amenity.

Parking and impact on the public highway

- 6.13. Objection has been received from a local occupier that this proposal would result in parking congestion in this area. Transportation Development have considered this proposal and raise no objections noting that the section of road to the front of the application site is private and within the applicants ownership with access rights over the opposite half of the road. On street parking is therefore within the applicants control in this location. The site is also located in a sustainable location close to amenities and good public transport links. I do not consider that this proposal would result in harm to the free or safe flow of traffic in this area.

Planning Obligations

- 6.14. The site was originally included in the red line boundary for the wider application site for the re-development of the former Birmingham Mint. The original Section 106 Agreement attached to the wider Mint development included a S106 legal agreement to secure affordable housing and financial contribution towards Warstone Cemetery, public open space, children's play facilities and upgrading nearby bus stops. At that time this part of the former Birmingham Mint was proposed as commercial units. Had this have been brought forward as residential development

an increase to the level of S106 would have been negotiated.

- 6.15. Subsequent planning applications (2007/02950/PA and 2011/06730/PA) for development at this site have sought pro rata planning obligations consisting of an additional affordable unit and a pro rata contribution of £11,040 towards Warstone Lane Cemetery. Neither of these consents has been implemented.
- 6.16. A financial viability assessment was submitted with this application which initially sought to provide no planning obligations. Following our own assessment of this information officers have agreed a £30,000 contribution towards improvement work at Warstone Lane cemetery. This obligation would be in line with the original consent at the former Birmingham Mint and relate to the current proposed scheme and its impact on the site and surrounding area (being directly adjacent to Warstone Lane Cemetery) and as such is in line with policy TP47 of the BDP.

Other

- 6.17. Objection has been received from a local occupier that this proposal would increase the number of vacant housing units in the area. I am unaware of there being a particularly high vacancy rate in this area; this proposal would provide 8 town houses of a good standard and would contribute to the city councils housing need.
- 6.18. West Midlands Police have considered this proposal and raise no objections to these proposals. Each proposed dwelling would be independently secured with active elevations looking out onto the public realm as such I concur with the view of West Midlands Police and do not consider that this proposal would result in harm to public safety.
- 6.19. I note the comments received from Severn Trent Water. The site would be required to connect to foul and surface water drainage through Building Regulations and as such I do not consider it necessary to require these details by planning condition.
- 6.20. The site is adjacent to trees that are within the boundary of the Warstone Lane cemetery and that are protected by virtue of being in the Jewellery Quarter Conservation Area. An arboricultural statement has been submitted in support of this application and has been considered by my Tree Officer. The site owner has the common right to prune the overhanging public trees. The submitted arboricultural statement and associated appendices make a reasonable case for pruning of these trees to facilitate development and for not requiring a tree protection plan for reasons of the difference in ground levels and the existing slabs/ hard surfaces within the site. My Tree Officer concurs with the recommendations in the arboricultural statement, works to trees can be controlled through planning condition, I have recommended a suitable condition accordingly.

7. Conclusion

- 7.1. This proposal would result in a good quality residential development that would have a positive impact on the character of the Jewellery Quarter Conservation Area. The proposal therefore accords with the BDP and the NPPF and is recommended for approval subject to necessary safeguarding conditions and a Section 106 Legal Agreement.

8. Recommendation

- 8.1. That consideration of planning application 2017/04573/PA be deferred pending the completion of a Section 106 Legal Agreement which secures the following:-
- a. A financial contribution of £30,000 (index linked) towards improvement works at the Warstone Lane cemetery.
 - b. Payment of a monitoring and administration fee associated with the legal agreement of £1,500.
 - c. In the absence of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 10th August 2017 planning permission be REFUSED for the following reasons:

In the absence of any suitable legal agreement to secure a financial contribution towards improvement works at the Warstone Lane cemetery the proposal conflicts with Policy TP47 of the Birmingham Development Plan.

- 8.2. That the Director of Legal Services be authorised to prepare, seal and complete the planning obligation.
- 8.3. That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 10th August 2017, favourable consideration be given to this application, subject to the conditions listed below as follows:

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|----|---|
| 1 | Requires the prior submission of a contamination remediation scheme |
| 2 | Requires the prior submission of sample materials |
| 3 | Requires the prior submission of sample walling/brickwork |
| 4 | Requires the prior submission of fixtures and fittings details |
| 5 | Requires the prior submission of roof light details |
| 6 | Requires the prior submission of window frame details |
| 7 | Requires the prior submission of details of privacy screening to bathrooms. |
| 8 | Requires the prior submission a noise study to establish residential acoustic protection |
| 9 | Requires lintels that frame each property at second floor level to consist of in-situ concrete. |
| 10 | Arboricultural Method Statement and Tree Protection Plan - Implementation |
| 11 | Requires the scheme to be in accordance with the listed approved plans |
| 12 | Implement within 3 years (Full) |
-

Case Officer: Victoria Chadaway

Photo(s)



Fig 1. View across site with former Birmingham Mint site visible to the rear.



Fig 2. View of existing dwellings on Former Mint site to the rear of the application site.



Fig 3. View of commercial and residential units opposite the site.

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/05301/PA
Accepted:	14/06/2017	Application Type:	Telecommunications
Target Date:	08/08/2017		Determination
Ward:	Ladywood		

Near Junction of, Bristol Street/Wrentham Street, City Centre,
Birmingham, B5 6QU

Application for a prior notification of the installation of 20m high
telecommunication tower with 3no. antennas, 2no. dishes, 3no.
equipment cabinets and ancillary equipment

Applicant: EE Ltd
Trident Place, Mosquito Way, Hatfield, Hertfordshire, AL10 9BW
Agent: The Harlequin Group
Innovation Centre, Maidstone Road, Chatham, Kent, ME5 9FD

Recommendation

Prior Approval Required And To Approve With Conditions

1. Proposal

- 1.1 This prior notification application is for the installation of a 20m high telecommunications monopole, with three antennas mounted within a shroud at the top of the mast, two 300mm diameter dishes positioned at a height of approximately 15m on the mast and three ground based equipment cabinets. The proposed cabinets would range in height from 700mm to 1500mm. All of the equipment would be coloured green.
- 1.2 The application includes a statement of compliance with ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines on radio wave emissions.
- 1.3 The proposed monopole would allow EE to maintain 3G and 4G services, i.e. direct access to the internet, downloading files and videophones, after an existing rooftop installation is removed from Monaco House, on the opposite side of the Bristol Road. Later this year emergency services would also be reliant on the coverage that the proposed installation would provide.

1.1. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located on the existing pavement on the west side of the A38 Bristol Road close to steps leading to a subway, approximately 26m south of the Ibis hotel.
- 2.2 The residential development known as Park Central dominates the area to the west of the A38 Bristol Road, with a grass verge measuring between approximately 11m

and 18m, sited between the application site and the residential properties facing Ellis Mews.

3. Planning History

- 3.1 2015/03041/PA - Display of 1 internally illuminated digital 6 sheet advertising panel on existing bus shelter. Approve temporary 02/06/2015

4. Consultation/PP Responses

- 4.1. Southside BID, local councillors, the MP, local residents groups and forums have been consulted but no replies received.
- 4.2 Neighbours have been notified and a site and press notice posted. No replies have been received.

5. Policy Context

- 5.1 The Birmingham Development Plan (2017), Telecommunications Development: Mobile Phone Infrastructure SPD (2008) and the NPPF.

6. Planning Considerations

- 6.1 In prior approval applications the Local Planning Authority can only consider the siting and appearance.
- 6.2 Paragraph 45 of the NPPF advises that applications should be accompanied by evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure. Paragraph 46 states that local planning authorities must determine telecommunications applications on planning grounds, not question the need for the telecommunication system or determine health safeguards if the proposal meets the ICNIRP guidelines.
- 6.3 The telecommunications SPD seeks to guide the siting of equipment away from the most sensitive areas such as listed buildings, conservation areas, historic parks and education and health institutions. The guidance also states that equipment should be positioned away from residential areas and high quality open spaces. In terms of more detailed guidance it promotes mast sharing, site sharing and the use of existing buildings, structures and pylons. The detailed guidance regarding appearance explains that masts and equipment located in the street will be discouraged.

SITING

- 6.4 It is considered that whilst much of the area to the west of the A38 Bristol road is residential in character the proposed siting would not be a sensitive area. This is because the proposed location would be on the edge of a six lane carriageway that provides a strategic route into the City Centre.
- 6.5 The existing pavement widens from approximately 2.5m to 8m, and due to this wide expanse of pavement coupled with a significant grass verge the existing nearest residential properties at Ellis Mews would be seen quite separately from the proposed equipment, particularly as it would be sited at a lower level.
- 6.6 The SPD advises that opportunities should be taken to use existing screening or back drop to buildings to reduce the impact of the proposal. In this case although

lower in height there is a group of trees and 12m high lamp columns to provide a back drop. Furthermore when looking northwards with the flow of traffic toward the City Centre there is the back drop of the Ibis Hotel plus the Beetham Tower and Centre City office block further afield. It is therefore considered that the proposed siting would be acceptable.

- 6.7 The proposed equipment would need to be visited once every six months for the purpose of maintenance. It is considered that access could be achieved via one of the nearby streets without detriment to highway safety.

APPEARANCE

- 6.8 Whilst the SPD discourages masts and equipment located in the street the submitted Design and Access Statement indicates that nine alternative sites were investigated when searching for a replacement location for Monaco House, and eight of these were on buildings. However the owners of the buildings either did not respond to the applicants, confirmed that they were unwilling to allow the placement of equipment on their building or the site would not provide the required coverage.
- 6.9 The SPD goes on to advise that where street based masts are the only option, they should be similar in character and appearance with existing street furniture and of a slim-line design, such as a 'streetworks' monopole. They should not be prominent in the street scene or add to clutter, and should appear as an unobtrusive addition. It is considered that the proposed green monopole and associated cabinets would accord with this guidance.

7. Conclusion

- 7.1 It is considered that the proposed development would meet the requirements of national and local policy whilst having regard to the technical and operational factors and providing the necessary level of coverage to this part of the City Centre.

8. Recommendation

- 8.1. Prior approval required and to approve with conditions

1	Requires the scheme to be in accordance with the listed approved plans
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Case Officer: Julia Summerfield

Photo(s)

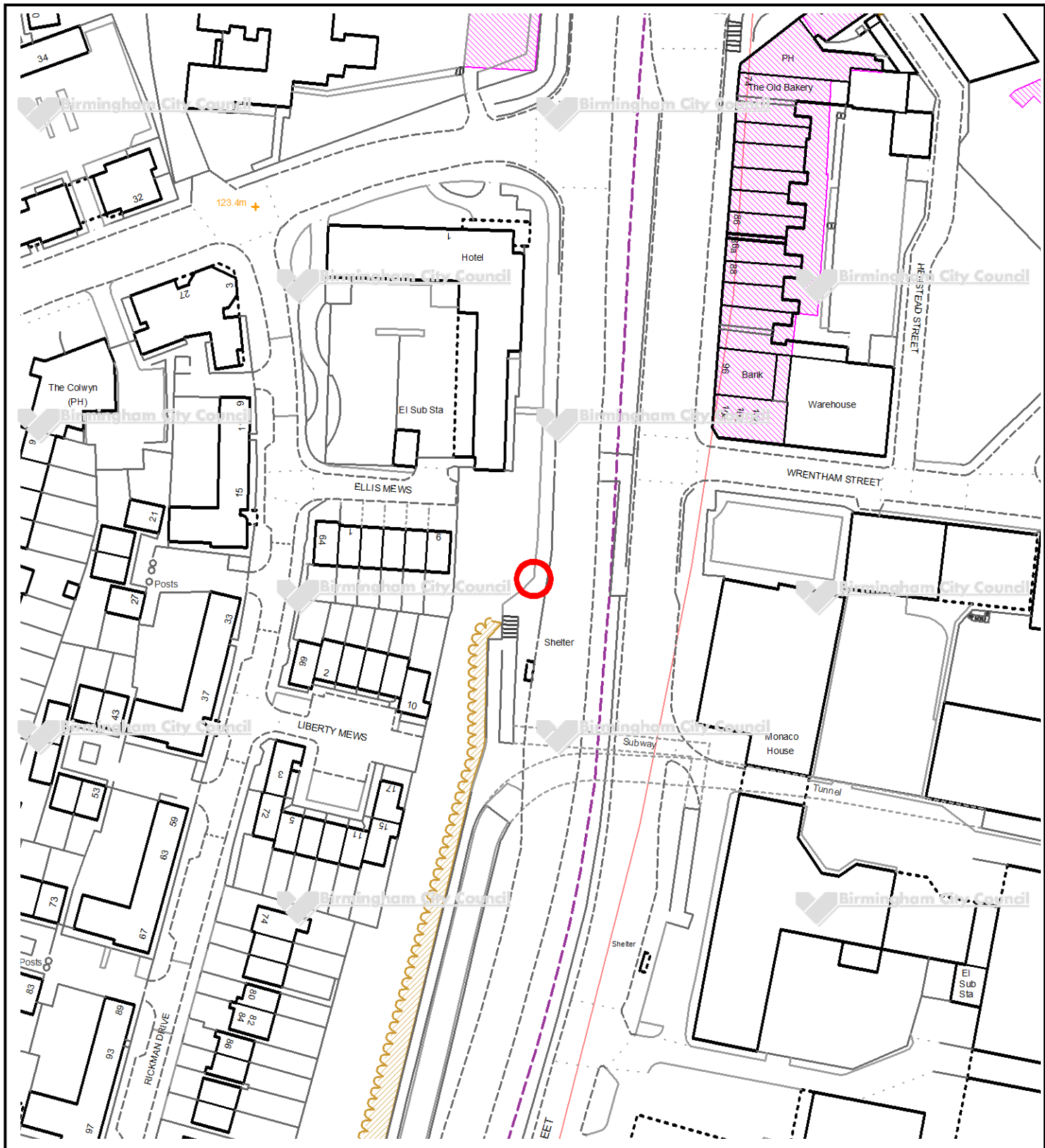


Looking northwards



Looking southwards

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/03938/PA
Accepted:	04/05/2017	Application Type:	Advertisement
Target Date:	29/06/2017		
Ward:	Ladywood		

156-182 Bristol Street, City Centre, Birmingham, B5 7AZ

Display of no. 1 internally illuminated hoarding sign

Applicant: Signature Outdoor Ltd
1st Floor, 2 Snow Hill, Snow Hill Queensway, Birmingham, B4 6GA
Agent:

Recommendation
Approve Temporary

1. Proposal

1.1. [Link to Documents](#)

1.2. Advertisement consent is sought for the proposed display of an internally illuminated hoarding sign to be located on the central reservation of Bristol Street opposite No.156-182 (Bristol Street Motors).

1.3. The main advertising hoarding sign would have a height of 7.5m, a width of 5m and a depth of 0.5m. The hoarding sign would be positioned at 2.5m above ground level and would be attached to a steel structure which would be constructed in a V shape with a hollow triangular cut out section giving the structure an open appearance. The sign would be internally illuminated with a luminance level of 300 cd/m. The display of the signage would be facing towards traffic along Bristol Street which would be approaching the City Centre.

2. Site & Surroundings

2.1. [Site Location](#)

2.2. The proposed location of the structure would be on the central reservation of Bristol Street. Bristol Street Motors is located to the east of the application site and a residential development to the western side. The area adjacent to the proposed location is currently occupied by several flagpoles. A mature street tree is positioned immediately to the north of the proposed site of the hoarding sign.

3. Planning History

3.1. None.

4. Consultation/PP Responses

- 4.1. Transportation Development – no objections subject to conditions controlling the digital display details.

5. Policy Context

- 5.1. Birmingham Development Plan (BDP) 2017; Birmingham Unitary Development Plan 2005 (Saved Policies); National Planning Policy Framework (2012).

6. Planning Considerations

- 6.1. This application has been assessed against the objectives of the policies as set out above.

- 6.2. The Town and Country Planning (Control of Advertisements) Regulations (2007) restricts Local Planning Authorities so that only the impact upon amenity and public safety can be taken into consideration as part of the assessment when determining applications for consent to display advertisements.

Amenity

- 6.3. Paragraph 67 of the NPPF states that ‘poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment’.
- 6.4. The proposed hoarding sign would be read within the street scene of Bristol Street which is a wide, multi lane highway. To the eastern side of the proposed advert location is Bristol Street Motors and Monaco House. A residential development is located to the west approximately 60m away from the position of the proposed hoarding sign and set up at a higher ground level. The proposed structure would be positioned in front of a mature street tree which would help to soften the impact of the sign. Grassed sections of the central reservation would be maintained between the signage and the vehicular highway. The proposed signage would not form a dominant structure within the street scene and would sit comfortably within the visual landscape of Bristol Street. It would be seen in the context of larger buildings on the approach into the City Centre. There are no heritage assets in close proximity.
- 6.5. I consider that the proposed hoarding sign is acceptable in terms of its scale within this particular location. The proposed signage would not constitute visual clutter or have a harmful impact upon the visual quality of the wider street scene.

Public Safety

- 6.6. I do not consider that proposed development would have a harmful impact upon highway safety. Transportation have raised no objections to the principle of the proposed development subject to suitable conditions being attached controlling the display of the illuminated advert.

7. Conclusion

- 7.1. This application is recommended for approval. The proposed advert would not result in harm to amenity or public safety. The proposal therefore complies with the policies contained within the Birmingham Development Plan and the NPPF.

8. Recommendation

- 8.1. Temporary Approval is granted subject to the following conditions:

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Limits the use of advert |
| 3 | Limits length of the display of advert |
| 4 | Limits the control of the intensity of the illumination |
| 5 | Limits the approval to 5 years (advert) |
-

Case Officer: George Baker

Photo(s)

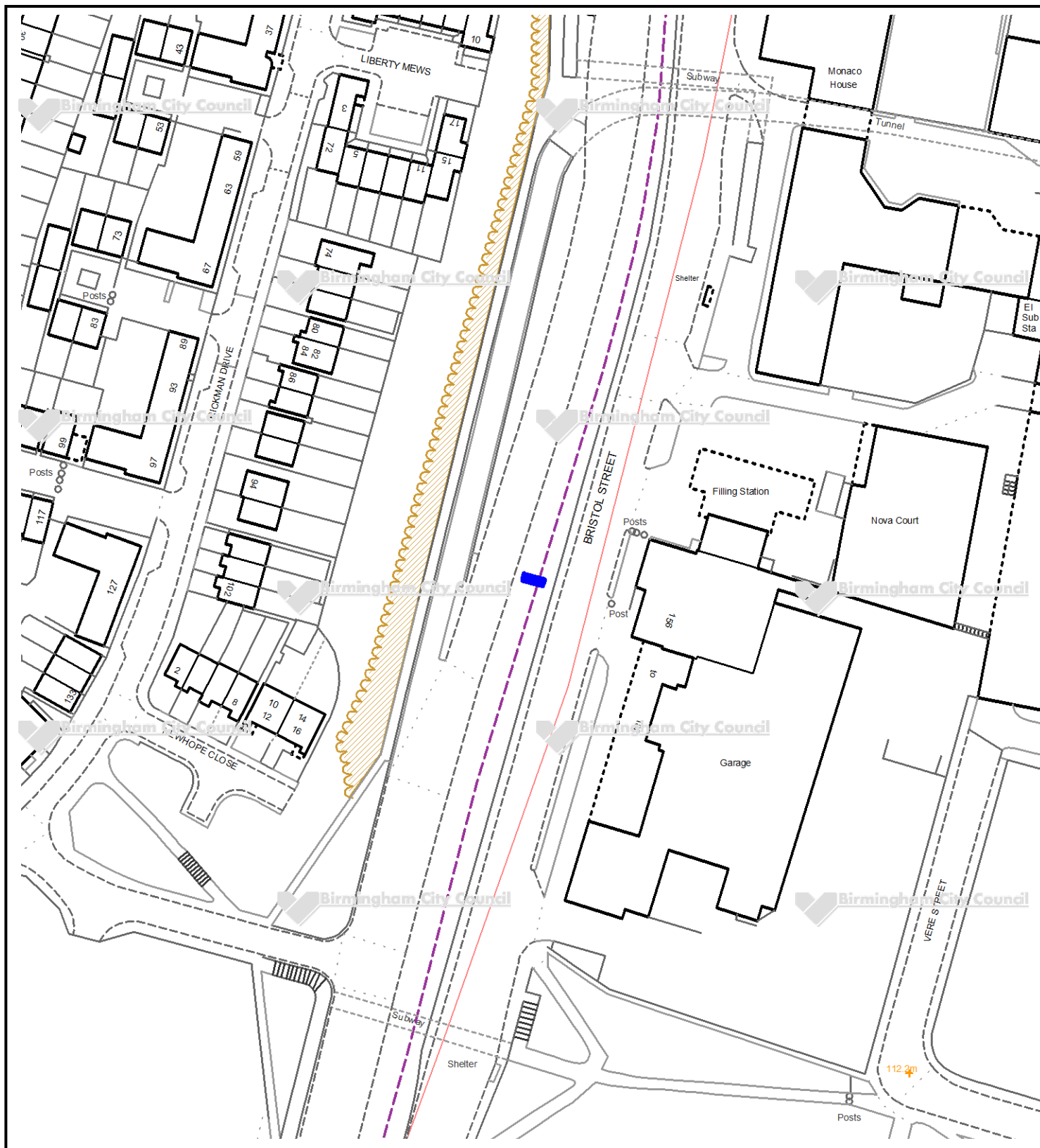


Fig 1 – Proposed location of the hoarding sign.



Fig 2 – Proposed location of the signage when viewed towards No.156-182 Bristol Street.

Location Plan



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Birmingham City Council

Planning Committee

03 August 2017

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	16	2017/03975/PA King Solomon International Business School Waterlinks House Lord Street & Richard Street car park Nechells Birmingham B7 4AA Erection of proposed Sports Hall, demolition of existing building at corner of Adams Street/Lord Street and change of use of land to incorporate into the curtilage of school at Waterlinks House, installation of new games area and car parking on land at Richard Street and other associated works.
Approve – Conditions	17	2017/05211/PA Land at Dovedale Road Perry Common Birmingham B23 5BP Variation of condition 7 (Levels) associated with planning approval 2015/05231/PA and installation of electrical sub-station adjacent to proposed apartment plots 6-14 of site 5Dii.
Approve – Conditions	18	2017/04783/PA 5 Midpoint Park Midpoint Boulevard Kingsbury Road Minworth Sutton Coldfield Birmingham B76 1RN Change of use from Use Class B8 (Storage and Distribution) to allow Use Class B8 (Storage and Distribution) and B1(c) (Light Industry)

Approve – Temporary 12 months	19	2017/05277/PA New Bingley Hall Overflow Car Park The Crescent Hockley Birmingham B18 5LU Retention of existing temporary lattice tower together with 6no. antennas, 1no. dish, 1no. equipment cabin, 1no. generator and associated fencing
Approve – Conditions	20	2017/04051/PA 55 George Frederick Road Sutton Coldfield Birmingham B73 6TB Erection of two side extension and single storey rear extension (having been part built already)

Committee Date:	03/08/2017	Application Number:	2017/03975/PA
Accepted:	12/06/2017	Application Type:	Full Planning
Target Date:	11/09/2017		
Ward:	Nechells		

King Solomon International Business School, Waterlinks House, Lord Street & Richard Street car park, Nechells, Birmingham, B7 4AA

Erection of proposed Sports Hall, demolition of existing building at corner of Adams Street/Lord Street and change of use of land to incorporate into the curtilage of school at Waterlinks House, installation of new games area and car parking on land at Richard Street and other associated works.

Applicant:	Excell3 Independant School 6 Beacon Court, Birmingham Road, Great Barr, Birmingham, B43 6NN
Agent:	Associated Architects LLP 1 Severn Street Place, The Mailbox, Birmingham, B1 1SE

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This application seeks full planning consent for the provision of the following sports and recreation facilities at King Solomon Business School :
 - A new sports hall providing 726 square metres of floorspace to be sited within the existing car parking area on the main site at Waterlinks House
 - A new multi-use games area with associated fencing on the school's Richard Street site located to the north of Waterlinks House.
- 1.2. King Solomon Business School is a new free school providing education through from age 4-19. When fully occupied the school will provide for 1240 pupils from reception to sixth form students. The school was initially established via the prior approval process, and has subsequently obtained consent for works to re-clad the building, and for temporary mobile classrooms on the Richard Street site. In due course, once the refurbishment works to Waterlinks House are complete, the mobile classrooms will be removed with car parking provision for staff being provided at Richard Street, along with the proposed MUGA.
- 1.3. The proposed sports hall would provide 3 badminton courts (and will also provide for volleyball, dodgeball, 5 a side football, fitness and trampolining), together with pupil changing facilities and showers, and associated stores. The building would measure 37 metres x 21 metres x 9.5 metres to the eaves and 10.6 metres to the ridge of the roof.

- 1.4. To facilitate the development of the sports hall, 10 trees within the car park are proposed to be removed, with the removal of two further trees close to the boundary with Adam Street. Replacement tree planting is proposed along the Adam Street boundary. An existing line of trees along the Dartmouth Middleway frontage are proposed to be retained.
- 1.5. The submitted plan also shows the areas to be used for tarmaced play spaces, with three separate spaces for reception, primary, and secondary school pupils. The plans also show the provision of disabled car parking, refuse storage, mini bus parking enclosure, and a future science garden in the area of land currently occupied by Lodge Tyres building at the corner of Adam Street and Lord Street which is proposed to be demolished and the land incorporated into the school curtilage.
- 1.6. The works to create the new MUGA on the Richard Street site comprises an overall area of 37.5m x 21.35m (containing courts for basketball, netball and tennis) to be enclosed by a 2.4 metre high metal chain link fence. In order to provide a level playing surface, some engineering works are proposed, with the north-western part of the site cut into the ground by up to 1 metre with a 1:2 grade from the edge of the MUGA to the site boundary. In the easternmost corner of the MUGA the ground level would be raised by approximately 0.5 metres with a 1:2 grade back to existing levels of the remaining car park.
- 1.7. The remainder of the site would be laid out to provide 98 car parking spaces. The arrangement of the car park provides a route of circulation with a drop-off bay and pick up bay adjacent to the internal access.
- 1.8. The applicant advises that whilst the potential is there for community use, currently the school do not have it within their management strategy, brief or operational strategy so we did not pursue this at this time.
- 1.9. The application is accompanied by Design and Access Statement, Drainage Statement, boundary survey, arboricultural survey, preliminary ecological appraisal, and a preliminary bat roost assessment.
- 1.10. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The Waterlinks House site is situated in an edge of centre location alongside Dartmouth Middleway on the east side of the City Centre. The land comprises a seven storey former office building and associated car parking that is currently undergoing refurbishment works to convert the building into a school. The site is bounded by Dartmouth Middleway to the west, Richard Street to the north, Adams Street to the east and Lord Street to the south.
- 2.2. The surrounding area is predominantly industrial in nature, with industrial premises to the south and east. There is a Premier Inn hotel to the north. Aston University campus is located on the opposite side of Dartmouth Middleway to the west.
- 2.3. The Waterlinks House site is subject to Tree Preservation Order 1359. This relates to a group of trees along the Dartmouth Middleway boundary (comprising 7 London

planes and 2 maples), and three individual london planes. There are other trees within the car park that are not within the TPO.

2.4. The combined site area is 1.3 hectares.

2.5. [site location and street view](#)

3. Planning History

Waterlinks House

3.1. 20/08/2015 – 2015/03996/PA – Prior approval of proposed change of use to state-funded school – approved subject to conditions.

3.2. 02/06/2016 – 2016/03067/PA – Partial replacement of facades to Waterlinks House – Approved.

3.3. 12/05/2017 - 2017/02350/PA – Non material amendment to approval 2016/03067/PA for alterations to approved design and school plans – Approved.

Richards Street car park

3.4. 23/11/2015 – 2015/07936/PA – Installation of single storey modular building with access ramps and associated car parking for a twelve month period from January 2016 – Approved.

3.5. 04/05/2016 – 2016/01691/PA – Installation of two storey modular buildings with access ramps and associated car parking for a temporary period until December 2017 – Approved.

4. Consultation/PP Responses

4.1. Site notices erected. MP, Ward members, residents associations and neighbouring occupiers notified. No representations received.

4.2. Transportation Development – No objections subject to amendments and conditions. Advises that amendments are recommended to ensure the proposed gates on Richard Street are set back at least 5.5 metres into the site from the back edge of footpath to allow a vehicle to wait off the highway whilst waiting for the gates to open, amendments to ensure sufficient manoeuvring space for disabled spaces off Adams Street, and for the proposed gates at the corner of Richard Street/Adams Street to open inside the site and not overhanging the public highway. Recommends conditions to secure necessary highway works, including construction/alterations to footway crossings, new pedestrian crossing on Dartmouth Middleway with associated pedestrian guard railings, provision of new pedestrian crossing on Richard Street including any associated pedestrian guard railings, other typical highway safety measures associated with schools including amendments to TRO's on surrounding highways, yellow box carriageway marking at the junction of Adams Street/Great Lister Street and any work relating to street furniture/statutory undertakers apparatus, car parking management plan, tracking analysis for service vehicles, secure cycle storage, travel plan, further details of boundary treatments including details to the northern side of Waterlinks House boundary on Richard Street and gates at vehicular access off Adams Street.

- 4.3. Regulatory Services – Comments awaited.
- 4.4. Canal and Rivers Trust – makes detailed comments and recommends conditions relating to structural integrity of the adjoining canal, details of any external lighting, and boundary treatment.
- 4.5. Sport England – Advises that they do not wish to make any detailed comments as the application does not fall within their statutory remit or non-statutory remit. Makes general comments that if the proposal involves provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved sports strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant national governing body design guidance notes. In line with the Government's NPPF and PPG consideration should also be given to how any development will provide opportunities for people to lead healthy lifestyles and create healthy communities.
- 4.6. West Midlands Police – No objections. Recommends provision of CCTV and lighting.
- 4.7. Lead Local Flood Authority – Recommends conditions relating to SUD's drainage and operation and maintenance plan.
- 4.8. Severn Trent Water – No objections. Recommends drainage conditions.

5. Policy Context

- 5.1. Adopted BDP, UDP (saved policies), Car parking guidelines SPD, NPPF.

6. Planning Considerations

- 6.1. Policy
- 6.2. Policy PG3 of the BDP relates to place making. This sets out that all new development will be expected to demonstrate high design quality, contributing to a strong sense of place.
- 6.3. Policy TP11 relates to sports facilities. This states that the provision and availability of facilities for people to take part in formal and informal activity, that contributes to healthier lifestyles and can provide a 'stepping stone' into more formal sport will be supported and promoted. Facilities within the City's educational establishments that can be used by the community provide a useful contribution towards the recreational and leisure requirements of the City and this will be encouraged.
- 6.4. Policy TP36 deals with education. This explains that as the City's population grows there will also be a need for additional primary, secondary and special needs school and college provision. Proposals for the upgrading and expansion of existing schools and development of new schools in locations where additional provision is required will be supported subject to certain criteria, including having safe access by cycle and walking as well as by car and incorporate a school travel plan, have safe drop-off and pick-up provision, provide outdoor facilities for sport and recreation and avoid conflict with adjoining uses.

- 6.5. Policy TP37 relates to health, setting out that the City Council is committed to reducing health inequalities, increasing life expectancy, and improving quality of life by helping to tackle obesity and encourage physical activity through the provision of open space and playing fields and sports facilities.
- 6.6. Paragraph 14 of the NPPF establishes the presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted.
- 6.7. Paragraphs 56-68 relate to requiring good design. Good design is a key aspect of sustainable development and is indivisible from good planning.
- 6.8. Paragraphs 69-78 address promoting healthy communities. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Paragraph 72 states that the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should give great weight to the need to create, expand or alter schools.
- 6.9. Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 6.10. Planning consent has been established through the prior approval process for the establishment of the school and for subsequent proposals to improve the building's facades. This application seeks consent for various essential associated facilities to include a new sports hall and an outdoor multi use games area for the schools curricular physical education activities, and will also provide playground space for the pupils in a safe environment.
- 6.11. The project will be delivered in three phases to enable the school to leave their temporary accommodation and move in to part of the newly refurbished accommodation in September 2017, before completion and handover of the remainder of the project by Easter 2018.
- 6.12. The siting of the sports hall within the existing car parking area has been subject to detailed pre-application discussions with officers, particularly with regard to the impact of the siting on TPO trees. Its design is intended to complement the main school by continuing the colour scheme of golds and greys in a random panelled configuration above a black brick at ground level. I consider that the design of the sports hall will appropriately complement the appearance of the refurbished Waterlinks House and will relate appropriately to its surroundings.
- 6.13. The sports hall has been sited towards the edge of the site with Dartmouth Middleway so that the building assists to provide enclosure to the adjacent playground space from the ring road edge. This will enhance the playground

environment by providing afternoon shade, a barrier to road noise and pollution and will also assist in maintaining the safety and security of pupils.

- 6.14. In respect of the impact on trees, the application proposes the removal of 12 trees comprising 10 x italian alder, 1 x london plane and 1 x silver birch. Only one of these are subject to the existing TPO (which is T3 on the TPO plan). These comprise 1 category B tree, with the other 11 trees being category C or U trees. The majority of these trees are located within the car park area in the centre of the site and are required to be taken out to accommodate the sports hall. The location of the sports hall has been set back from the line of trees along the Dartmouth Middleway boundary to ensure that these trees are appropriately retained. These retained TPO trees are important as they make a significant positive contribution to the ring road frontage and the wider street scene. Tree T2 is retained within the playground area. The applicant is proposing to provide 4 replacement trees on the Adam Street boundary. Taking into account the constrained space within this site, I consider that the proposed replacement tree planting proposals are acceptable, subject to agreeing details of species, and planting size by condition. My tree officer has no objections.
- 6.15. The applicant has also given consideration to the opportunities for bio-diversity enhancements, and is proposing the provision of bird boxes to be mounted on the sports hall, wildflower planting, log piles and bug hotels within the space between the building and the boundary to Dartmouth Middleway and within the proposed science garden at the corner of Adam Street and Lord Street.
- 6.16. My ecologist comments that in terms of the opportunities for bio-diversity enhancements, there is limited space available and so this is likely to focus on some raised planters for native planting the details of which can be agreed by condition. I concur with this view and have recommended a suitable condition. They also comment that they concur with the advice from the Canal and Rivers Trust regarding any lighting on the car park adjacent to the canal edge. I have recommended a condition to ensure that these details are acceptable.
- 6.17. In respect of Transportation issues, as part of the prior approval consent a package of highway measures to include a new pedestrian crossing across Dartmouth Middleway in the vicinity of the site including associated pedestrian safety guard railings, yellow box carriageway marking at the junction of Adams Street/Great Lister Street and provision/alteration/removal of vehicular accesses onto Adams Street and associated works were secured by condition.
- 6.18. For the prior approval application, a plan was submitted identifying approximately 90 car parking spaces within the existing car parking area for drop-off-pick up with a further 102 spaces for staff parking. Condition 2 requires the implementation of this parking scheme or any revised details as may be agreed in writing, reflecting that the proposals were still being developed and that the parking arrangements may need to change.
- 6.19. In the current proposals, the car parking will be re-sited to Richard Street where 98 car parking spaces are proposed. The submitted Transport Assessment sets out that the total number of students will be 1260, with 105 staff when the school reaches full capacity. The Council's car parking guidelines specify a maximum provision of 1 space per 2 staff, therefore the specified maximum parking provision would be 53 spaces, with some parking in addition to this for those 6th form students who might come by car. There will therefore be sufficient capacity to also provide space for parental pick-up and drop-off subject to appropriate management of car

parking. To ensure that adequate car parking is made available for staff, I have recommended a condition to require that the sports hall and playground shall not be implemented prior to the provision of the proposed car parking at Richard Street.

- 6.20. Transportation also recommend conditions including section 278 works. I concur that any necessary works to footway crossings and street furniture/statutory undertakers equipment as a result of the development should be secured by condition. I have also recommended to secure appropriate pedestrian crossing facilities on Richard Street. The proposed pedestrian crossing on Dartmouth Middleway is already required by condition for the change of use to form a new school granted under the prior approval consent, so it is not necessary to repeat that here. I also concur with the recommended conditions regarding car parking management, cycle storage, travel plan and boundary treatment works.

7. Conclusion

- 7.1. The proposed development accords with the relevant policies in the BDP and the NPPF that give support to the provision and enhancement of school facilities and the development of sports facilities. The proposed impact of the development in respect of loss of trees is acceptable and there will be biodiversity enhancements in the form of new landscaping, replacement tree planting and other features. The proposals make appropriate alternative provision for car parking for the school. I have therefore recommended approval subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

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 sustainable drainage scheme
4	Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
5	Arboricultural Method Statement - Submission Required
6	Requires the prior submission of sample materials
7	Requires the prior submission of hard and/or soft landscape details
8	Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
9	Requires the prior submission of a lighting scheme
10	Requires the prior submission of boundary treatment details
11	Requires the prior submission and completion of works for the S278/TRO Agreement

-
- 12 Requires the implementation of the proposed car parking at Richard Street prior to implementing the proposed sports hall.
 - 13 Requires the prior submission of a parking management strategy
 - 14 Requires the prior submission of cycle storage details
 - 15 Requires the submission of a school travel plan.
 - 16 Requires the scheme to be in accordance with the listed approved plans
 - 17 Implement within 3 years (Full)
-

Case Officer: Stuart Morgans

Photo(s)

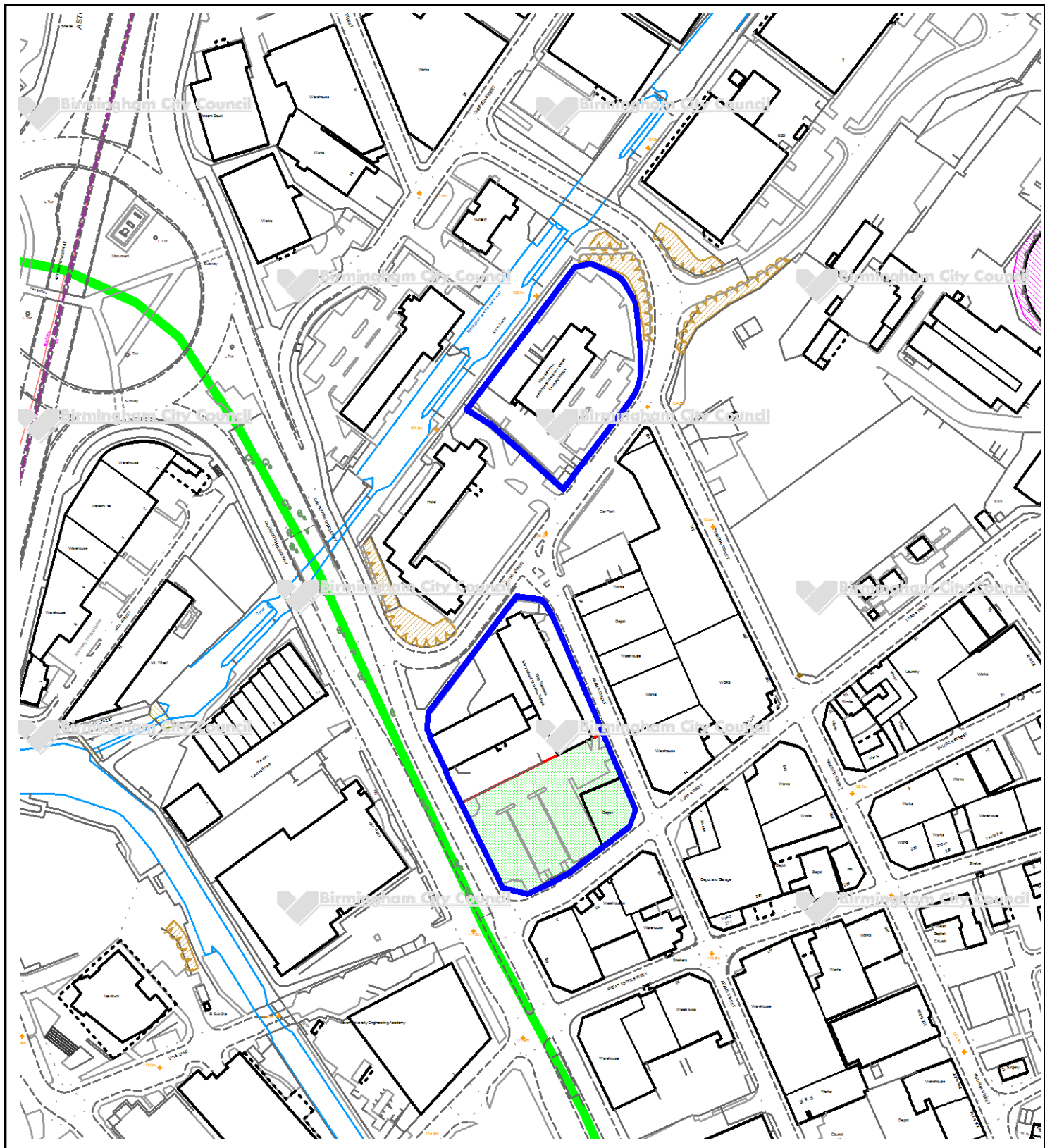


Figure 1 : Waterlinks House view from Lord Street



Figure 2 – Richard Street car park

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/05211/PA
Accepted:	12/06/2017	Application Type:	Variation of Condition
Target Date:	11/09/2017		
Ward:	Kingstanding		

Land at Dovedale Road, Perry Common, Birmingham, B23 5BP,

Variation of condition 7 (Levels) associated with planning approval 2015/05231/PA and installation of electrical sub-station adjacent to proposed apartment plots 6-14 of site 5Dii.

Applicant:	Birmingham City Council Economy Directorate, PO Box 16572, Birmingham, B2 2GI
Agent:	Lovell Partnerships Unit E, Pinewood, Bell Heath Way, Birmingham, B32 3BZ

Recommendation

Approve Subject To Conditions

1. Proposal
 - 1.1. Planning consent was granted under reference 2015/05231/PA for this BMHT housing scheme, providing 146 new dwellings, for social rent and outright sale with associated highways, parking and landscaping works on 1st October 2015. Development works are progressing on site.
 - 1.2. Having commenced implementation of the development on behalf of the Council, the contractor, Lovell Partnerships, have established that certain adjustments to the scheme are necessary, including some minor changes to the internal layouts of the house types, some minor layout changes to footpaths and driveways layouts, with associated changes to the position of front boundary treatments and front garden landscaping. These changes are being addressed through a non-material amendment application.
 - 1.3. In addition, the applicant has advised that there are some changes to the approved slab levels of some of the houses. The main reason for the revised levels is to address building regulations requirements to achieve Part M access from the footpath, together with the need to raise certain levels so that they were above the adjacent road level to prevent water ingress into the plots.
 - 1.4. Of the 146 plots in total, 74 plots would be raised slightly, 53 plots are unchanged, and there are 19 plots where the finished slab levels are being implemented slightly lower than previously approved. The most significant difference is a variation of 0.25 metres. As such, for these 19 plots the amended slab levels would not accord with the requirements of condition 7, and so this application has been submitted to vary the approved levels with updated levels plans and drainage information being proposed.

- 1.5. The application also includes the installation of an electrical sub-station to serve the proposed development, which is to be sited adjacent to a block of apartments on site 5Dii close to the boundary with the recreation ground to the east. The sub-station is proposed to be augmented with landscaping to ensure that this has an appropriate visual appearance when viewed from within the development and from the recreation ground.

- 1.6. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site comprises former residential land and parts of Perry Common Recreation Ground that are currently being developed to provide the final phase of BMHT housing at Perry Common. The recreation ground is a large open area of mainly mown grass and is generally flat with a gentle rise in level towards Dovedale Road, with a pedestrian access and cycle path through it from the north to south. The recreation ground includes Hawthorn Brook along the eastern boundary.
- 2.2. The surrounding area is mainly residential in character, with the Dove Primary Care centre situated to the west of the site on Dovedale Road and St Margaret Mary RC Primary School to the south on Perry Common Road. The site adjoins some existing dwellings on Dovedale Road and Witton Lodge Road at the northern and southern ends.
- 2.3. [site location and street view](#)

3. Planning History

- 3.1. 01/10/2015 – 2015/05231/PA – Erection of 146 2-4 bedroom houses for social rent and outright sale, with associated highways, parking and landscaping works – Approved subject to conditions.
- 3.2. 29/10/2015 - 2015/06575/PA – Enhancement of existing public open space including formation of drainage swales, cut and fill works, new cycle routes and footpath layout, new boundary treatment, furniture and entrance thresholds, habitat creation including tree planting, shrubs, thicket, wetland and meadow formation, car parking and arrival facilities and associated works – approved subject to conditions.
- 3.3. 2017/00693/PA – Non-material amendment to planning approval 2015/05231/PA for alterations to house types and site plans – to be determined.

4. Consultation/PP Responses

- 4.1. Site and Press Notices displayed. MP, ward members, residents associations and neighbouring residents notified. 3 representations received commenting as follows : it is not clear what is being proposed, parking and traffic problems are being made worse during construction, the closure of the park whilst building work is taking place means that children are playing in the street, with ball games damaging property and cars.

- 4.2. Lead Local Flood Authority – No objections. The LLFA note that the exceedance flood areas, as indicated in this plan, are contained within the highway. As such, from these drawings the LLFA understand that the potential flooding, in the 1 in 100yr plus climate change event, is contained wholly within the highway and does not present a significant risk to the adjacent properties. Furthermore, it is understood that the properties in close proximity to the flooded areas are elevated above the highway and adjacent footpaths by a minimum of 150mm, as far as reasonably practicable.
- 4.3. Environment Agency – We are happy to vary the condition as the modelling report shows the post development levels are lower than previous, but the finished floor levels will still be 600mm above these levels. Advising that the revised condition should ensure that the development is carried out in accordance with the submitted Flood Risk Assessment and sustainable drainage report hydraulic modelling report, with finished floor levels set at least 600mm above the modelled post development peak 1 in 100 year plus climate change flood levels and a minimum of 150mm above average surrounding ground level.
- 4.4. Regulatory Services – No comments.
- 4.5. Transportation Development – No comments.
5. Policy Context
- 5.1. Adopted BDP, UDP (saved policies), Perry Common Estate design brief and zoning layout SPG (1994), Places for Living SPD, Car parking guidelines SPD, NPPF.
6. Planning Considerations
- 6.1. Planning consent has been granted for the development of the site as part of the BNHT regeneration scheme for Perry Common. This current application relates solely to some changes to proposed slab levels of certain plots and to the installation of an electrical sub-station to serve the development. In relation to these changes the following policies are relevant.
- 6.2. Policy PG3 of the BDP requires that all new development will be expected to demonstrate high design quality, contributing to a strong sense of place. New development should reinforce local distinctiveness, with design that responds to site conditions and the local area context. They should ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed in the long term.
- 6.3. Policy TP6 deals with management of flood risk and water resources. This sets out that as part of their flood risk assessment (FRA) and sustainable drainage assessment developers should demonstrate that the disposal of surface water from the site will not exacerbate existing flooding and that exceedance flows will be managed. For all developments where a site-specific FRA and/or sustainable drainage assessment is required, surface water discharge rates shall be limited to the equivalent site-specific greenfield runoff rate for all return periods up to the 1 in 100 year plus climate change event, unless it can be demonstrated that the cost of achieving this would make the proposed development unviable.

- 6.4. To minimise flood risk, improve water quality and enhance bio-diversity and amenity all development proposals will be required to manage surface water through sustainable drainage systems.
- 6.5. The policy also explains that rivers and streams are liable to natural flooding and will be managed in ways which will ensure that this can take place in locations which will not place built development or sensitive uses at risk.
- 6.6. Paragraph 14 of the NPPF establishes that at the heart of the framework is a presumption on favour of sustainable development. For decision-making this means approving proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.
- 6.7. Paragraphs 56-68 relate to requiring good design. Good design is a key aspect of sustainable development and is indivisible from good planning.
- 6.8. On matters relating to climate change including flood risk, the Framework advises in paragraph 99 that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure. The Framework advocates a sequential approach to flood risk. Where it is not possible to locate developments in areas with a lower probability of flooding, a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall. Development should be appropriately flood resilient and resistant, including safe access and escape routes, and that any residual risk can be safely managed.
- 6.9. When considering the approved scheme, I advised that in respect of the assessment of the risk to the development from fluvial flooding, part of site 5Dii is within flood zone 2, with the majority of the site being within flood zone 1. The scheme has been carefully designed to set the proposed levels of the units so that they are not at risk of flooding. The proposed landscaping within the recreation ground has been modelled with the aim to reduce flood risk in the immediate area as well as reducing flooding further upstream of the development. The landscaping features include SUDS to serve the development, and developing a two-stage channel at a number of locations adjacent to the Hawthorn Brook, creating a wet meadow. This will increase the channel capacity during flood events. Two dilapidated weirs will be modified or removed to improve ecology, hydrogeomorphology and to reduce upstream flood risk.
- 6.10. The approved flood risk assessment advises that in order to mitigate the risk of fluvial flooding, the minimum finished floor level is proposed to be set at least 600mm above the modelled 1 in 100-year plus climate change flood levels, as recommended by the Environment Agency. This 600mm freeboard safety margin allows for model inaccuracies, future changes to the watercourse, wave action of flood waters or settlement of structures following construction. Implementation in accordance with the approved FRA in respect of this 600mm safety margin is required by condition 7.

- 6.11. The amendments to the slab levels, including the 19 plots where the levels are lower than as approved would still comply with the Environment Agency's advice that finished floor levels should be set a minimum of 600mm above the post development peak 100 year plus climate change event, and as such there would be no increased risk of the development being affected from fluvial flooding when compared to the scheme previously approved.
- 6.12. To mitigate against surface water and ground water flood risk, the flood risk assessment sets out that finished floor levels be raised at least 150mm above surrounding ground levels in order to prevent the ingress of overland flows. All floors should be made of solid construction materials or sealed beneath suspended floors to prevent the ingress of groundwater.
- 6.13. The submitted information explains that the revised finished floor levels will still achieve at least 150mm above surrounding ground levels, and in particular carriageway levels to prevent flooding from flowing or ponding storm water near doorways and other ingress routes such as vents and air bricks.
- 6.14. I note that the Environment Agency and the Lead Local Flood Authority have no objections and my recommendation includes a condition setting the finished floor levels in accordance with these agreed details.
- 6.15. Given the above, I consider that the proposal will therefore accord with the relevant policies in the BDP and the NPPF regarding flood risk.
- 6.16. In respect of the proposed sub-station, this is proposed to be located at the northern end of the site adjacent to the proposed apartments on plots 6-14 of site 5Dii, and would be situated close to the boundary of the recreation ground. This is the only suitable location that would meet the requirements for access for maintenance for the statutory undertaker Western Power, and has been agreed as a suitable location with them. I had initially raised concerns about the proposed siting due to its prominent corner position in the street scene and in particular the open views across the recreation ground which I felt could be adversely affected. Improvements have been made to mitigate its visual impact through a detailed landscaping scheme, within the site and within the recreation ground to ensure that the visual impact is acceptable.
- 6.17. Several of the planning conditions that were imposed on the original consent requiring further details have now been met, and so it is not necessary to re-impose these conditions requiring submission of these details again. I have recommended a condition to secure implementation in accordance with the approved details. Other conditions that remain outstanding and relevant to this application have been re-imposed.

7. Conclusion

- 7.1. The proposed amendments to the slab levels are acceptable as they will continue to meet the requirements of the Environment Agency and Lead Local Flood Authority in respect of flood risk from both fluvial flooding and surface water run-off. The sub-station is also acceptable. I therefore recommend approval subject to conditions with suitable amendments to the wording of the levels condition, re-imposing those other conditions consistent with the original approval.

8. Recommendation

8.1. Approve subject to conditions.

-
- 1 Grants a personal permission to Birmingham City Council
 - 2 Requires the provision of affordable dwellings
 - 3 Requires the submission of unexpected contamination details if found
 - 4 Requires the details of the proposed SUD's works to Perry Common Recreation Ground to be approved and implemented prior to first occupation.
 - 5 Sets the level of the finished floor levels
 - 6 Requires the prior submission of a lighting scheme
 - 7 Requires the prior submission and completion of works for the S278/TRO Agreement
 - 8 Requires the prior submission of cycle storage details
 - 9 Requires pedestrian visibility splays to be provided
 - 10 Requires the prior submission of details of water supplies for firefighting
 - 11 Requires the prior submission of a residential travel plan
 - 12 Requires the development to be implemented in accordance with the approved details submitted under application 2017/00695/PA for approval of conditions 3 (archaeological work), 5 (drainage), 8 (removal of invasive weeds), 10 (construction ecological mitigation plan), 11 (bird and bat boxes), 12 (materials), 13 (landscaping), 14 (hard surfacing), 15 (retaining structures), 16 (window reveals), 17 (balcony details), 20 (cycle storage).
 - 13 Requires the scheme to be in accordance with the listed approved plans
 - 14 Requires the scheme to be in accordance with the listed approved plans
 - 15 Requires the scheme to be in accordance with the listed approved plans
 - 16 Implement within 3 years of original consent 2015/05231/PA (Full)
-

Case Officer: Stuart Morgans

Photo(s)

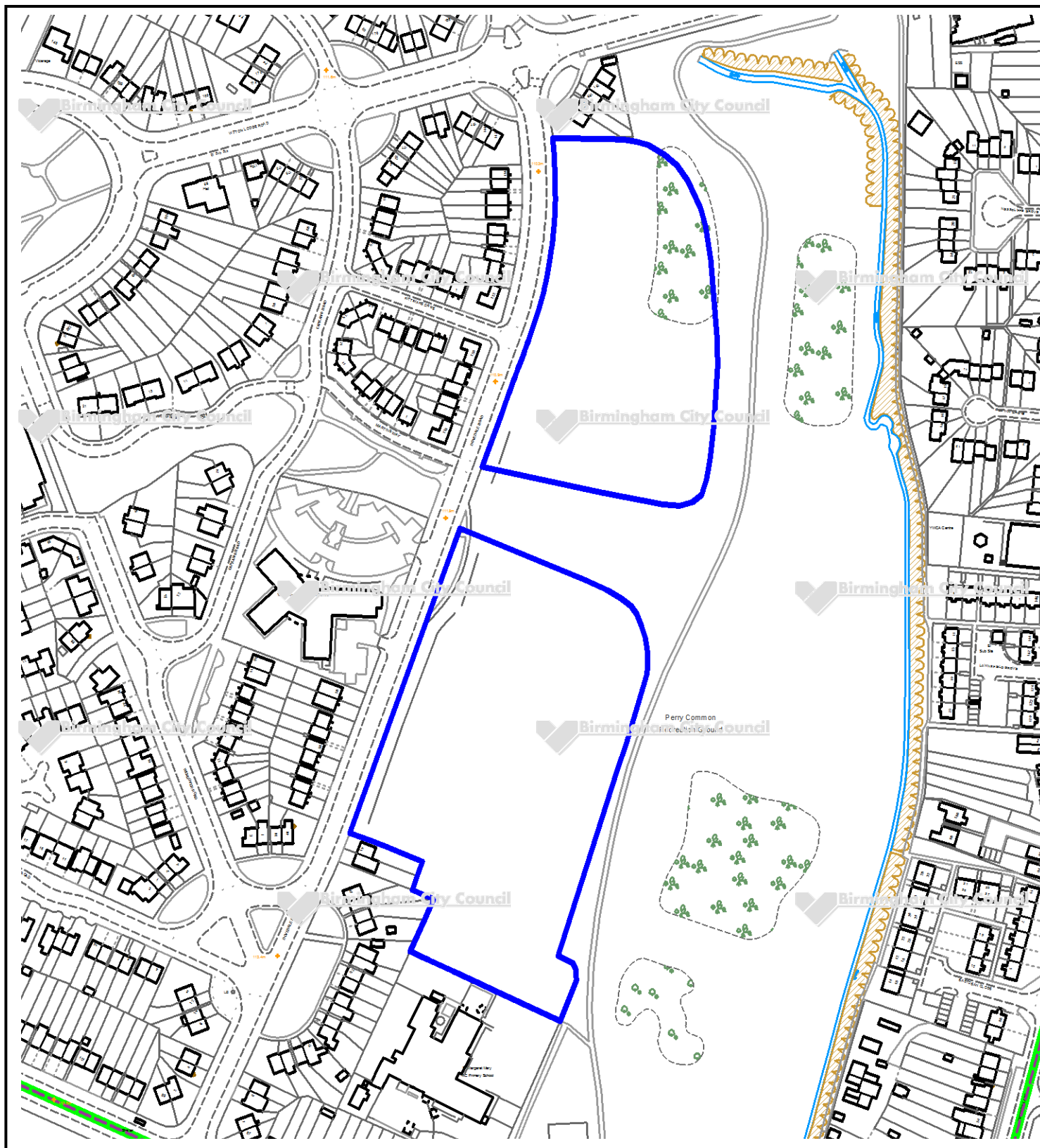


Figure 1 – View from Dovedale Road



Figure 2 : View across the site

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/04783/PA
Accepted:	08/06/2017	Application Type:	Full Planning
Target Date:	07/09/2017		
Ward:	Sutton New Hall		

5 Midpoint Park, Midpoint Boulevard, Kingsbury Road, Minworth, Sutton Coldfield, Birmingham, B76 1RN

Change of use from Use Class B8 (Storage and Distribution) to allow Use Class B8 (Storage and Distribution) and B1(c) (Light Industry)

Applicant: All Metal Services Ltd
c/o Agent
Agent: CBRE
55 Temple Row, Birmingham, B2 5LS

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Proposal is for the change of use from Use Class B8 (storage and distribution) to a mixed use of Class B8 (storage and distribution) and B1(C) (Light Industry). The B1 (C) element is required to allow the prospective occupier (All Metal Services) to operate from the premises.
- 1.2. The applicants have stated that approximately 1,120sq.m of the total of 8,855sq.m would be used for the cutting of aluminium sheeting with the remaining space within the unit being used for storage.
- 1.3. The use would operate 24 hours a day on a shift basis weekdays although weekend working would generally be between 0600 and 1400 hours.
- 1.4. The site currently benefits from 142 car parking spaces and a service yard.
- 1.5. The proposal would generate in the region of 100 full-time jobs.
- 1.6. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises 5 Midpoint Park (8,555sq.m), a modern warehouse unit with ancillary offices located near to the entrance of Midpoint Park.
- 2.2. To the south-west of the site is a railway line and raised embankment with dense hedging and trees with residential properties beyond in Park Lane. The site is set below the level of Kingsbury Road and this boundary to the north-west is also densely planted with hedges and trees. To the north-east and south-east are

predominantly industrial/warehouse units within Midpoint Park.

2.3. [Site Location and Street View](#)

3. [Planning History](#)

- 3.1. 19/03/1998. 1997/04747/PA. Erection of development for storage and distribution with service area, parking, access and landscaping. Approved.
- 3.2. 07/11/2014. 2014/06609/PA. Retention of two temporary structures. Approved temporary.
- 3.3. 01/09/2015. 2015/05472/PA. Retention of two temporary structures. Approved temporary.

4. [Consultation/PP Responses](#)

- 4.1. Transportation Development – No objections subject to conditions.
- 4.2. West Midlands Fire Service – No objections subject to conditions.
- 4.3. Regulatory Services – No objections subject to conditions.
- 4.4. MP, Councillors, Residents Associations and nearby occupiers notified. Site and Press notices posted. No response.

5. [Policy Context](#)

- 5.1. Birmingham Development Plan 2017, NPPF (2012).

6. [Planning Considerations](#)

- 6.1. **Policy** – Paragraph 3.13 of the Birmingham Development Plan states that the City's Core Employment Areas will play an important role in accommodating the requirements of a range of economic sectors. Policy TP19 states that Core Employment Areas will be retained in employment use and will be the focus of economic regeneration activities and Policy TP20 sets out how employment land and premises are a valuable resource to the Birmingham economy and will be protected where they contribute to the portfolio of employment land and are needed to meet longer term employment land requirements.
- 6.2. **Use** – I have no objection to the principle of introducing a B1(C) light industrial use to this unit. The applicants have applied for a change of use to a mixed use as approximately 12.6% of the floor space of the unit would be used for aluminium cutting and this is considered to constitute more than an ancillary use. The change to a mixed use would enable the vacant warehouse unit to be brought back into a beneficial use and the applicants envisage in the region of 100 new jobs would be created which would be beneficial to the local economy. A condition requiring a commitment to local employment is recommended.

- 6.3. **Residential Amenity** - The nearest residential properties to the unit are over 150 metres away on Park Lane which is to the south-west of the unit on the opposite side of the railway embankment. Noise generating activities as a result of the proposal would relate to an element of aluminium cutting which the applicants have confirmed generates less than 85db and the cutting saws would be positioned so any noise could be absorbed by storage racks and contained within the unit. Regulatory Services have raised no objections subject to a condition restricting noise levels of any plant and machinery that would be use within the unit. I am satisfied that the proposed use would not result in any loss of amenity to nearby residential occupiers.
- 6.4. **Highways and Car Parking** – The site benefits from a large parking area for 142 cars with a dedicated service area and is in a sustainable location well served by bus routes. Transportation Development raise no objection to the proposal subject to a condition requiring the parking and circulation areas to be kept free of obstacles at all times. I raise no objections on highway grounds

7. Conclusion

- 7.1. I consider the proposed change of use to a mixed use of Class B8 (storage and distribution) and B1(C) (Light Industry) is in accordance with relevant local and national planning policy and acceptable in this location.

8. Recommendation

- 8.1. Approve Subject to Conditions.

-
- | | |
|---|--|
| 1 | Limits the noise levels for Plant and Machinery |
| 2 | Requires parking and circulation areas to be kept free at all times |
| 3 | Requires a commitment to local employment |
| 4 | Requires the scheme to be in accordance with the listed approved plans |
| 5 | Implement within 3 years (Full) |
-

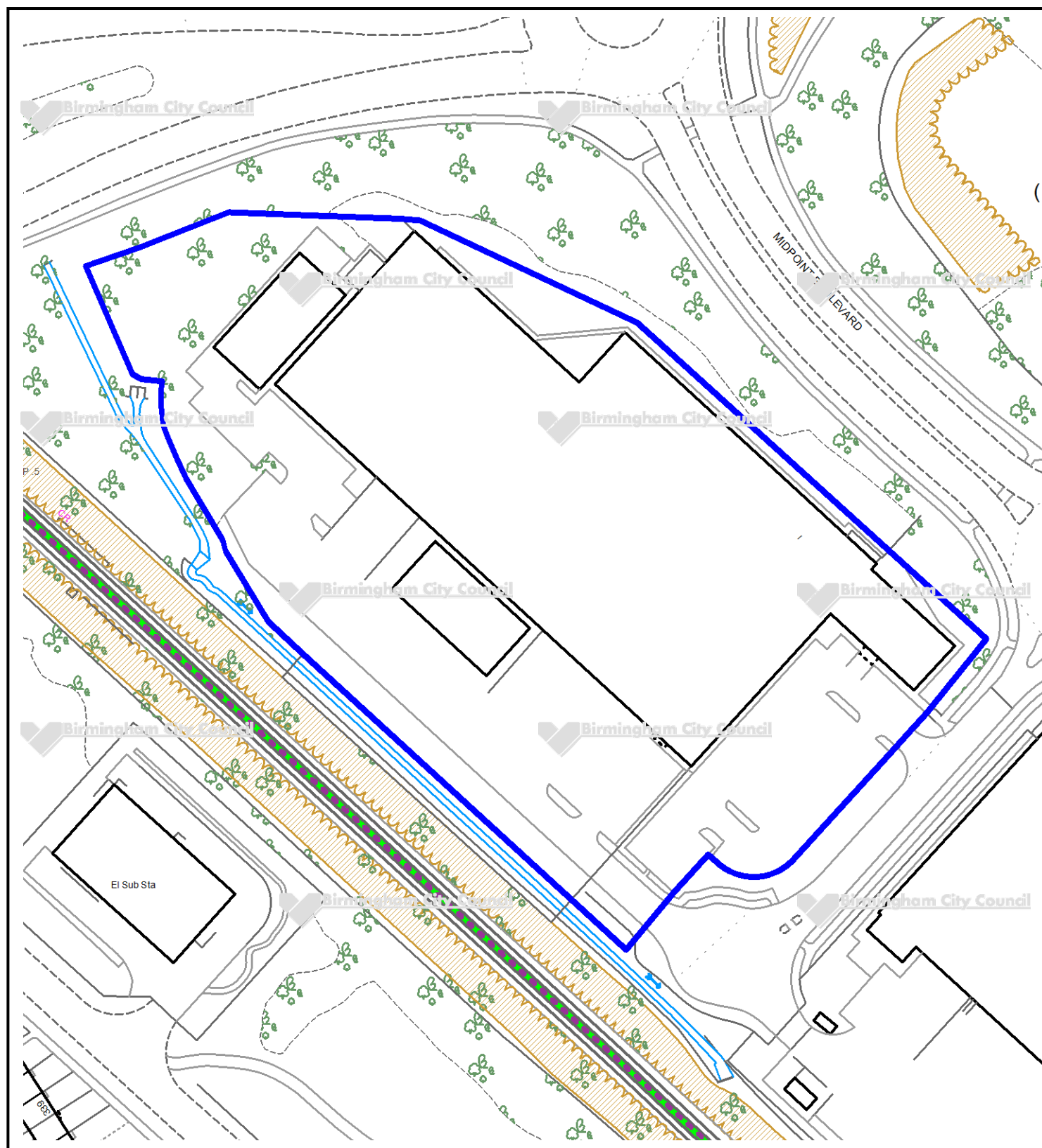
Case Officer: John Davies

Photo(s)



Figure 1 – Unit 5 Midpoint Park

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/05277/PA
Accepted:	13/06/2017	Application Type:	Full Planning
Target Date:	08/08/2017		
Ward:	Soho		

New Bingley Hall, Overflow Car Park, The Crescent, Hockley, Birmingham, B18 5LU

Retention of existing temporary lattice tower together with 6no. antennas, 1no. dish, 1no. equipment cabin, 1no. generator and associated fencing

Applicant:	Vodafone Ltd & CTIL c/o Agent
Agent:	Mono Consultants Ltd Steam Packet House, 76 Cross Street, Manchester, M2 4JG

Recommendation

Approve Temporary

1. Proposal

- 1.1. This application is for retention of an existing telecommunication tower together with 6no. antenna, 1no. dish, an equipment cabin, generator and associated fencing. The proposal is a temporary solution required for a period of 12 months, whilst a permanent solution to provide 2G, 3G and 4G by Vodafone and Telefonica is sought.
- 1.2. The galvanised lattice tower is 30m overall high with a concrete base approximately 4.3m by 4m. There are 6no. antenna, each 2 metres high built into the design of the mast at a height of 21.55m, whilst the 600mm diameter dish is fixed to the mast at a height of 25m
- 1.3. The cabin to house equipment has been installed measuring 3.5m by 2.5m and is approximately 2.5m high. In addition a power generator has been installed measuring 3.7m by 1.5m by 2.5m high. The equipment cabin is finished in dark brown whilst the generator is finished in a green colour. In addition a 17m section of temporary 2m high "heras" metal fencing has been erected along the car park boundary.
- 1.4. The applicant has submitted a declaration that the proposal would meet the ICNIRP requirements.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a triangular piece of land at the northern corner of the New Bingley Hall overflow car park. The site also has frontages to The Crescent to the west and industrial premises to the north. The nearest residential premises are

to the south about 60m away on the opposite side of Goode Avenue and Whitmore Street.

[Location Map](#)

3. Planning History

- 3.1. 3 November 2015 Application 2015/08304/PA. Installation of temporary equipment consisting of 1 no. 30m high lattice tower, 6 no. antennas, 1 no. 600mm dish, 1 no. equipment cabinet, 1 no. power generator and 2m high fencing for approximately 6 months. Seen and noted.
- 3.2. 23 February 2017. Enforcement Reference 2017/0170/PA. Alleged breach of time limit referred to in the above application, i.e. the mast has been in situ for greater than the 6 month time period stated.

4. Consultation/PP Responses

- 4.1. Site and Press notices displayed. Letters sent to 52 neighbouring properties, in addition Resident Associations, Ward Councillors and MP consulted.
- 4.2. Letter from Shabana Mahmood MP noting that the phone mast to which residents have objected is already in situ and querying whether it is to be made a permanent structure. Residents are also concerned that they have not been fully consulted on the application and are worried about the emissions from the mast. Furthermore, a petition from residents has prior to this new application, been passed to the Council via Councillor Sybil Spence.
- 4.3. Letter from a local resident objecting to the mast as there has been no consultation with any of the local residents.
- 4.4. BCC Transportation Development - no objections. The development is set back from the public highway and there no highway safety issues. There is also no loss in current parking levels in the overflow car park where the equipment is installed.

5. Policy Context

- 5.1. Birmingham Development Plan (2017); Telecommunications Development: Mobile Phone Infrastructure SPD (2008); Places for All (2001); National Planning Policy Framework 2012.

6. Planning Considerations

Policy Context

- 6.1. Paragraphs 42-46 of the National Planning Policy Framework (NPPF) relate to the installation of telecommunications equipment. Paragraph 43 advises that local planning authorities should support the expansion of electronic communications networks but should aim to keep the numbers of telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. It explains that existing masts, buildings and other structures should be used, unless the need for a new site has been justified and that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

- 6.2. Policy TP46 (Connectivity) of the Birmingham Development Plan (2017) covers digital communications and makes no specific policy reference to telecommunications development. The saved Telecommunications Policy (Paras. 8.55-8.55C) in the Birmingham UDP (2005) and the Telecommunications Development SPD both state that a modern and comprehensive telecommunications system is an essential element in the life of the local community and the economy of the City but that in assessing applications for telecommunications equipment, account will be taken of the impact of radio masts, antennae and ancillary structures on existing landscape features, buildings and the outlook from neighbouring properties. In respect of ground-based masts, the Council's SPD advises that they should make the most of existing screening or backdrop to buildings and avoid open locations, that they should be mitigated by landscaping and planting, that street locations will be discouraged but where they are the only option they should appear as an unobtrusive addition, and where possible sites should have a backdrop of trees to reduce visual contrast.

Siting and Appearance

- 6.3. The mast is sited on the corner of an overflow car park for New Bingley Hall, which is located to the east. To the north are commercial buildings, whilst to the west is Gib Heath, a largely grassed area of land surrounded by trees. The nearest residential properties are to the south about 60m away on the opposite side of Whitmore Road. These residential properties do not directly face the mast but have oblique views from habitable room windows. Although the site of the mast has a prominent road frontage, given that there are no residential properties adjoining the site, then I consider that this location is suitable for a temporary mast.
- 6.4. The mast is constructed of a lattice framework allowing views through it, which helps mitigate its appearance when seen against the sky. In addition, the number of antenna has been kept to a minimum. There is also only 1 dish, which needs to be positioned at a specific height and direction, in order to have a direct line of sight to the neighbouring dish site it aims to link with. Therefore taking into account the technical requirements I consider that the appearance of the mast is as least visually obtrusive as it can be.
- 6.5. The concrete base of the mast, together with the equipment cabin and generator has a detrimental impact on the street scene. However, they are partially screened by an existing 2m high galvanised steel pallasade fence. In addition, the equipment cabin and generator are painted dark colours. The visual impact of these structures is therefore partially mitigated.
- 6.6. The mast and associated structures have a detrimental visual impact on the street scene. However, given that temporary consent is sought for a period of 12, whilst a permanent solution is found, I consider that on balance their retention is acceptable. A condition is attached limiting the consent to 12 months and to secure removal of the mast and associated structures.

Impact on public health and objections

- 6.7. The applicant has demonstrated, by way of an appropriate certificate, that the proposed installation would meet the standards of the ICNIRP for public exposure as recommended by Paragraph 46 of the NPPF and a fully compliant certificate has been submitted. Consequently, I consider the application is acceptable on the grounds of public health.

6.8. With respect to the letter from the local MP, the matters raised have been clarified in a response to her. In addition, I can confirm that no petition has been received in connection to the current planning application. Regarding the objection from the local resident, I can confirm that appropriate consultation on the planning application has been undertaken.

7. Conclusion

7.1. I consider that for a temporary period of 12 months, the siting and appearance of the mast and associated structures is acceptable subject to a safeguarding condition to secure their removal.

8. Recommendation

8.1. Approve temporary for 12 months with conditions

1	Requires the mast and associated structures be removed and use discontinued by 3rd August 2018
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2	Requires the scheme to be in accordance with the listed approved plans
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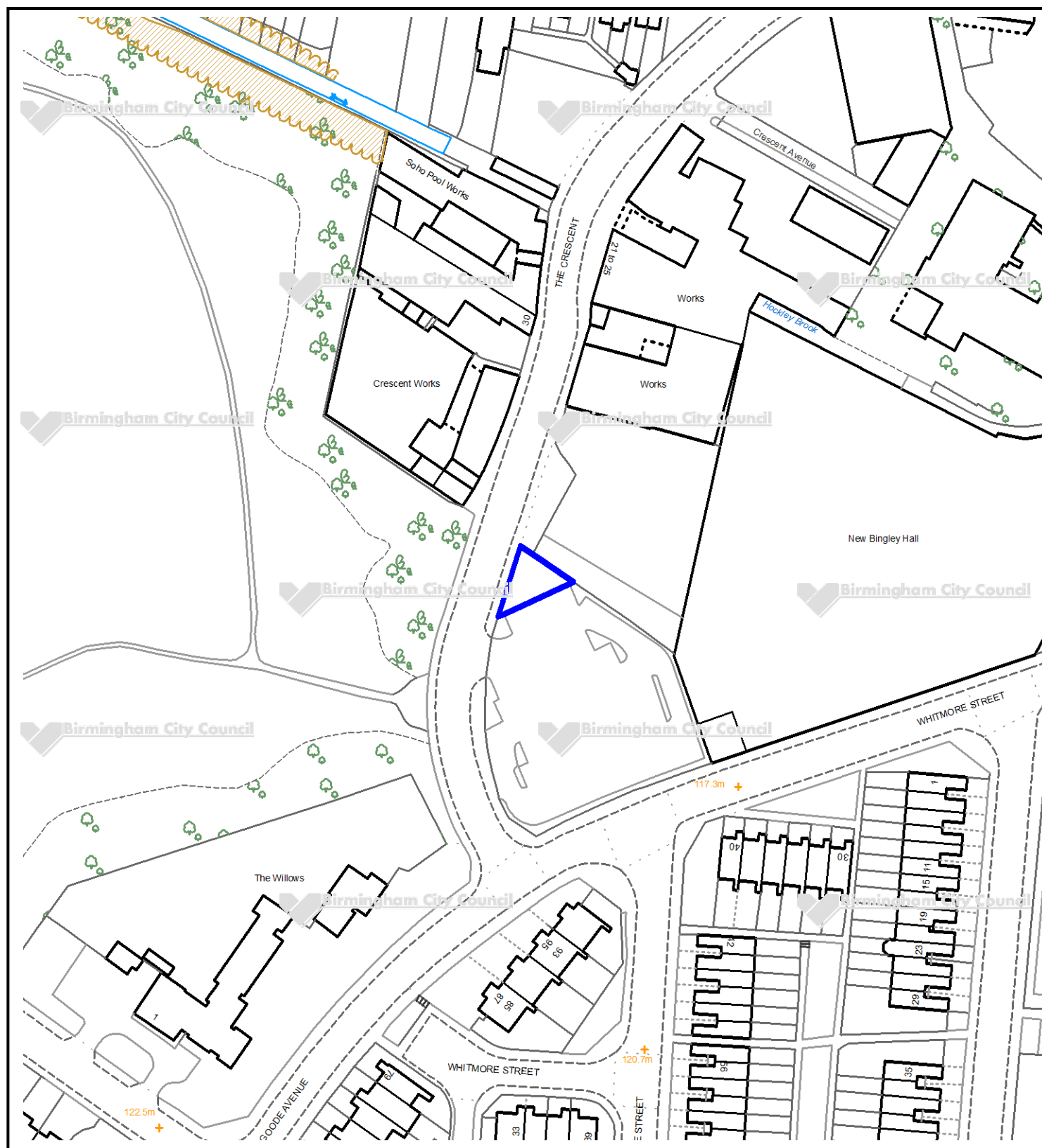
Case Officer: David Wells

Photo(s)



View of mast looking toward New Bingley Hall

Location Plan



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Committee Date:	03/08/2017	Application Number:	2017/04051/PA
Accepted:	09/05/2017	Application Type:	Householder
Target Date:	04/07/2017		
Ward:	Sutton Vesey		

55 George Frederick Road, Sutton Coldfield, Birmingham, B73 6TB

Erection of two side extension and single storey rear extension (having been part built already)

Applicant: Mr Humza Rahman
55 George Frederick Road, Sutton Coldfield, Birmingham, B73 6TB
Agent: Mr Illyas Maljee
25 Tyseley Lane, Birmingham, B11 3PT

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Consent is sought for a two storey side extension and single storey rear extension.
- 1.2. The proposed two storey side extension would be 2.1m in width, 7.2m in length and have a hipped tiled roof. The extension provides a study and dining room at ground floor and an additional bedroom and en-suite at first floor level.
- 1.3. The proposed single storey rear extension would form a kitchen and extend off the proposed side dining room with a depth of 3.3m and 3.1m in width. The extension would have a flat roof.
- 1.4. The application is reported to the Planning Committee as the applicant is a Council employee within the Economy Directorate.
- 1.5. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site consists of a semi-detached dwelling with a hipped roof design, forward gable feature with double bay window column. To the rear is an existing conservatory with a polycarbonate roof.
- 2.2. The application site is located in a residential area comprising of similar type and style properties.
- 2.3. There is a long rear garden which is partly grassed and partly paved. There is a raised decking area adjacent to the existing conservatory. The boundary treatment consists of 2m wooden fencing which encompasses the entire rear curtilage of the application site.

- 2.4. The neighbouring property No. 53 George Frederick Road has an existing attached side garage and single storey rear kitchen extension.
- 2.5. There are other two storey side and single storey rear extensions visible in the surrounding area.
- 2.6. [Site location](#)
3. [Planning History](#)
- 3.1. 23/05/2005 - 2005/02306/PA - Erection of a two storey side extension – Approved-Conditions.
- 3.2. 2017/0547/ENF - Erection of a two storey extension – planning application invited for formal assessment.
4. [Consultation/PP Responses](#)
- 4.1. Local ward councillors and the occupiers of neighbouring properties have been consulted; one comment received from a neighbouring occupier that works have already commenced at the application property and Building Inspector needs to check the proposed drainage.
5. [Policy Context](#)
- 5.1. The following local policies are applicable:
- Birmingham Unitary Development Plan 2005 (saved policies 3.14-3.14D & Chapter 8).
 - Birmingham Development Plan (2017).
 - Places For Living SPG 2001.
 - Extending Your Home SPD 2007.
 - 45 Degree Code SPD.
- 5.2. The following national policies are applicable:
- National Planning Policy Framework.
6. [Planning Considerations](#)
- 6.1. The principal matters for consideration are the scale and design of the proposed extension, the impact on the architectural appearance of the property, the impact on surrounding area and the impact upon neighbouring properties' amenities.
- 6.2. The application property did receive planning consent for a similar proposal for a two storey side extension in 2005 (2005/02306/PA). However, building works did not commence on this approved application and the 3 year time limit to commence development expired. The applicant has now resubmitted for a similar proposal with the only significant change being that a single storey rear kitchen extension is now also proposed.
- 6.3. Building works recently commenced on site in regard to the proposed extensions which was investigated as part of the enforcement complaint (2017/0547/ENF). As a

result all building works have now stopped on site pending the determination of this application.

- 6.4. The proposed development complies with your Committee's 45 Degree Code and meets the distance separation guidelines contained in 'Extending your Home' and 'Places for Living'. As such, the development would not result in a detrimental impact on the amenities of the occupiers of neighbouring properties by way of loss of light, outlook or overlooking.
- 6.5. The scale, mass and design of the proposed development is acceptable. The proposed extensions would not detract from the architectural appearance of the property and would be in accordance with the principles contained within 'Extending Your Home' Design Guide. The proposed extensions would have no significant impact on the character of the existing dwelling or the visual amenity of the local area. There are examples of other two storey side extensions visible along George Frederick Road.
- 6.6. In regard to the comments received from a neighbouring occupier the site visit undertaken by the Planning Officer confirmed that works have commenced on site. Issues in regard to drainage will form part of the current Building Regulations application.

7. Conclusion

- 7.1. This application is recommended for approval because the proposal complies with objectives of the policies as set out above.

8. Recommendation

- 8.1. Approve subject to the following conditions

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires that the materials used match the main building |
-

Case Officer: Ricky Chima

Photo(s)

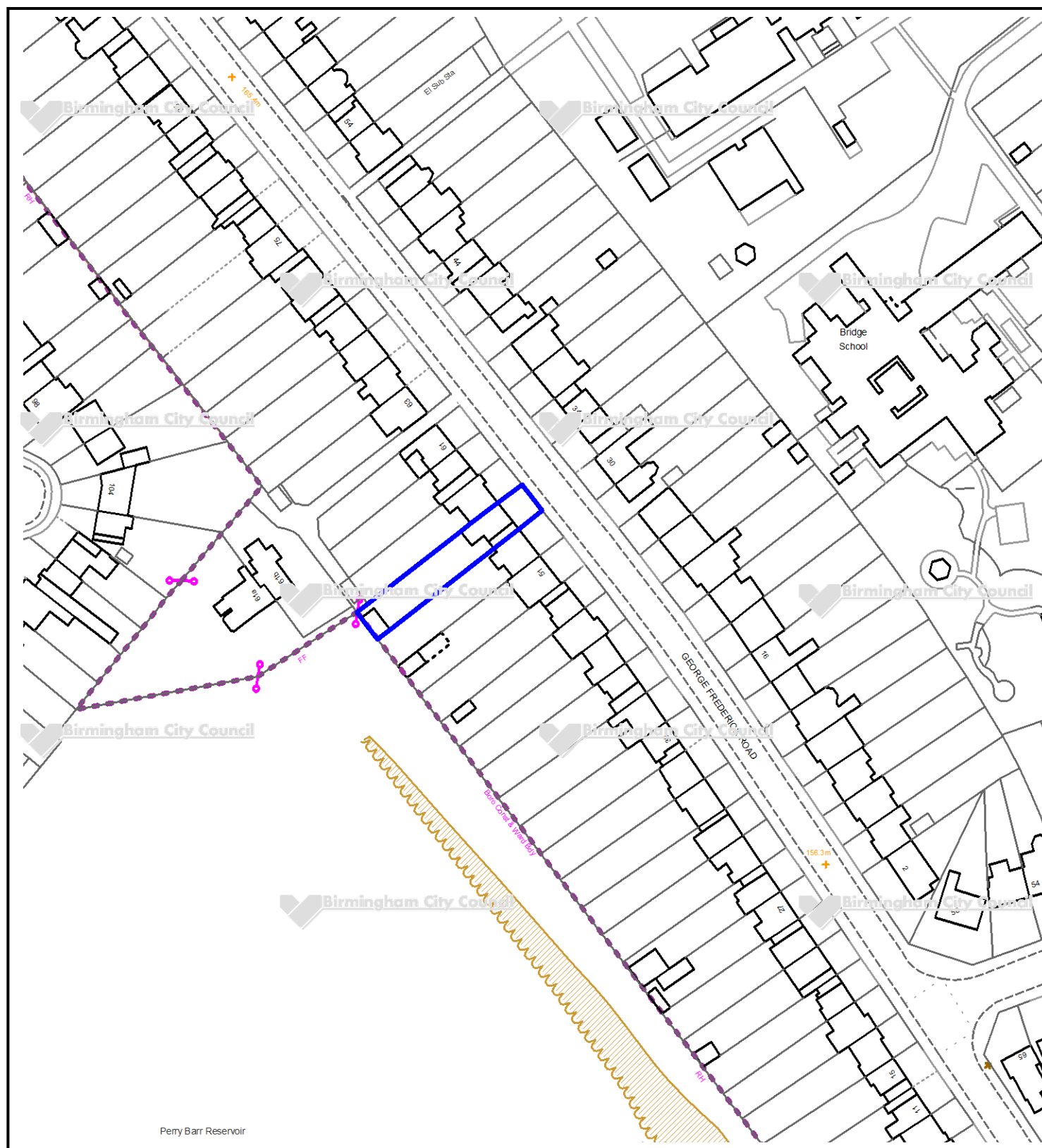


Figure 1 – Front elevation



Figure 2 – Rear elevation

Location Plan



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