
Committee Date:	23/07/2015	Application Number:	2015/03979/PA
Accepted:	09/07/2015	Application Type:	Full Planning
Target Date:	03/09/2015		
Ward:	Moseley and Kings Heath		

Land off Woodville Road, Kings Heath, Birmingham, B14 7BT

Demolition of existing building and erection of 3 dwelling houses

Applicant: Allmid Limited
c/o Agent
Agent: Pegasus Group
Unit 5, The Priory, Old London Road, Canwell, Sutton Coldfield, B75 5SH

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The proposal is for the demolition of an existing derelict outbuilding and erection of three, two-bed, terraced, single family dwellinghouses on land between No. 1 Woodville Road and No. 33 Heathfield Road.
- 1.2. The proposed dwellinghouses (Plots 1, 2 and 3) would be two storeys in height and each would provide 76sqm of internal floorspace. The row of dwellinghouses would be sited 3.6m in from the highway. Each dwellinghouse would measure 4.5m in width, 10m in depth and 9m in height to its roof ridge. The density of development on the site would be 92 dwellings per hectare.
- 1.3. Each proposed dwellinghouse would accommodate a living/dining room, kitchen/breakfast room, hallway and WC at ground floor. At first floor each would accommodate two double bedrooms (13sqm and 13.5sqm in size respectively) and a bathroom.
- 1.4. The proposed dwellinghouses would be faced in red brickwork, with pitched roofs constructed of slate. A bay window and timber framed canopy over the front door would be incorporated on the front elevations of each proposed dwellinghouse. Double doors would be incorporated on each of the rear elevations, leading out on to the rear gardens.
- 1.5. The frontages of each proposed dwellinghouse would comprise of small front gardens, enclosed behind a low brick boundary wall. The rear garden of the Plot 1 dwellinghouse would measure 36.5sqm in size, the rear garden of Plot 2 would measure 33sqm in size, and the rear garden of Plot 3 would measure 40.5sqm in size.
- 1.6. No off-street parking provision is proposed.

- 1.7. This application has been submitted in conjunction with Planning Application 2015/03978/PA for the erection of a single dwellinghouse fronting Heathfield Road, on land immediately adjoining the site to the south.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises of a vacant plot of land on which sits an existing two storey detached outbuilding, historically associated with No. 33 Heathfield Road, but now currently vacant and boarded up. The plot of land is enclosed on all sides by either brick walls or close boarded fencing, including the Woodville Road frontage of the site which is enclosed by the latter. The application site also incorporates the adjacent Post-War side extension of No. 23-27 Heathfield Road. This extension is located on the western part of the application site and comprises of a recently re-clad, three storey, flat roofed addition, with vehicular undercroft at ground floor level. The main building of No. 23-27 is a Grade B Locally Listed Edwardian building. This building, plus the extension, is also under the Applicant's ownership and is in the process of being converted in to fourteen flats.
- 2.2. Immediately adjoining the site to the south is a three storey Edwardian dwellinghouse sitting on the corner of Heathfield Road and Woodville Road (No. 33 Heathfield Road), whilst immediately adjoining the site to the north is No. 1 Woodville Road, an end of terrace dwellinghouse
- 2.3. The surrounding area is predominantly residential in character comprising of Victorian and Edwardian terraced houses. However, there are some nearby commercial uses located further west of the site along Heathfield Road and associated with the District Centre. Kings Heath High Street is located 175m to the west of the site, and the boundary of the District Centre is located some 60m west along Heathfield Road.
- 2.4. Parking in the local area is generally on-street, with very few properties benefiting from private drives.

[Site Location Map](#)

3. Planning History

Application Site

- 3.1. 11th March 2015 - 2015/00497/PA – Demolition of existing building and erection of three storey residential block (Block B) containing 6 apartments with juliette balcony to front - Withdrawn by Applicant following concerns raised about design and over-intensive use of site.

No. 23-27 Heathfield Road

- 3.2. 31st January 2014 – 2013/08186/PA - Outline planning application for the change of use from offices (Use Class B1) to residential (Use Class C3) and two storey extension to provide 12 residential units with associated access – Approved-conditions

3.3. 17th November 2014 – 2014/06871/PA - Prior Approval for change of use from offices (Use Class B1[a]) to residential (Use Class C3) – No prior approval required

3.4. 17th November 2014 - 2014/06779/PA – External alterations to existing building – Approved-conditions

Adjoining land fronting Heathfield Road

3.5. 2015/03978/PA – Erection of 1 dwelling house – Elsewhere on this Agenda.

4. Consultation/PP Responses

4.1. Transportation Development – No objection – Subject to secure cycle storage condition

4.2. Regulatory Services – No response received

4.3. Severn Trent Water – No objection - Subject to drainage condition

4.4. West Midlands Fire Service – No response received

4.5. West Midlands Police – No objection – Recommend proposal is built to Secured By Design standards

4.6. Local residents, Ward Councillors, Residents Associations and M.P. notified – 3 letters of objection, and one letter of general comment, received from local residents. The following relevant concerns were raised:

- No off-street parking – existing issues with parking on local roads, availability of parking crucial to success of Kings Heath Centre
- Lack of amenity space
- Roof height/shape not in keeping with other properties
- Overshadowing of proposed dwellings
- Overlooking of proposed dwellings
- Application should be considered as part of neighbouring development at No. 23-27 Heathfield Road
- Loss of light to habitable room windows on front elevation of No. 23-27

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham UDP
- Draft Birmingham Development Plan
- Places for Living SPG
- 45 Degree Code SPG
- Kings Heath Local Action Plan SPD

5.2. The following national policies are applicable:

- National Planning Policy Framework (NPPF)

6. Planning Considerations

Policy and Background

- 6.1. The National Planning Policy Framework (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.
- 6.2. The Birmingham UDP similarly supports a more sustainable pattern of development by re-using brownfield sites in suitable locations with good access to jobs, shops and services by modes other than the car. The UDP emphasises the importance of the City's housing policies in contributing to the strategy for urban regeneration and economic revitalisation, and states that one of the ways this will be achieved is through a variety of housing to meet the full range of needs throughout the City.
- 6.3. The UDP requires that new housing developments should provide an appropriate environment (Paragraphs 5.20-5.20A), a suitable housing density and mix (Paragraph 5.40) and encourages a full range of housing types and sizes (5.35 and 5.37). Paragraph 5.38 recommends a housing density of 40-50 dwellings per hectare in this location.
- 6.4. 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.
- 6.5. Within the Draft Birmingham Development Plan, Policies TP26 and TP27 state that the location of new housing should be on previously developed land, be accessible to jobs, shops and services by other modes of transport, be sympathetic to natural assets and not conflict with other policies in relation to employment land, green belt and open space. It also states that new housing should offer a choice of type, size and tenure to create more balanced and sustainable communities.
- 6.6. There are no specific policies in the Kings Heath Local Action Plan SPD which are relevant to the application site, although No. 9-27 Heathfield Road immediately adjoining is identified as a residential development site.
- 6.7. Outline planning permission was granted in January 2014 under 2013/08186/PA for the change of use of No. 23-27 Heathfield Road from offices (Use Class B1) to 12 residential flats (Use Class C3), demolition of the existing Post-War extension and erection of a new three storey extension. This consent was not implemented and the Applicant instead subsequently implemented a prior approval consent (2014/06871/PA) and accompanying planning permission for external building alterations (2014/06779/PA) relating to the accommodation of 14 flats within the above building. The current planning application is a re-submission of a previous planning application (2015/00497/PA) which proposed to accommodate a flatted building on the site. This previous application was withdrawn following concerns

raised about the intensity of use and architecture of the proposal. The Applicant has attempted to address these concerns with the current submission.

- 6.8. I consider the principle of residential development on this site would be acceptable, given this is an unused, brownfield site, which if developed for residential use would help to meet the City's housing demand. The existing derelict outbuilding on the site is of no architectural merit and is awkwardly sited, not following the strong building line along Woodville Road. Its demolition would therefore be acceptable, as both the building and the site are currently a visual blight on the surrounding area.

Siting and Scale

- 6.9. The proposed dwellinghouses would follow the strong front and rear building line of terraced houses along Woodville Road and would have a similar footprint to these adjoining terraced houses.
- 6.10. I consider the scale of the proposed dwellinghouses, being two storeys in height, would be in keeping with the predominant character and appearance of existing dwellings along Woodville Road.
- 6.11. The Applicant has reduced the roof ridge height of the proposed dwellinghouses following concerns that the roofs looked disproportionately large in comparison to the rest of the dwellinghouses. I am satisfied that the roof ridge height and massing of the roof now appears in keeping with the appearance of both the proposed dwellinghouses and of the surrounding area. The Council's City Design Officer has raised no objection to the proposed development.

Appearance

- 6.12. The proposed dwellinghouses would reflect the Edwardian/Victorian character and appearance of dwellings in this locality, being built of red facing brickwork and incorporating brick detailing, a front bay window, chimney and timber framed canopy over the front door – these being architectural elements consistent with the local vernacular.

Living Conditions

- 6.13. Bedroom sizes would exceed the minimum recommended size guidelines set out in the Council's Places for Living SPG.
- 6.14. All three rear gardens would not meet the minimum recommended size guideline of 52sqm for a two bed house as set out in Places for Living SPG (the rear gardens being 36.5sqm, 33sqm and 40.5sqm respectively in size). Neither would the proposed dwellinghouses meet the minimum 15.5m separation distance recommended in Places for Living SPG between windowed elevations and neighbouring flank walls (i.e. the side elevation of the Post-War extension of No. 23-27 Heathfield Road), making these gardens rather short. However, whilst the rear gardens would be small, I consider there would still be sufficient room to provide outdoor seating space, clothes drier, bin store and some general amenity space. There are similarly sized or smaller rear gardens afforded to existing houses in the immediate vicinity of the site e.g. Cheshunt Place (approximately 15sqm sized gardens), Florence Road (approximately 30sqm sized gardens) and Nos. 9-21 Heathfield Road (approximately 40sqm sized gardens). In addition the rear gardens of houses currently being built to the rear of Nos. 9-21 Heathfield Road range in size from 33sqm-66sqm. Therefore on balance I consider the shortfall in garden size

would not be out of character with the immediate surrounding area, there would be sufficient amenity space for occupiers to enjoy, and outlook for future occupiers when in their gardens or rear rooms would not be so harmful as to warrant refusal. I consider it is important to show some flexibility in order to bring forward the site for positive redevelopment. Given the small garden size, and to ensure there remains some private outdoor amenity space for future occupiers, I recommend attaching a condition to any consent that withdraws permitted development rights for future rear extensions.

- 6.15. The side (east) elevation of the three storey Post-War extension of No. 23-27, which would effectively adjoin the rear garden boundaries of the proposed dwellinghouses, incorporates three small windows at first floor and three small windows at second floor. Consent was given under Planning Permission 2014/07669/PA for external alterations to No. 23-27 and included the introduction of three windows at second floor within the side (east) elevation of the extension building. A condition was attached to this consent to ensure that these windows, which were shown to serve a communal corridor, were to be obscurely glazed and remain as such thereafter. However, the windows that have recently been fitted here have not been obscurely glazed to date in accordance with this condition, and if this is not carried out imminently enforcement action will likely be taken against the Applicant to resolve this otherwise unsatisfactory issue. On resolving this issue I am satisfied that there would be no overlooking opportunities from these second floor windows into the rear garden of the proposed dwellinghouse.
- 6.16. Prior Approval Application 2014/06871/PA indicated that the three existing first floor windows located on the side (east) elevation of the extension building would serve the living/dining room of Flat 8, the living/dining room of Flat 7, and the communal stairwell respectively. Of relevance to the current application is the first floor window serving the living/dining room of Flat 7 (which would overlook the rear garden of the Plot 3 dwellinghouse) and the first floor window serving the communal corridor (which would overlook the rear garden of the Plot 2 dwellinghouse). These two small windows are either secondary windows or non-habitable room windows and were these to be obscurely glazed I do not consider they would adversely affect the amenity of occupiers of these flats. As such I recommend attaching a condition to any consent that these windows are retrofitted to be obscurely glazed and that they are retained as such thereafter. With this condition being attached to any consent to deal with existing first floor windows in the side elevation of the extension building, plus the previous obscure glazing condition dealing with new second floor windows in the side elevation of the extension building, I am satisfied that any windows overlooking the rear gardens of Plots 2 and 3 would remain obscurely glazed and would therefore not result in overlooking and loss of privacy for these future occupiers, or the existing occupiers at No. 33 Heathfield Road.

Amenity of Adjoining Occupiers

- 6.17. The proposed development would not meet the recommended separation distance of 12.5m between the windowed elevation of the rear wing of No. 33 Heathfield Road and the flank wall of the proposed Plot 3 dwellinghouse, as set out in Places for Living SPG. Notwithstanding, the existing flank wall of the two storey derelict outbuilding on the site is already located only 7m from the windowed elevation of the rear wing of No. 33 and therefore the relationship, in terms of separation distance, would be no worse than that which already exists.
- 6.18. The first floor of the Proposed Plot 3 dwellinghouse would have a bathroom window positioned on its side (south) elevation. I recommend attaching a condition to any

consent to ensure that this window remains obscurely glazed and that no additional windows can be introduced on this side elevation, in order to prevent overlooking into the rear garden of No. 33 Heathfield Road.

Traffic and Parking

- 6.19. The proposed development would have no off-street parking provision. Parking on street within the vicinity is largely unrestricted and typically demand is high, with the majority of properties not benefitting from in-curtilage provision. The road is also used for parking by shoppers visiting Kings Heath District Centre which is within short walking distance of this site.
- 6.20. Transportation Development have raised no objection to the proposal and do not expect the addition of these dwellinghouses would have any notable impact upon the existing situation in terms of the level of traffic and parking demand generated at this location. They note that the site is well served by public transport, with regular buses running throughout the day on Kings Heath High Street.
- 6.21. I acknowledge the concerns of local residents in respect of existing on-street parking congestion in the vicinity of the site, the lack of availability of parking for shoppers undermining the success of Kings Heath Centre, and the fact that the proposed development offers no off-street parking provision. However, Paragraph 32 of the NPPF explains that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". I do not consider these impacts would be so severe as to successfully warrant refusal on this basis.
- 6.22. Whilst Transportation Development have recommended a secure cycle storage condition be attached to any consent I consider this would rather onerous. I am satisfied that there would be adequate space on site for any bicycle storage i.e. shed, side passageways etc. should such storage be required.

Other Matters

- 6.23. I note the concerns of local residents that the application should be considered as part of the wider development of No. 23-27 Heathfield Road. Whilst the Applicant was encouraged at pre-application stage to look at a comprehensive masterplan for land under their ownership, the piecemeal approach they have taken in dividing up the site and use of the prior approval process is their prerogative, and assuming each application is acceptable on its own merits the Local Planning Authority would have no grounds for refusal on this basis.

7. Conclusion

- 7.1. Whilst the proposed development would not meet guidelines on garden size and separation distances, I consider that on balance (and with a condition for obscure glazing to prevent overlooking) living conditions for future occupiers would be satisfactory and there would be no material harm caused to them through overlooking or loss of outlook. I consider the siting, scale and appearance of the proposed development would be in keeping with the character and appearance of this suburban location. There would be no material adverse impact on the amenity of adjoining residential occupiers, nor traffic or parking as a result of this proposal. Therefore I consider the proposal, which would help to meet the City's housing

demand on a brownfield site, would constitute sustainable development and I recommend that planning permission is granted.

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 hard and/or soft landscape details |
| 4 | Requires the prior submission of boundary treatment details |
| 5 | Requires the prior submission of a sustainable drainage scheme |
| 6 | Requires the prior submission details obscure glazing for specific areas of the approved Plot 3 dwelling |
| 7 | Requires the prior submission details obscure glazing for first floor windows in the side (east) elevation of No. 23-27 Heathfield Road |
| 8 | Removes PD rights for extensions |
| 9 | Limits the approval to 3 years (Full) |
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Case Officer: Andrew Conroy

Photo(s)



Figure 1 – Site viewed from Woodville Road (No. 33 Heathfield Rd to left, No. 1 Woodville Rd to right)



Figure 2 – Rear elevation of No. 33 taken from site (front elevation of existing barn building on site to right)

Location Plan



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