

Birmingham City Council

Planning Committee

07 June 2018

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	9	2018/01428/PA Erdington Industrial Park Chester Road Erdington Birmingham B24 0RD Erection of building for Use Classes B1, B2 and B8 use with ancillary offices alongside landscaping, car and cycle parking, pedestrian and vehicular accesses

Committee Date:	07/06/2018	Application Number:	2018/01428/PA
Accepted:	12/03/2018	Application Type:	Full Planning
Target Date:	11/06/2018		
Ward:	Pype Hayes		

Erdington Industrial Park, Chester Road, Erdington, Birmingham, B24 0RD

Erection of building for Use Classes B1, B2 and B8 use with ancillary offices alongside landscaping, car and cycle parking, pedestrian and vehicular accesses

Applicant:	HPut A Ltd & HPut B Ltd c/o Hermes Investment Management, 150 Cheapside, London, EC2V 6ET
Agent:	Chart Plan (2004) Ltd Mansard Cottage, 65 Stoneleigh Road, Limpsfield Chart, Oxted, Surrey, RH8 0TP

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This planning application relates to the proposed erection of a two storey building for use classes B1, B2 and B8 use with ancillary offices alongside landscaping, car and cycle parking, pedestrian and vehicular accesses on land at Erdington Industrial Park, Chester Road.
- 1.2. The proposal comprises the creation of 11,600 sqm of new commercial floor space (Use Classes B8/B2 and B1) and 730 sqm of ancillary office floorspace over 2 inset storeys.
- 1.3. The proposed building would measure approximately 123m wide x 95m deep x 15m high. The building would be constructed of a typical steel portal frame with insulated composite cladding panels alongside metal profiled cladding panels and composite roof cladding panels to achieve a large span weathertight unit, consistent with the appearance of other units on the industrial park at present. A large area of double height glazing with metal fascia is proposed to be installed on the south west frontage of the unit which would accommodate the ancillary office space proposed. This would be likely to comprise the main entrance to the unit when completed and operational.
- 1.4. The north eastern elevation of the unit would include a canopy above a number of loading bays and HGV parking for deliveries and dispatch. Beyond this would be the HGV parking and service yard which proposes 11 HGV parking bays and a 26m turning circle. A large area of plant would also be accommodated in the service yard. A 15m sewer easement is located within the service yard which requires no

construction to occur over it. Dedicated access would be created from the established service road of the industrial estate.

- 1.5. A large car parking area is proposed to the south west frontages of the proposed unit which would accommodate 156 cars, including the provision of 8 disabled car parking spaces. A separate access to the HGV access would be provided off the established service road of the industrial estate. This would be separate to the HGV access to the service yard. The car park would be subject to landscaping to both frontages of the car park, with a large bank of trees to the west of the site proposed to be retained and enhanced with additional tree planting. The car park frontage would be enhanced with lime and birch trees with ground cover proposed from ivy. An evergreen hedge would be proposed to effectively contain the car park.
- 1.6. Additionally, it is proposed that a cycle store to accommodate 30 bicycles and spaces for 10 motorcycles would also be provided. No information has been submitted in respect of shower or locker facilities to be provided for cyclists. Dedicated pedestrian access would be incorporated into the areas of car parking and hardstanding.
- 1.7. The proposed development is distanced from the boundary to allow the introduction of a meaningful landscape buffer. The landscape buffer would measure approximately 120m wide x 18m deep. The landscape buffer would comprise a mixture of tree and shrub species which would seek to provide visual interest and create habitats for native wildlife. The landscape buffer would also include an element of linked swales within the central core of the area, addressing SUDS requirements. The swale areas would be planted with wildflower seed mixes. It is anticipated that this area of landscaping would present the opportunity to also accommodate spoil material to create contoured earthworks, further adding to visual interest and the sustainability credentials of the proposed development.
- 1.8. It is expected that the proposed development would result in the creation of 100 full time equivalent jobs at the site. No details of the proposed hours of operation have been submitted in support of the planning application.
- 1.9. The application is supported by the following documentation: Design and Access Statement; Planning Statement; Heritage Statement; Landscape Design Statement; Flood Risk Assessment; Noise Impact Assessment; Air Quality Assessment; Transport Statement; Phase I Geo-Environmental Assessment and Energy Statement.
- 1.10. An Environmental Impact Assessment (EIA) screening opinion was issued by the Local Planning Authority concluding that the development proposed does not require an Environmental Impact Assessment.
- 1.11. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site measures some 2.4 hectares, forming part of a larger long established industrial site. The former building on site was demolished in 2012 with the land used as temporary car parking since 2013.
- 2.2. The application site is largely comprised of tarmac/concrete hardstanding with some vegetation and planting present around the edge, primarily to the north and west of

the site, including a small grassed bank in the northernmost corner, two narrow grassed verges with trees in the east and a landscaped strip along the western boundary which is partly planted with a mix of conifers and deciduous trees.

- 2.3. The northwest boundary of the site is formed by a wall which retains approximately 1.8 to 2.6 metres of earth and separates the application site from the adjacent residential uses to the northwest. The site is largely level and is set between 1.8m and 2.6m below the ground level of residential properties to the northwest (Humberstone Road, Julia Avenue, Elmfield Avenue and Edgemon Avenue) There is a retaining wall along the northwest boundary of the site and the remainder of the site is enclosed by palisade fencing.
- 2.4. The application site is designated as Core Employment Area under policy TP19 of Birmingham Development Plan.

2.5. [Site Location](#)

3. [Planning History](#)

- 3.1. Current application – 2018/02460/PA - Continued planning permission for five years to use Cyclone site as Jaguar Land Rover employees car park (up to 1,000 spaces) – To be determined.
- 3.2. 27.06.2013 - 2013/03386/PA - Temporary planning permission for five years to use part of the Cyclone site for trailer parking (30 spaces) including the erection of security hut, lighting and associated ancillary works – Approve temporary.
- 3.3. 08.02.2013 - 2012/08341/PA - Temporary five year planning permission for employee car parking and ancillary works – Approve temporary.
- 3.4. 30.11.2012 - 2012/07529/PA - Application for prior notification of proposed demolition – Prior approval required and approved subject to conditions.

4. [Consultation/PP Responses](#)

- 4.1. Transportation Development – recommend conditions to secure Measures to Prevent Mud on Highway, Means of Access for Construction; Parking Management Strategy; Commercial Travel Plan; Delivery and Service Area Completion; Parking Areas Laid Out prior to Use; Vehicular Visibility Splays; Cycle Storage Details; Pedestrian Visibility Splays; and Delivery Vehicle Management Scheme
- 4.2. Regulatory Services – recommend conditions to secure maximum noise levels for plant and machinery; hours of operation; and contaminated land investigation and remediation.
- 4.3. Local Lead Flood Authority – recommend conditions to secure the prior submission of a sustainable drainage scheme; and the submission of a Sustainable Drainage Operation & Maintenance Plan.
- 4.4. Employment Access Team – recommend condition to secure the prior submission of a construction employment plan.

- 4.5. Severn Trent – recommend condition to secure drainage plans for the disposal of foul and surface water flows.
- 4.6. Site and press notices displayed. MP, Ward Members and neighbours notified. No representations received.

5. Policy Context

- 5.1. National Planning Policy Framework (2012); Birmingham Development Plan (2017); Birmingham Unitary Development Plan Saved Policies (2005); Car Parking Guidelines SPD (2012); Places for All SPG (2001)

6. Planning Considerations

- 6.1. **Planning Policy** – The relevant planning policies are largely contained with the Birmingham Development Plan and predominantly relate to the site's role as employment land and premises (TP17); its allocation as a Core Employment Area (TP19); and the protection of employment land (TP20). Other key considerations relate to the proposals impact on highway safety and traffic congestion (TP44) and the achievement of objectives in respect of sustainable development (TP1-TP8).
- 6.2. The National Planning Policy Framework states at paragraph 19 that 'the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system'.
- 6.3. **Principle of Development** - The application site is located within a Core Employment Area, as designated by Policy TP19 of the Birmingham Development Plan. This policy sets out that "Core Employment Areas will be retained in employment use and will be the focus for economic regeneration activities and additional development opportunities likely to come forward". Furthermore, the policy sets out that "measures to improve the operational and functional efficiency... and attractiveness of these areas... will be supported". The proposals seek to deliver a modern and attractive industrial unit within an existing industrial park designated as a Core Employment Area.
- 6.4. Policy TP17 relates to the portfolio of employment land and premises, stating that provision would be made for a portfolio of "readily available" land, with 31 hectares of good quality sites requires for locally based investment, likely to exceed 0.4 hectares in size. The application site is identified as good quality employment land and consequently I consider that the proposals would address the needs identified in this policy.
- 6.5. Policy TP20 relates to the protection of employment land identifying that employment land and premises are a valuable resource to the economy and should be protected where they contribute to the portfolio of employment land and are required to meet longer term employment land requirements. The proposals are speculative with no end user identified at present however it is considered that such a proposal gives confidence to the market and provides potential occupiers with opportunities to expand or relocate within a much shorter timeframe that often experienced in such circumstances.

- 6.6. The site previously accommodated a large industrial unit which was demolished in 2013 and measured approximately 18,900sqm. I am satisfied that the proposed use has been established at this location and is appropriate in the context of the surroundings and within the industrial park.
- 6.7. The application proposals are the result of sustained investment by the site owner and rising demand. Whilst the proposals are speculative, with no end user identified, the proposed development is considered to comply with the relevant planning policies and is considered to be acceptable in principle.
- 6.8. **Design and Layout** – The proposed building is of typical industrial design, with a steel portal frame and cladding system amounting to a vast floorspace consistent with the requirements for warehousing and distribution. The application proposals also incorporate an area of office space, amounting to approximately 730sqm. This element would be subject to double height glazing and would form the principle entrance to the building for visitors and staff. This element adds visual interest and would improve the appearance in respect of the role of the site as a large warehouse.
- 6.9. The proposed layout of the site is considered to be acceptable, with a large area of landscaped car parking, a sizeable service yard, footpaths for pedestrian access, separate HGV and car accesses from the industrial park service road and a large landscaping buffer to the rear of the building. The proposed floorspace of the building would be less than that which was demolished in 2012 and accordingly, I am of the view that the proposed site layout is a considerable improvement on the previous composition of the site.
- 6.10. The scale and mass of the building is considered to be comparable with what was on site previously and the existing units located on the industrial park. Whilst the proposed building would be constructed to a greater height than other buildings present on the wider site, I consider that the proposed height is appropriate in the context of the dimensions of the building and would achieve better proportions than what was previously on the site, whilst also seeking to deliver functional warehousing space that can accommodate emerging occupier requirements, including loading bays.
- 6.11. I consider that the proposed building would have an acceptable impact on visual amenity and would be a considerable improvement on the current appearance of the site, which comprises a large area of hardstanding.
- 6.12. **Landscape, Drainage, and Ecology** – The proposals incorporate the retention of existing trees and vegetation to the west of the application site and seek to enhance this with additional planting to improve the visual appearance and attractiveness whilst also seeking to achieve ecological benefits for native wildlife species. Alongside this, a significant landscape buffer is proposed to the north of the building which would be planted with a mixture of tree and shrub species. Furthermore, the proposed car park would be subject to various elements of planting, including trees, shrubs and hedgerows. I consider that the proposals would amount to a significant improvement to the current site conditions and would achieve a substantial betterment to ecological biodiversity within the area. Given the site's location adjacent to the Birmingham and Fazeley Canal, the proposals present considerable connectivity opportunities for wildlife species.

- 6.13. The Council's Landscape Officer has been consulted on the proposals and raise no objections to the scheme. They do however recommend some conditions to present the opportunity to enhance the proposals further and ensure that the proposed planting mixes are appropriate and would be successful. Given the speculative nature of the proposals, I anticipate that there would be likely to be the need for some flexibility to be employed on the identification of an occupier and subsequent agreement of the lease. On this basis, I would consider it beneficial that such conditions were attached to any grant of planning permission, to relate to boundary treatment, hard and soft landscaping, landscape management and hard surfacing.
- 6.14. The drainage proposals comprise a series of linked swales proposed to be located within the landscape buffer. It is understood that the existing car park is drained to onsite sewers. It is therefore concluded that the hardstanding currently discharges at an unrestricted rate to the public sewers. The ground conditions have been identified as not considered suitable to allow runoff to discharge direct to ground via infiltration features and therefore the application proposals would continue to use the existing connection to the onsite sewer, however the runoff from the development would be attenuated via the use of swales and on site underground tanks. The Local Lead Flood Authority has been consulted on the application proposals and raise no objection to the proposals subject to conditions to secure the prior submission of a sustainable drainage scheme; and the submission of a Sustainable Drainage Operation & Maintenance Plan which would effectively require an explanation of how the swales would operate in practice and how they would be managed. I concur that such conditions would be necessary.
- 6.15. Overall, I consider that the application proposals would amount to a significant improvement in the landscape, ecology and drainage of the site as it currently operates and would achieve wider benefits for the immediately surrounding area.
- 6.16. **Impact on Residential Amenity** – The application site is located within an established industrial estate which comprises a number of existing units. The surroundings of the site predominantly relate to industrial and commercial uses, with such uses comprising the eastern, southern and western boundaries of the application site. Residential properties are located to the north west of the application site, with dwellinghouses located on Julia Avenue. The closest residential property is no. 42 Julia Avenue. The rear of this property is located approximately 33m away from the proposed building. The garden of the dwellinghouse and the proposed landscape buffer would be located between the building rear frontages. The previous building on the site, demolished in 2012, was overall larger in floorspace and closer to the site boundary without the benefit of the landscape buffer. Consequently, I do not consider that the proposals would have a greater impact on the residential amenity of the site than that which was experienced previously. Furthermore, the introduction of the landscape buffer and the delivery of a contemporary purpose built warehousing and office building on an existing industrial site are considered to achieve wider benefits to the area and the local economy.
- 6.17. Regulatory Services has been consulted on the application proposals and raise no objections subject to conditions to secure maximum noise levels for plant and machinery and hours of operation limited to 7am and 8pm Monday to Friday, 8am to 8pm Saturday and 9am to 6pm Sunday in order to protect the residential amenity of nearby residents. I concur that such conditions would be reasonable and necessary in this instance.

- 6.18. Subject to conditions, I consider that the application proposals would be acceptable in terms of their impact on residential amenity and would certainly comprise an improvement to the building previously located on site.
- 6.19. **Impact on Highway Safety** – The application proposals comprise the creation of a large area of car parking and a sizeable service yard with HGV parking. The site would be accessed from the existing service road within the industrial park, with the existing access being re-used by the car park and a new 7.3m wide access being created for the use of the service yard and HGV parking.
- 6.20. A Transport Statement has been submitted in support of the application proposals which assessed the proposals against existing and previous conditions experienced at the site. The Transport Statement contends that the existing and previous uses would be representative of higher traffic generation than the proposed development. Transportation Development has been consulted on the application proposals and concurs with this view.
- 6.21. Transportation Development raise concerns with regards to the cycle parking provision, advising that the proposed cycle store is insufficient given the space allocated to accommodate 30 bicycles and without the provision of suitable 'destination' facilities within the building. It is recommended that a condition to secure improved cycle storage details be attached to any grant of planning permission. Given the accessibility of the site by cycling, I consider that such a condition is reasonable and necessary.
- 6.22. Whilst the car parking proposed is considered to fall below the permitted maximum within an Area 3 location, as specified within the Car Parking Guidelines SPD, it is considered that the proposed car parking levels would be acceptable, particularly when considered against the parking provision associated with the previous building located on site which benefited from 39 parking spaces.
- 6.23. Transportation Development recommends a number of conditions to ensure the safe and functional operation of the site. Again, on the basis that the proposals are speculative at present, I anticipate that there would be likely to be the need for some flexibility to be employed on the identification of an occupier and subsequent agreement of the lease. On this basis, I would consider it beneficial that such conditions were attached to any grant of planning permission.
- 6.24. **Loss of Car Parking** - With regards to the proposed loss of the existing car parking and the concurrent planning application to retain the parking facility for a further five years, it is understood that the proposals have emerged as an ongoing requirement for Jaguar Land Rovers operational needs however it is noted that a large multi-deck car park has been constructed on Kingsbury Road (application reference 2016/00704/PA) and the majority of the car parking accommodated by the application site is expected to be accommodated at this location. The concurrent application seeks flexibility to accommodate staff parking whilst a permanent solution is identified. It is understood from recent observations of the site that the full car park capacity is never utilised, with less than half of it in frequent use. The additional parking spaces are proposed to be retained for abnormal events or shift changeover.
- 6.25. It is noted that the temporary consent expired in February 2018 so an application to retain the car parking use for the short term was required in any event. Given the speculative nature of the wider application proposals and the need to satisfy certain leasing arrangements prior to construction, I am of the view that neither application

would prejudice the short term retention of temporary car parking or the medium term delivery of large industrial premises. I do not consider that attaching a condition to any grant of planning permission to link the two applications would be appropriate or justifiable in the circumstances. The ongoing use of the car park would not preclude any pre-commencement works from taking place on the site to prepare for the delivery of the current application proposals.

- 6.26. Furthermore, Transportation Development raises no concerns with regards to the loss of the existing car parking. I concur with this view.
- 6.27. **Other Matters** – The site historically was occupied by a large industrial unit which was subsequently demolished to provide car parking for Jaguar Land Rover employees following the displacement of a substantial area of their car parking on site as a result of expansion. Regulatory Services has recommended conditions related to contaminated land remediation, based on the findings of the submitted Phase I Geo-Environmental Statement and the previous use of the site. I concur that such conditions are reasonable and necessary in the context of the proposals.
- 6.28. The Council's Employment Access Team raises no objections to the proposals, subject to a condition to secure a construction employment plan to be implemented at the site. It is noted that reference to local employment opportunities is mentioned throughout the application submission. I consider that the condition would be appropriate and reasonable in the context and attach the recommended condition accordingly.

7. Conclusion

- 7.1. The application proposals seek to secure consent for the erection of a large industrial unit in B8 warehousing use with ancillary B1 offices alongside car parking, service yard, landscaping and drainage features. The proposals are considered to be in accordance with adopted planning policy and are considered to be a significant improvement on the previous uses of the site. The proposals raise no concerns with regards to visual amenity, residential amenity or highway safety. Conditions are recommended to ensure that the proposed scheme delivers the optimum potential of the site. For the reasons set out above, I recommend that the application be approved subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

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|---|---|
| 1 | Limits the hours of operation between 7am and 8pm Monday to Friday, 8am to 8pm Saturday and 9am to 6pm Sunday |
| 2 | Requires the prior submission of a contamination remediation scheme |
| 3 | Requires the prior submission of a contaminated land verification report |
| 4 | Limits the noise levels for Plant and Machinery |
| 5 | Requires the prior submission of hard and/or soft landscape details |
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- 6 Requires the prior submission of hard surfacing materials
 - 7 Requires the prior submission of boundary treatment details
 - 8 Requires the prior submission of a landscape management plan
 - 9 Requires the prior submission of level details
 - 10 Requires the prior submission of a lighting scheme
 - 11 Requires the prior submission of sample materials
 - 12 Requires the prior installation of means of access
 - 13 Requires the prior submission of a parking management strategy
 - 14 Requires the prior submission of a commercial travel plan
 - 15 Requires the delivery and service area prior to occupation
 - 16 Requires the parking area to be laid out prior to use
 - 17 Requires vehicular visibility splays to be provided
 - 18 Requires the prior submission of cycle storage details
 - 19 Requires pedestrian visibility splays to be provided
 - 20 Requires the prior submission of details of a delivery vehicle management scheme
 - 21 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 22 Requires the prior submission of a construction employment plan
 - 23 Requires the prior submission of drainage plans for the disposal of foul and surface water flows
 - 24 Requires the prior submission of a sustainable drainage scheme
 - 25 Requires the scheme to be in accordance with the listed approved plans
 - 26 Implement within 3 years (Full)
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Case Officer: Claudia Clemente

Photo(s)



Figure 1: Application Site – south west corner



Figure 2: Application Site – looking north to the residential properties in Julia Avenue



Figure 3: Site Context - Erdington Industrial Park with application site located to the left hand side

Location Plan



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Birmingham City Council

Planning Committee

07 June 2018

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>
Approve - Conditions	10	2017/08471/PA 153 Allens Croft Road Kings Heath Birmingham B14 6RP Erection of a two storey rear wing extension comprising of nine bedrooms
Approve – Conditions	11	2017/06773/PA 34-34a Westfield Road Edgbaston Birmingham B15 3QG Erection of glazed link and rear extension to a pair of Grade II Listed semi-detached cottages and conversion to a single dwellinghouse
Approve - Conditions	12	2017/06794/PA 34-34a Westfield Road Edgbaston Birmingham B15 3QG Listed Building Consent for internal alterations and a rear extension in association with conversion to a single dwelling house
Approve - Conditions	13	2018/02980/PA 1381-1383 Pershore Road Stirchley Birmingham B30 2JR Part change of use from restaurant (Class A3) to drinking establishment (Class A4) and installation of replacement shopfront

Committee Date:	07/06/2018	Application Number:	2017/08471/PA
Accepted:	31/10/2017	Application Type:	Full Planning
Target Date:	26/12/2017		
Ward:	Brandwood & King's Heath		

153 Allens Croft Road, Kings Heath, Birmingham, B14 6RP

Erection of a two storey rear wing extension comprising of nine bedrooms

Applicant:	Mr Adil Hussain 102 Hodge Hill Common, Hodge Hill, Birmingham, B36 8AG
Agent:	Mr S Khan 248 Washwood Heath Road, Washwood Heath, Birmingham, B8 1RJ

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Planning consent is sought for the erection of a two storey rear extension to the nine-bedroom House of Multiple Occupancy (HMO) approved in May 2017. The extension would provide a further nine bedrooms (all with ensuite). The application originally proposed a two storey rear extension providing fourteen bedrooms, which was L-shaped and sited parallel to the sites north-eastern side boundary.
- 1.2. The proposed two storey rear extension would measure 17m in length and 11m in width. The extension would incorporate a pitched roof design with an eaves height of 4.9m and a total height of 7.6m. The extension would be of matching materials to the existing building: brick and tile. The extension would project at a right angle to the existing frontage building, parallel to the site's south-western side boundary. An existing side garage would be removed.
- 1.3. The extension would accommodate 3 bedsits, a communal kitchen and lounge/diner at ground floor and a further 6 bedsits at first floor. In total, there would be nineteen bedrooms, two lounge/dining rooms, two kitchens and a lounge/kitchen. In addition to the new ensuite bedrooms, there are shared bathrooms, storage and utility rooms.
- 1.4. The proposal also includes enlarging an area of hard standing to accommodate an additional four car parking spaces, and cycle and bin storage.
- 1.5. The Applicant states that the premises are managed by a caretaker who resides at the site, i.e. he is available on a 24 hour basis for the residents. The site has 24 hour CCTV system in operation and entry to the building is by key. The Applicant states that the premises are currently marketed at professionals and/or as a stop gap for persons moving onto permanent residency, they currently do not have any age restrictions. The rooms are offered on a short term, from 1 month to 18 month contracts.

1.6. A flood risk assessment has been submitted to support the application

1.7. [Link to Documents](#)

2. Site & Surroundings

2.1. This application relates to a large two storey, detached building located on the north western side of Allens Croft Road. The building is currently in use as a large house of multiple occupation with nine bedsits. The building is set back from the highway and its frontage includes a number of mature trees. To the rear, the site benefits from a large garden area, the rear part of the garden falls within Flood Zone 2 and 3 due to Lifford Reservoir to the south and the River Rea to the west.

2.2. The surrounding area is comprised of mainly residential dwellings, but includes a number of non-residential uses such as a Primary School, Neighbourhood Office and Church. The site is bound to the north-west by the cross-City railway line (at lower level in a cutting), to the north-east and south of the site are residential properties and the Brandwood neighbourhood office is located to the south west.

2.3. [Site location map](#)

3. Planning History

3.1. 02/05/2017- 2017/03459/PA- Change of use from children's care home (Use class C2) to nine bed room house of multiple occupancy (HMO) - (Sui Generis) with shared facilities and ancillary caretaker flat. - Approved subject to conditions.

4. Consultation/PP Responses

4.1. Environment Agency- No objection- part of the site falls within Flood Zone 2, which the EA considers to be too low risk to warrant a consultation response.

4.2. Severn Trent- No objection subject to conditions relating to drainage plans for the disposal of foul and surface water flows

4.3. Transportation Development- No objection subject to conditions for secure and sheltered cycle storage.

4.4. Regulatory Services- No objection subject to conditions relating to the submission of a noise insulation scheme, contamination remediation scheme and contaminated land verification report.

4.5. Network Rail- no response received.

4.6. Local residents, Neighbourhood Office, Allens Croft Primary School, Ward Councillors, MP and Residents Associations notified, Site notice displayed. Letters of objection from four addresses, and one from Councillor Leddy, raising the following points:

- would more than double the size of the building, and would not be in-keeping with the area;
- due to levels, would be higher than some neighbours' houses, and cause loss of view and privacy (from overlooking) Also, would block winter sun (that

helps burn-off ground moisture and heats up houses). Need to move building to other side (west) of plot;

- drainage and flooding problems on site and in the local area, partially due to run-off from the railway embankment, and the additional car parking would not help this matter. Both this site and the Brandwood Centre (Neighbourhood Office) have overflow reservoirs for flooding which need to be maintained;
- concern at extra cars and parking;
- do not want random people coming and going, there are enough people living in the premises already;
- small mammals visit the site, and is near the Lifford Woodland Project;
- concern that the proposal would disturb the activities of the Brandwood Centre;
- site already affects neighbours' amenity due to light pollution, and wildlife; and
- request determination by the Planning Committee (Councillor Leddy).

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017
- Birmingham UDP (saved policies) 2005
- Places for All SPG
- Parking Standards
- 45 Degree Code

5.2. The following national policies are applicable:

- National Planning Policy Framework (NPPF) 2012

6. Planning Considerations

6.1. The main considerations in the determination of this planning application are the effects of the proposed development on residential amenity, future residents' amenity, highway matters, and trees and ecology. The Saved parts of the UDP include policy for HMOs, at Paragraphs 8.23 – 8.25. The policy's principal criteria are local amenity, the size and character of the property, floorspace, parking, and whether there are other HMOs in the area.

Neighbours' Residential Amenity

6.2. I am not aware of any particular concentration of HMOs in the area, and the neighbouring land uses consist of houses and a Neighbourhood Office. A HMO is not inherently noisy or a bad neighbour. As such, I have no objection in principle to the extension of the HMO premises. I also note the Applicant's submission that the site is managed on a 24 hour basis by a caretaker.

6.3. The proposal would comply with the 45 Degree Code. Although it would breach a 45 degree line by approximately 2m, it would be at a distance of some 23m from the affected windows at 141/147 Allens Croft Road. The Code allows for such scenarios, where the separation distance is substantial.

6.4. The proposal would comply with the distance separation standards as set out in 'Places for Living' SPG: there would be 12.2m distance from first-floor windows to the north-eastern boundary, exceeding the guideline minimum of 10m; there would

be 28m distance from first-floor windows to the rear of neighbours' rear elevations to the north-east, exceeding the guideline minimum of 21m. Originally, the development was located close to the boundary with neighbouring residential properties which raised Officer concern (and neighbours') regarding the potential overlooking, loss of privacy and loss of outlook to the neighbouring occupiers. However, the amended scheme has been significantly set back from the boundary with neighbouring residential properties and as such, I am satisfied that the revised location would overcome the concerns raised previously. I consider that there would be sufficient distance between the proposed development and the adjacent neighbourhood offices to avoid any overlooking or lack of privacy, given the offices' non-residential nature. As such, I am satisfied that the proposed development would not have a detrimental impact on neighbouring amenity by way of loss of daylight, outlook or privacy.

- 6.5. I note an objection regarding the potential disturbance to the neighbourhood offices caused by the increase in traffic at the site. However, the proposal would provide an additional 5 car parking spaces, which I do not consider would cause significant increase in disturbance to neighbouring uses.

Future residents' amenity

- 6.6. The proposed extension would provide 9 well-proportioned bedrooms which comfortably exceed the minimum national bedroom standards (although the standards are not adopted policy in Birmingham, they do provide a useful yardstick against which to judge the adequacy of proposals). I also note the provision of a large kitchen, and large lounge room in the proposed extension, while the existing building has the same large kitchen and large lounge room shown also. The building would retain 632sqm of rear amenity space. I am satisfied that the development would provide adequate living conditions for future occupiers.
- 6.7. I note that Regulatory Services raise no objection subject to a condition relating to a noise insulation scheme ensuring for all habitable room windows facing the railway, a contamination remediation scheme and a contaminated land verification report. They also request the provision of a vehicle charging point. I concur with this view and have added the conditions as requested.

Highway matters

- 6.8. Transportation Development has raised no objection to the proposal subject to a condition requiring secure and sheltered cycle storage. The Applicant has since amended the scheme to include cycle storage. The proposed development is set well within the curtilage of the site and I am therefore satisfied that the proposed development would not impact upon the safety of the highway. I consider a more efficient parking area could be provided, taking up less space, and so attach a condition to achieve that.

Trees and ecology

- 6.9. My Tree Officer has no objection subject to a condition requesting details relating to the construction of surface and edging in the vicinity of the willow tree on the frontage. My Ecologist notes the tile-hung elements of the building elevations, which can allow space for roosting bats, and the proximity to the wooded railway corridor which would provide a foraging route to further foraging at Lifford Reservoir. As such, a bat survey is requested by condition, which I attach.

6.10. Otherwise, I note some local concern about drainage. However, neither Severn Trent nor the Environment Agency object, and I attach a drainage condition.

7. Conclusion

7.1. The development would not result in any harm to the visual amenity of the area, to residential amenity or on highway safety. I therefore consider the development to be acceptable and it accords with policy. As such I consider that the development constitutes sustainable development and recommend approval.

8. Recommendation

8.1. Approve subject to conditions

-
- | | |
|----|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of hard and/or soft landscape details |
| 3 | Requires the prior submission of boundary treatment details |
| 4 | Requires the prior submission of level details |
| 5 | Requires that the materials used match the main building |
| 6 | Requires the prior submission of a lighting scheme |
| 7 | Requires the prior submission of cycle storage details in a phased manner |
| 8 | Requires the prior submission of noise insulation (variable) |
| 9 | Requires the prior submission of a contamination remediation scheme |
| 10 | Requires the prior submission of a contaminated land verification report |
| 11 | Requires the prior submission of a sustainable drainage scheme |
| 12 | Requires the prior submission of an additional bat survey |
| 13 | Requires the prior approval of an amended car park layout |
| 14 | Requires the provision of a vehicle charging point |
| 15 | Implement within 3 years (Full) |
-

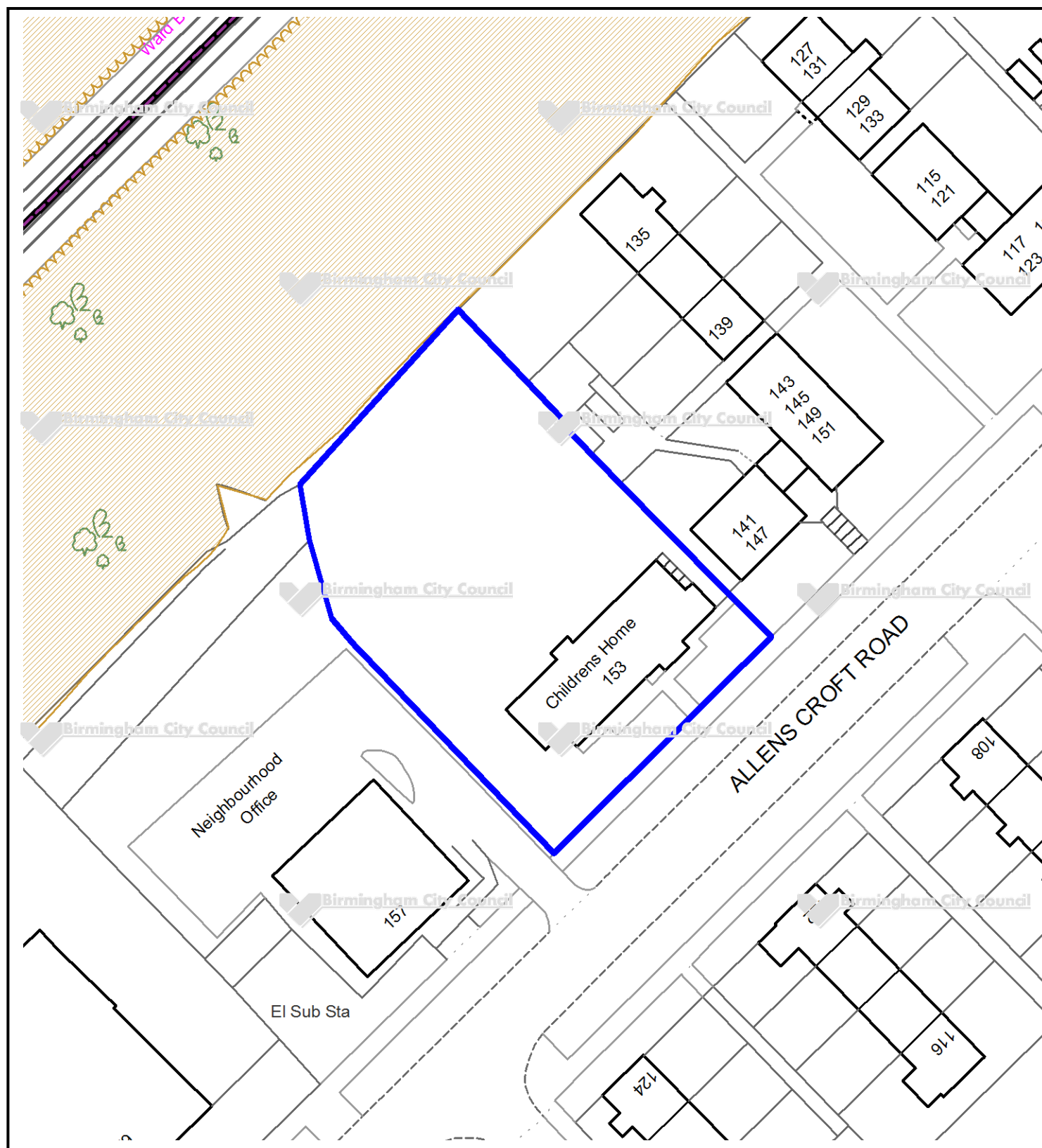
Case Officer: Abbey Edwards

Photo(s)



Front Elevation

Location Plan



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Committee Date:	07/06/2018	Application Number:	2017/06773/PA
Accepted:	10/08/2017	Application Type:	Full Planning
Target Date:	05/10/2017		
Ward:	Edgbaston		

34-34a Westfield Road, Edgbaston, Birmingham, B15 3QG

Erection of glazed link and rear extension to a pair of Grade II Listed semi-detached cottages and conversion to a single dwellinghouse

Applicant:	Calthorpe Estates 76 Hagley Road, Edgbaston, Birmingham, B16 8LU
Agent:	St. Paul's Associates The Mews, 13a St Paul's Square, Birmingham, B3 1RB

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This application proposes the erection of an extension to a pair of existing semi-detached cottages and conversion of the resulting property to a single dwelling house.
- 1.2. *Existing cottages:* These are Grade II Listed and currently comprise two separate one-bedroom dwellings, each with its own living room and kitchen on the ground floor and one bedroom and a bathroom on the first floor. The following alterations are proposed:
 - Ground floor:
 - one new internal doorway to connect the two existing living rooms using an existing archway feature adjacent to the fireplaces.
 - existing external doorway in west elevation of No. 34a which is currently bricked up to be opened and a glazed link to the extension to be constructed giving ramped access to the proposed extension.
 - existing window in west elevation of No. 34a to be bricked up.
 - First floor: no structural changes but one bedroom to be used as an office/study.
- 1.3. *Proposed extension:* This would be concealed behind a 3.6m tall brick wall extending 23m across the width of the site. Constructed from reclaimed brickwork and with 5 brick buttresses this is intended to appear as a traditional garden wall. Beyond it the extension would comprise a three storey structure incorporating a basement. The contemporary design of the extension would contrast with the traditional appearance of the cottages and its block-like form would include a monopitch green roof, large areas of glazing and elevations principally faced in a modern blue brick. The upper floor would be detached from the garden wall with the green roof just visible above the wall. The overall height of the extension would be 8.9m however only the upper 5.6m would be above ground level and the whole structure would be 1.1m lower than the apex of the roof of the cottages.

- 1.4. *Glazed link*: This would be 6.3m long, breaking through the garden wall part way along the link and connecting the ground floor of the existing cottages to the ground floor of the proposed extension. The first floor of the extension would be set back from the garden wall by 2.7m so the roof would be detached from it. A sunken terrace is proposed to the rear of the extension, accessed via the basement gym, along with a sunken courtyard adjacent to the garden wall leading out from two basement bedrooms. At natural ground level external terraces would be created accessed via rooms on the ground floor and incorporating rooflights to light the basement. The front garden area around the cottages would be landscaped and new hardsurfacing installed to serve the integral garaging which would be accessed through two doors in the garden wall.
- 1.5. Internally, the extension would comprise the following accommodation:
- Ground floor: hallway, kitchen, breakfast room, formal dining room, lounge, snug, utility, study, WC and double garage. Total floorspace: 142sqm.
 - First floor: four double bedrooms, all with ensuite bathrooms and two with dressing rooms. All bedrooms rear-facing with Juliette balconies overlooking the rear garden. Total floorspace: 142sqm.
 - Basement: Two bedrooms with ensuite shower rooms and both with patio doors opening into a lightwell/courtyard. Cinema room, gym and games room. Total floorspace: 147sqm.
 - Total floorspace: 505sqm.
- 1.6. Site area: 0.3ha Density: 3dph Car parking: 200%
- 1.7. The application is supported by a Design, Access and Historic Buildings Statement with Addendum, Tree Survey and Schedule, and a Preliminary Ecological Appraisal with Preliminary Roost Assessment.
- 1.8. [Link to Documents](#)
2. Site & Surroundings
- 2.1. The application site comprises the pair of semi-detached Grade II Listed cottages set on a large plot which is predominantly flat and has good tree coverage. The pair of cottages are served by both a pedestrian and vehicular access off Westfield Road. They were built in the early 19th century most likely for agricultural workers and pre-date all other dwellings on Westfield Road. They may have faced a lane which has since been lost and the development of Westfield Road on a different orientation may explain why they are now positioned perpendicular to the road and at odds with the siting of surrounding dwellings. The Harborne Walkway, a former railway line, borders the site along its west boundary. The surrounding area is entirely residential and forms part of the Calthorpe Estate. Dwellings are generally very sizeable and set in large well-landscaped plots.
- 2.2. [Site location](#)
3. Planning History
- 3.1. 07/06/1999 - 1999/00214/PA - 34a Westfield Road - Internal alterations and provision of off road parking area – Approved with conditions.

- 3.2. 10/08/2017 - 2017/06794/PA - 34-34a Westfield Road - Listed Building Consent for internal alterations and a rear extension in association with conversion to a single dwelling house – Awaiting decision.
4. Consultation/PP Responses
- 4.1. Regulatory Services: No objection subject to a condition requiring at least one electric vehicle charging point.
- 4.2. Transportation Development: No objection. A good level of parking would be offered within the curtilage and it is not anticipated that traffic and parking demand generated by the site would differ notably to that currently generated.
- 4.3. Local and national amenity societies notified of the application; no responses received.
- 4.4. Site notice posted, press notice published, Local Councillors, Residents' Associations and the occupiers of neighbouring properties notified of the application; the following responses received:
- Councillor Deirdre Alden: Objects on the grounds that it would be inappropriate to replace two small houses with a single large one when the City is short of houses; and it would be inappropriate to tack a large modern house onto the attractive, historic cottages and would spoil the streetscene.
 - Letters from 4 local addresses objecting for the following reasons:
 - Tree survey required as many trees would be felled which would detract from the character of the area.
 - Flood risk assessment/drainage report needed – cellars have been flooded previously.
 - Biodiversity Report needed; wildlife would be displaced by the proposal.
 - Design and Access and Historic Statement does not comply with the requirements of the NPPF or BDP policy TP12.
 - Loss of two affordable housing units for the gain of one large family dwelling.
 - The rear garden of the application is disproportionately large but this is how the Calthorpe Estate was planned when Westfield Road was developed. If this is to be developed it should be with modern replicas of the cottages to provide additional affordable housing.
 - The scale and type of the proposed extension is not appropriate to the character of the Listed property.
 - Proposal fails to comply with the guidance contained in SPD Extending Your Home.
 - Loss of privacy for neighbouring properties, particularly of the most used part of their gardens close to the houses.
 - Proposal would cause substantial harm to the significance of the heritage asset and there are no public benefits which would outweigh the harm.
 - There is no need to create a doorway in the rear wall when one already exists.
 - The proposed extension extends well beyond the existing building line.
 - Disturbance and pollution during the construction.
 - The applicant is also the conservation protector which raises a conflict of interests.

- Letters from 1 of the original objectors in response to further information (Tree Survey/Schedule, Heritage Statement Addendum and Ecological Appraisal) making the following additional comments:
 - The cottages' orientation is not unusual; south-facing elevations benefit from the sun all day.
 - A previous application to brick up an existing doorway was declined as it changed the external appearance of the building.
 - The cottages are well-maintained.
 - These two agricultural workers dwellings offer a unique insight into the historic development of the Calthorpe Estate.
 - The proposed extension should not be referred to as such.
 - The cottages will become an entrance way to a modern development.
 - A number of trees were felled on 3 January including a 75 year old sycamore and yew apparently on the grounds of health and safety.

5. Policy Context

- 5.1. Birmingham Development Plan 2017; Birmingham UDP (saved policies) 2005; SPD Mature Suburbs 2008; SPG Places for Living 2001; SPG Regeneration Through Conservation 1999; Technical Housing Standards – Nationally Described Space Standard 2015; NPPF; NPPG.

6. Planning Considerations

Principle

- 6.1. Although the proposal does not involve demolition, in effect the application seeks consent for the net loss of one small dwelling and the creation of a single larger dwelling. Both of the existing cottages are currently occupied however they are particularly small units and do not offer flexible accommodation which can be occupied by a wide range of residents. I note that they do exceed the minimum recommended size set out in the *Technical Housing Standards* for a one-bedroom two-person dwelling arranged over two storeys but only by 8sqm. While the BDP seeks to deliver a range of dwellings to meet local needs, it states that full consideration will be given to the site and its context and that low density development may be appropriate to preserve the character of the locality (TP30). In this case, given that the surrounding dwellings and their plots are substantially larger than the cottages, one large dwelling would accord more closely with the character of the area.
- 6.2. BDP policy TP12 refers to the historic environment and seeks to manage new development in ways which will make a positive contribution to the character of that environment. Changes proposed to the cottages are minimal and the only point where the proposed extension would be attached is at the rear with a lightweight glazed link. The scale of the extension is significant compared to the cottages however its design is such that it would not have an unduly imposing impact on the cottages when viewed from the street. In my view, and in broad terms, the proposal accords with policy TP12 which encourages innovative design which retains the significance of the heritage asset and is integrated with the historic environment. The resulting dwelling would secure the long term use and maintenance of the Listed cottages and create a unique dwelling which would enhance the character of the area.

Detailed design/layout

- 6.3. The proposed extension would project beyond the rear elevations of the adjacent houses by between 5m and 11m. The rear building line is not particularly strong due to variations in housetype and the relatively large gaps between properties so the rear projection of the extension would not undermine the character of the area. The shallow monopitch green roof and the sunken design would minimise its impact in views from neighbouring gardens and the Harborne Walkway to the rear of the site, and boundary trees and shrubs would provide good screening. The contemporary appearance of the extension would contrast with the traditional design of the cottages, clearly indicating the history and development of the resulting dwelling. The main entrance into the dwelling would continue to be through the cottages, reinforcing their importance in terms of the history of the site.
- 6.4. The Conservation Officer was involved in pre-application discussions and the final scheme is in line with those discussions and his ongoing design advice and consequently he has no objection to the scheme.

Impact on Listed Buildings

- 6.5. The Design, Access and Historic Buildings Statement and Addendum sets out the significance of the cottages, noting they are early agricultural cottages within the Calthorpe Estate and their orientation may indicate an early layout of lanes within the original farmland. In themselves, they are fairly typical of agricultural workers dwellings and are well-preserved externally. The NPPF requires an assessment of the harm which a development would cause to the significance of a heritage asset and in this case I consider the harm would be less than substantial for the following reasons:
- Changes to the external appearance and internal layout of the cottages would be minimal and would preserve their original character and purpose.
 - The garden wall, although normally associated with a larger dwelling, would be an effective tool in limiting views of the extension in the setting of the cottages. It would be designed with historically appropriate features including angled buttresses, brick type and brick coursing.
 - Refurbishment of the hard and soft landscaping within the front garden is likely to improve the setting of the cottages and their visibility in the streetscene.
- 6.6. When harm is less than substantial the NPPF states that this should be weighed against the public benefits of the proposal, including securing its optimum viable use. I note that the existing cottages are both currently occupied and there is no indication of any significant periods of vacancy, however, I am also mindful that the BDP indicates a greater need for larger properties than for one-bedroom dwellings (para.8.22 and figure 2 of Chapter 8: Homes and Neighbourhoods). This proposal presents the opportunity to secure the long term future of 2 listed cottages and deliver a large family dwelling in an area that would be entirely in keeping with the surrounding area. For these reasons I consider the less than substantial harm caused to the Listed Buildings is outweighed by these identified public benefits.
- 6.7. An objection on the grounds that a previous application to brick up an existing doorway was declined as it changed the external appearance is noted however I can find no record of this being the case. Approved plans relating to planning application 1999/00214/PA included bricking up the doorway which is now proposed to be re-opened to give access to the glazed link.

Trees/ecology

6.8. The Proposed Site Plan originally submitted with this application indicates the removal of 6 unidentified trees immediately to the rear of the property. The Tree Officer has raised no objection since they are not the subject of a Tree Preservation Order (TPO) and offer no public amenity value in the Westfield Road streetscene. A Tree Survey has been provided subsequent to the original submission, in January 2018, and indicates that the six trees have already been removed, which the landowner was free to do since they were not protected by a TPO. The condition recommended by the Tree Officer to secure an arboricultural method statement is attached.

6.9. The City Ecologist is satisfied with the ecological appraisal and bat report and a condition is attached to secure the recommendations contained within these as part of an ecological enhancement strategy. A further condition is attached relating to the green roof on the extension as its biodiversity benefit could be improved beyond what is currently proposed.

Impact on residential amenity

6.10. In relation to the occupiers of adjacent properties, the proposal complies with the 45 Degree Code in respect of No. 32. It conflicts with the Code in respect of No. 36 Westfield Road by approximately 1.4m however I do not consider this would cause a significant loss of light taking account of the 14m distance to the affected ground floor window, the position of the extension north of No. 36, and planting on the boundary which would provide some screening.

6.11. Side-facing corner windows in the lounge on the ground floor and a bedroom on the first floor of the extension would be less than the 5m and 10m respectively recommended in Places for Living from the boundary with No. 36 (they are 3m and 8m instead). I consider any overlooking could be prevented through the use of obscure glazing and a condition is attached accordingly. Also attached is a condition preventing the insertion of any further windows under permitted development to ensure that overlooking does not occur in the future.

6.12. With regard to future occupiers of the proposed dwelling, accommodation provided exceeds the government's Technical Housing Standards, which although not yet adopted locally serves as a useful guide to the size of dwellings. The proposed garden would also exceed the Places for Living recommendation of 70sqm per dwelling for family sized accommodation.

6.13. Concerns have been raised regarding noise and disturbance during the construction process. Some level of noise and disturbance would be expected with any building works but it is only temporary in nature and consequently is not a significant concern.

Impact on parking and highway safety

6.14. An integral double garage is proposed and several further vehicles could be accommodated within the site without an undue amount of new hardsurfacing. In any case, on-street parking is unrestricted and consequently, Transportation Development has no objection to the scheme. I agree that traffic generation is unlikely to be significantly affected by the proposal.

Community Infrastructure Levy

6.15. The proposal is not liable for CIL.

Other Considerations

- 6.16. Concerns have also been raised regarding flooding. The site is located entirely within flood zone 1 where there is the lowest risk of flooding. It has been suggested that there is a conflict of interest with Calthorpe Estates being the applicant. Such a matter is not a material planning consideration. The application has been assessed on its own individual planning merits against relevant national and local policies.

7. Conclusion

- 7.1. The proposal would ensure the long-term maintenance and sustainability of a designated heritage asset whilst enlarging it in an innovative and creative way. It would provide a large family dwelling helping to fulfil a need across the City and in keeping with the character of accommodation in the vicinity of the site and therefore the proposal constitutes a sustainable form of development.

8. Recommendation

- 8.1. Approve subject to conditions

-
- | | |
|----|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Arboricultural Method Statement - Submission Required |
| 3 | Requires the implementation of the submitted mitigation/enhancement plan |
| 4 | Requires the prior submission of hard and/or soft landscape details |
| 5 | Requires the prior submission of details of green/brown roofs |
| 6 | Requires the prior submission of sample materials |
| 7 | Requires the prior submission details obscure glazing for specific areas of the approved building |
| 8 | Requires the provision of a vehicle charging point |
| 9 | Removes PD rights for new windows |
| 10 | Implement within 3 years (Full) |
| 11 | Use only as a single dwelling |
| 12 | Requires the prior submission of details for the protection of architectural details |
-

Case Officer: Amy Stevenson

Photo(s)



Photo 1: Front elevation of cottages



Photo 2: Rear elevation of cottages

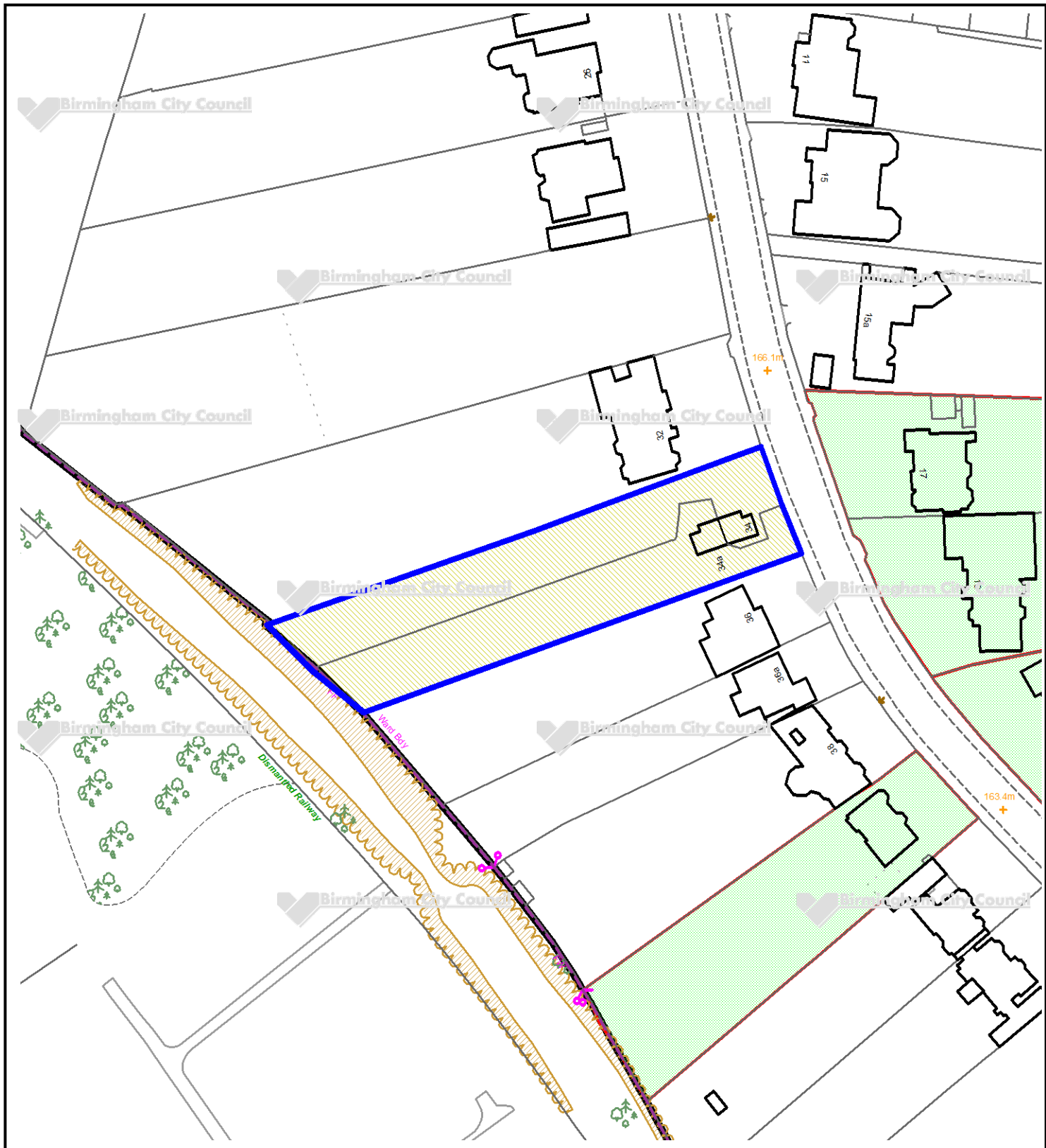


Photo 3: Rear garden and boundary with No. 32 Westfield Road



Photo 4: Rear garden and boundary with No. 36 Westfield Road

Location Plan



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Committee Date:	07/06/2018	Application Number:	2017/06794/PA
Accepted:	10/08/2017	Application Type:	Listed Building
Target Date:	05/10/2017		
Ward:	Edgbaston		

34-34a Westfield Road, Edgbaston, Birmingham, B15 3QG

Listed Building Consent for internal alterations and a rear extension in association with conversion to a single dwelling house

Applicant:	Calthorpe Estates 76 Hagley Road, Edgbaston, Birmingham, B16 8LU
Agent:	St. Paul's Associates The Mews, 13a St Paul's Square, Birmingham, B3 1RB

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This application proposes the erection of an extension to a pair of existing semi-detached cottages and associated changes to the cottages to facilitate conversion of the resulting property to a single dwellinghouse.
- 1.2. *Existing cottages:* These are Grade II Listed and currently comprise two separate one-bedroom dwellings, each with its own living room and kitchen on the ground floor and one bedroom and a bathroom on the first floor. The following alterations are proposed:
 - Ground floor:
 - one new internal doorway to connect the two existing living rooms using an existing archway feature adjacent to the fireplaces.
 - existing external doorway in west elevation of No. 34a which is currently bricked up to be opened and a glazed link to the extension to be constructed giving ramped access to the proposed extension.
 - existing window in west elevation of No. 34a to be bricked up.
 - First floor: no structural changes but one bedroom to be used as an office/study.
- 1.3. *Proposed extension:* This would be concealed behind a 3.6m tall brick wall extending 23m across the width of the site. Constructed from reclaimed brickwork and with 5 brick buttresses this is intended to appear as a traditional garden wall. Beyond it the extension would comprise a three storey structure incorporating a basement. The contemporary design of the extension would contrast with the traditional appearance of the cottages and its block-like form would include a monopitch green roof, large areas of glazing and elevations principally faced in a modern blue brick. The upper floor would be detached from the garden wall with the green roof just visible above the wall. The overall height of the extension would be 8.9m however only the upper 5.6m would be above ground level and the whole structure would be 1.1m lower than the apex of the roof of the cottages.

- 1.4. *Glazed link*: This would be 6.3m long, breaking through the garden wall part way along the link and connecting the ground floor of the existing cottages to the ground floor of the proposed extension. The first floor of the extension would be set back from the garden wall by 2.7m so the roof would be detached from it. A sunken terrace is proposed to the rear of the extension, accessed via the basement gym, along with a sunken courtyard adjacent to the garden wall leading out from two basement bedrooms. At natural ground level external terraces would be created accessed via rooms on the ground floor and incorporating rooflights to light the basement. The front garden area around the cottages would be landscaped and new hardsurfacing installed to serve the integral garaging which would be accessed through two doors in the garden wall.
- 1.5. Internally, the extension would comprise the following accommodation:
- Ground floor: hallway, kitchen, breakfast room, formal dining room, lounge, snug, utility, study, WC and double garage. Total floorspace: 142sqm.
 - First floor: four double bedrooms, all with ensuite bathrooms and two with dressing rooms. All bedrooms rear-facing with Juliette balconies overlooking the rear garden. Total floorspace: 142sqm.
 - Basement: Two bedrooms with ensuite shower rooms and both with patio doors opening into a lightwell/courtyard. Cinema room, gym and games room. Total floorspace: 147sqm.
 - Total floorspace: 505sqm.
- 1.6. Site area: 0.3ha Density: 3dph Car parking: 200%
- 1.7. The application is supported by a Design, Access and Historic Buildings Statement with Addendum.
- 1.8. [Link to Documents](#)
2. Site & Surroundings
- 2.1. The application site comprises the pair of semi-detached Grade II Listed cottages set on a large plot which is predominantly flat and has good tree coverage. The pair of cottages are served by both a pedestrian and vehicular access off Westfield Road. They were built in the early 19th century most likely for agricultural workers and pre-date all other dwellings on Westfield Road. They may have faced a lane which has since been lost and the development of Westfield Road on a different orientation may explain why they are now positioned perpendicular to the road and at odds with the siting of surrounding dwellings. The Harborne Walkway, a former railway line, borders the site along its west boundary. The surrounding area is entirely residential and forms part of the Calthorpe Estate. Dwellings are generally very sizeable and set in large well-landscaped plots.
- 2.2. [Site location](#)
3. Planning History
- 3.1. 07/06/1999 - 1999/00214/PA - 34a Westfield Road - Internal alterations and provision of off road parking area – Approved with conditions.

- 3.2. 10/08/2017 - 2017/06773/PA - Erection of glazed link and rear extension to a pair of Grade II Listed semi-detached cottages and conversion to a single dwellinghouse - Awaiting decision.

4. Consultation/PP Responses

- 4.1. Local and national amenity societies notified of the application; no responses received.

- 4.2. Local Councillors, Residents' Associations and the occupiers of neighbouring properties notified of the application; the following responses received:

- Councillor Deirdre Alden: Forwarding a letter from one of the objectors and with her support for their concerns.
- Letters from 2 local addresses objecting for the following reasons:
 - Development is out of keeping with the area which contains predominantly Victorian properties.
 - The applicant is also the conservation protector which raises a conflict of interests.
 - The extension would extend well beyond the existing building line.
 - Significant overlooking of both neighbours impacting their quiet enjoyment and privacy.
 - These are the oldest buildings in the road. The proposed extension is not in keeping with the preservation of a historic building.
 - The existing properties provide modest, affordable housing. If more housing is needed on this large site then modern replicas of the cottages would be more in keeping with the heritage of the Calthorpe Estate.
 - The current occupants of the cottages (a single man and a young family) indicate the usefulness of this type of housing.
 - There is no need to structurally alter the rear wall to create a doorway when one already exists.
 - Calthorpe Estates itself made decisions about the development of Westfield Road which led to such a large garden attached to the very small cottages.

5. Policy Context

- 5.1. Birmingham Development Plan 2017; Birmingham UDP (saved policies) 2005, SPG Regeneration Through Conservation 1999; NPPF; NPPG.

6. Planning Considerations

- 6.1. BDP policy TP12 refers to the historic environment and seeks to manage new development in ways which will make a positive contribution to the character of that environment. Changes proposed to the cottages are minimal and the only point where the proposed extension would be attached is at the rear with a lightweight glazed link. The scale of the extension is significant compared to the cottages however its design is such that it would not have an unduly imposing impact on the cottages when viewed from the street. In my view, and in broad terms, the proposal accords with policy TP12 which encourages innovative design which retains the significance of the heritage asset and is integrated with the historic environment. The resulting dwelling would secure the long term use and maintenance of the Listed cottages and create a unique dwelling which would enhance the character of the area.

- 6.2. The proposed extension would project beyond the rear elevations of the adjacent houses by between 5m and 11m. The rear building line is not particularly strong due to variations in housetype and the relatively large gaps between properties so the rear projection of the extension would not undermine the character of the area. The shallow monopitch green roof and the sunken design would minimise its impact in views from neighbouring gardens and the Harborne Walkway to the rear of the site, and boundary trees and shrubs would provide good screening. The contemporary appearance of the extension would contrast with the traditional design of the cottages, clearly indicating the history and development of the resulting dwelling. The main entrance into the dwelling would continue to be through the cottages, reinforcing their importance in terms of the history of the site.
- 6.3. The Conservation Officer was involved in pre-application discussions and the final scheme is in line with those discussions and his ongoing design advice and consequently he has no objection to the scheme.
- 6.4. The Design, Access and Historic Buildings Statement and Addendum sets out the significance of the cottages, noting they are early agricultural cottages within the Calthorpe Estate and their orientation may indicate an early layout of lanes within the original farmland. In themselves, they are fairly typical of agricultural workers dwellings and are well-preserved externally. The NPPF requires an assessment of the harm which a development would cause to the significance of a heritage asset and in this case I consider the harm would be less than substantial for the following reasons:
- Changes to the external appearance and internal layout of the cottages would be minimal and would preserve their original character and purpose.
 - The garden wall, although normally associated with a larger dwelling, would be an effective tool in limiting views of the extension in the setting of the cottages. It would be designed with historically appropriate features including angled buttresses, brick type and brick coursing.
 - Changes to the layout and refurbishment of the hard and soft landscaping within the front garden are likely to improve the setting of the cottages and their visibility in the streetscene.
- 6.5. When harm is less than substantial the NPPF states that this should be weighed against the public benefits of the proposal, including securing its optimum viable use. I note that the existing cottages are both currently occupied and there is no indication of any significant periods of vacancy, however, I am also mindful that the BDP indicates a greater need for larger properties than for one-bedroom dwellings (para.8.22 and figure 2 of Chapter 8: Homes and Neighbourhoods). This proposal presents the opportunity to secure the long term future of 2 listed cottages and deliver a large family dwelling in an area where that would be entirely in keeping with the surrounding area. For these reasons I consider the less than substantial harm caused to the Listed Buildings is outweighed by these identified public benefits.

7. Conclusion

- 7.1. The proposal would ensure the long-term maintenance and sustainability of a designated heritage asset whilst enlarging it in an innovative and creative way. It would provide a large family dwelling helping to fulfil a need across the City and in keeping with the character of accommodation in the vicinity of the site and therefore the proposal constitutes a sustainable form of development.

8. Recommendation

8.1. Approve subject to conditions

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

2 Implement within 3 years (conservation/listed buildings consent)

Case Officer: Amy Stevenson

Photo(s)



Photo 1: Front elevation of cottages



Photo 2: Rear elevation of cottages

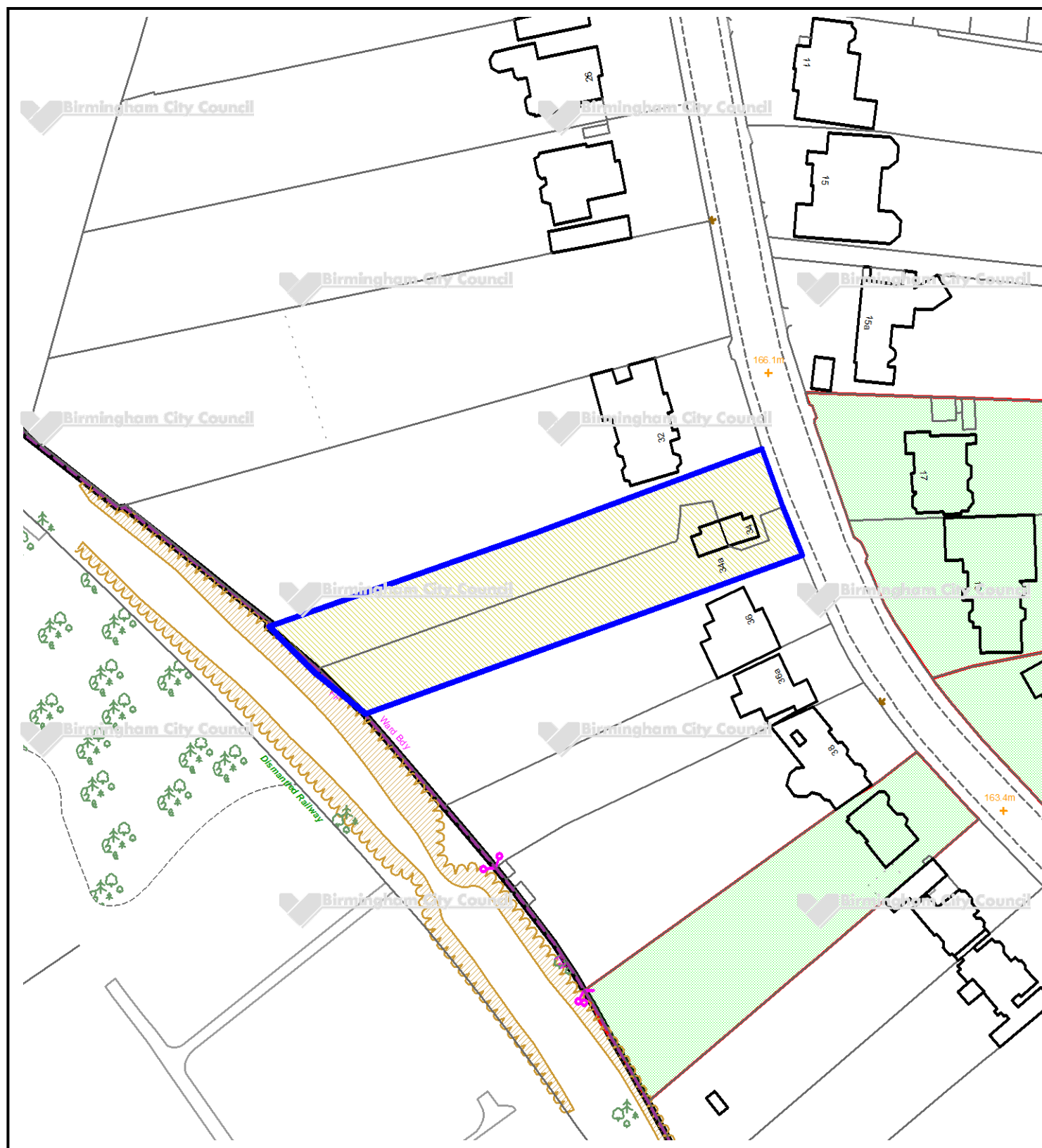


Photo 3: Rear garden and boundary with No. 32 Westfield Road



Photo 4: Rear garden and boundary with No. 36 Westfield Road

Location Plan



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Committee Date:	07/06/2018	Application Number:	2018/02980/PA
Accepted:	23/04/2018	Application Type:	Full Planning
Target Date:	18/06/2018		
Ward:	Stirchley		

1381-1383 Pershore Road, Stirchley, Birmingham, B30 2JR

Part change of use from restaurant (Class A3) to drinking establishment (Class A4) and installation of replacement shopfront

Applicant: The Wildcat Tap Ltd
1466 Pershore Road, Stirchley, Birmingham, B30 2NT

Agent:

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1 Planning permission is sought to change the use of the ground floor from a restaurant (A3) to a drinking establishment (A4) with ancillary restaurant use (A3). The applicant has explained that whilst the business would primarily operate as a drinking establishment some cold food would also be served.
- 1.2 The application form proposes opening hours from midday to 11pm seven days a week including bank holidays. However, a supporting statement indicates that initially the business is likely to only open from midday at weekends with reduced opening hours of between 5pm and 11pm on weekdays.
- 1.3 The internal layout of the ground floor would not alter substantially with a seating area retained at the front although a bar has been added and the food preparation area has been reduced in size to accommodate 2 cold storage areas. A new shopfront is also proposed as part of the application, with a dark grey painted brickwork plinth, and either coloured render or painted timber at fascia level. There would be dark grey powder coated aluminium windows, a timber fire door and a roller shutter is proposed over the front door.
- 1.4 The applicant currently operates his drinking establishment, 'The Wildcat Tap' out of 1466 Pershore Road but would like to relocate to the application site as this larger unit would be more suitable for this growing business.
- 1.5 [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site consists of an A3 unit that has been vacant for approximately 7 years. The property is located within the Primary Shopping Area of Stirchley District Centre, in an area of mixed commercial and residential properties.

2.2. The building has a commercial ground floor use, most recently a restaurant (A3) although the building has been unoccupied for a number of years. The first floor appears to have a residential use as a self-contained flat accessed via a passageway at the side of the unit. Similar retail and commercial usage extends along this part of the Pershore Road.

2.3. The property is bordered by an opticians (A1 use) at No.1379 Pershore Road and a barbers (A1 use) at No.1385 Pershore Road.

3. Planning History

3.1. 1995/03592/PA, Change of use to restaurant and takeaway, refused: highway safety, and harm to retail vitality and viability. Granted on appeal (3rd July 1996)

3.2. 2001/02741/PA, Change of use to flat from restaurant on ground floor, refused – harm to retail vitality and viability.

4. Consultation/PP Responses

4.1. West Midlands Police – No objection subject to conditions requiring the installation of CCTV and a security alarm.

4.2. Transportation – no objection.

4.3. Regulatory Services – comments awaited.

4.4. Local occupiers, Ward Councillors, MP and resident associations were notified. A site notice has been displayed, with 7 letters of objection received. The following concerns have been raised:

- No need for another A4 with the British Oak PH nearby;
- More A1 uses are required;
- Safety concerns associated with A4 use;
- Noise and disturbance in daytime and evenings;
- Businesses are needed which would be open all day;
- Increased congestion near busy junction; and
- Insufficient parking.

4.3 Two letters of support have been received highlighting the following matters:

- ‘The Wildcat Tap’ acts as a community hub;
- ‘The Wildcat Tap’ hasn’t resulted in increased noise or traffic;
- A bigger unit is required due to the success of the business; and
- Expansion of local businesses should be supported.

5. Policy Context

5.1 The following local policies are applicable:

- Birmingham Development Plan (BDP) 2031
- Birmingham Unitary Development Plan (UDP) Saved Policies 2005
- Car Parking Guidelines SPD
- Shopping & Local Centres SPD
- The Stirchley Framework SPD
- Shopfronts Design Guide

- 5.2 The following national policies are applicable:
- National Planning Policy Framework (NPPF)

6. Planning Considerations

- 6.1. The main considerations in the determination of this application are the principle of the development, impacts of the proposal on residential amenity, highway safety and the character of the area.

6.2. The Principle of the Development

- 6.3. The property is situated within the Primary Shopping Area (PSA) of Stirchley District Centre. The 'Shopping & Local Centres' SPD requires that 55% of ground floor units within the PSA must be retained as A1 retail uses. The current percentage is 62%. However, as the existing use of the property is a restaurant (A3) this change of use would not impact on the percentage of A1 uses. As such it is considered that this change of use would be acceptable and in accordance with this policy of the SPD.

- 6.4. In addition, although already outside of an A1 use, the change to a non-shopping use within a PSA must be considered against a number of factors to ensure suitability. These are:

- The need to avoid an over-concentration or clustering of non-retail uses such as to avoid a dead frontage;
- The type and characteristics of other uses in proximity to the retail unit;
- The size and type of unit; and
- The impact of the proposal on the character and function of the centre including opening hours, window displays and footfall generated

- 6.5. I do not consider that there would be a clustering of non-retail uses in the immediate area due to the retail units directly adjacent. I do not believe that the Micro-pub would present a 'dead frontage' to Pershore Road. The front of the unit, visible through a large glazed shopfront from Pershore Road, would have a very active frontage. Furthermore, although opening hours are only likely to be from 5pm weekdays at least initially, it would be a use providing activity at the site and helping to promote a vibrant night time economy within Stirchley.

- 6.6. Concerns have been raised about the over-supply of A4 uses locally however only the British Oak Public House is in close proximity. This in my view does not result in an over-concentration of such uses. It is also noted that the use is appropriate in this commercial location as advocated by 'Shopping & Local Centres SPD'. The proposal would also bring a long term vacant unit back into use. This would enhance the vitality of the centre and increase sustainability through the diversity of the area.

6.7. Residential Amenity

- 6.8. The closest residential accommodation is situated on the first floor of the property. Considering the location of the site within a commercial area, and its proposed opening hours, I am of the opinion that there would be no significant detriment to residential amenity. The main noise sources in this instance would be from patrons and any music from the internal area, and from external comings and goings. It is important to bear in mind that much of this noise would be present if the unit was occupied as its current lawful use as a restaurant. Comments are awaited from

Regulatory Services, but I anticipate the need for a noise insulation condition between the proposed bar and the first floor residential flat, I have already attached one accordingly.

- 6.9. Concerns have been raised regarding anti-social behaviour. West Midlands Police have indicated that they have had no calls regarding the current 'Wildcat Tap' premises which is in close proximity to this application site in Stirchley. There is therefore no evidence to suggest that the new venue would lead to increased instances of crime or anti-social behaviour. A condition requiring the installation of CCTV will further deter such behaviour.
- 6.10. Highways Considerations
- 6.11. Policy TP38 of the BDP states that "The development of a sustainable, high quality, integrated transport system, where the most sustainable mode choices also offer the most convenient means of travel, will be supported." One of the criteria listed in order to deliver a sustainable transport network is ensuring that land use planning decisions support and promote sustainable travel. Policy TP44 of BDP is concerned with traffic and congestion management. It seeks to ensure amongst other things that the planning and location of new development supports the delivery of a sustainable transport network and development agenda.
- 6.12. No off-site parking is provided with the proposal. Car parking is limited in the area with a small number of on street spaces on the Pershore Road which are restricted to maximum of a 1 hour stay during the daytime. However, the site is in a highly sustainable location with regular bus services available along the Pershore Road, and Bournville Train Station nearby to the west. It is considered that the vehicle movements with the proposed A4 use would be similar to that of the lawful use of a restaurant. Consequently the Transportation Development Officer raises no objection to the application. In summary, it is considered that the proposed change of use would not have a significant impact on the local highway network.
- 6.13. Character Impact
- 6.14. The Shopfronts Design Guide SPG highlights the important role that well designed shopfronts play in enhancing the character of High Streets. There is a general encouragement towards retaining existing shopfronts where possible and it is indicated that solid roller shutters would usually be resisted. In this case the proposed shopfront is similar to the current shopfront in that the same level of glazing is retained with 6 equally sized dark grey powder coated aluminium windows. The entrance is retained in the same location although the new door is set back allowing the removal of 2 steps which are to be replaced by a ramp. A roller shutter is only proposed over the front door meaning that there would not be a dead frontage even when the public house was closed. Full details of the roller shutter can be secured via condition. In a locality where shop fronts vary greatly it is considered that the proposed shopfront would appear acceptable in the streetscene.

7. Conclusion

- 7.1. The proposal would bring a vacant unit back into use within Stirchley District Centre. It would provide a suitable destination for the local population and, subject to safeguarding conditions, I am satisfied that there would be no detrimental impact to the amenities of surrounding area or occupiers. As such it is recommended that the proposal is approved, subject to relevant conditions as outlined below.

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 a CCTV scheme |
| 4 | Requires the prior submission of roller shutter details |
| 5 | Limits the hours of operation, 12:00 to 23:00 |
| 6 | Requires the prior submission a noise study to establish residential acoustic protection |
| 7 | Implement within 3 years (Full) |
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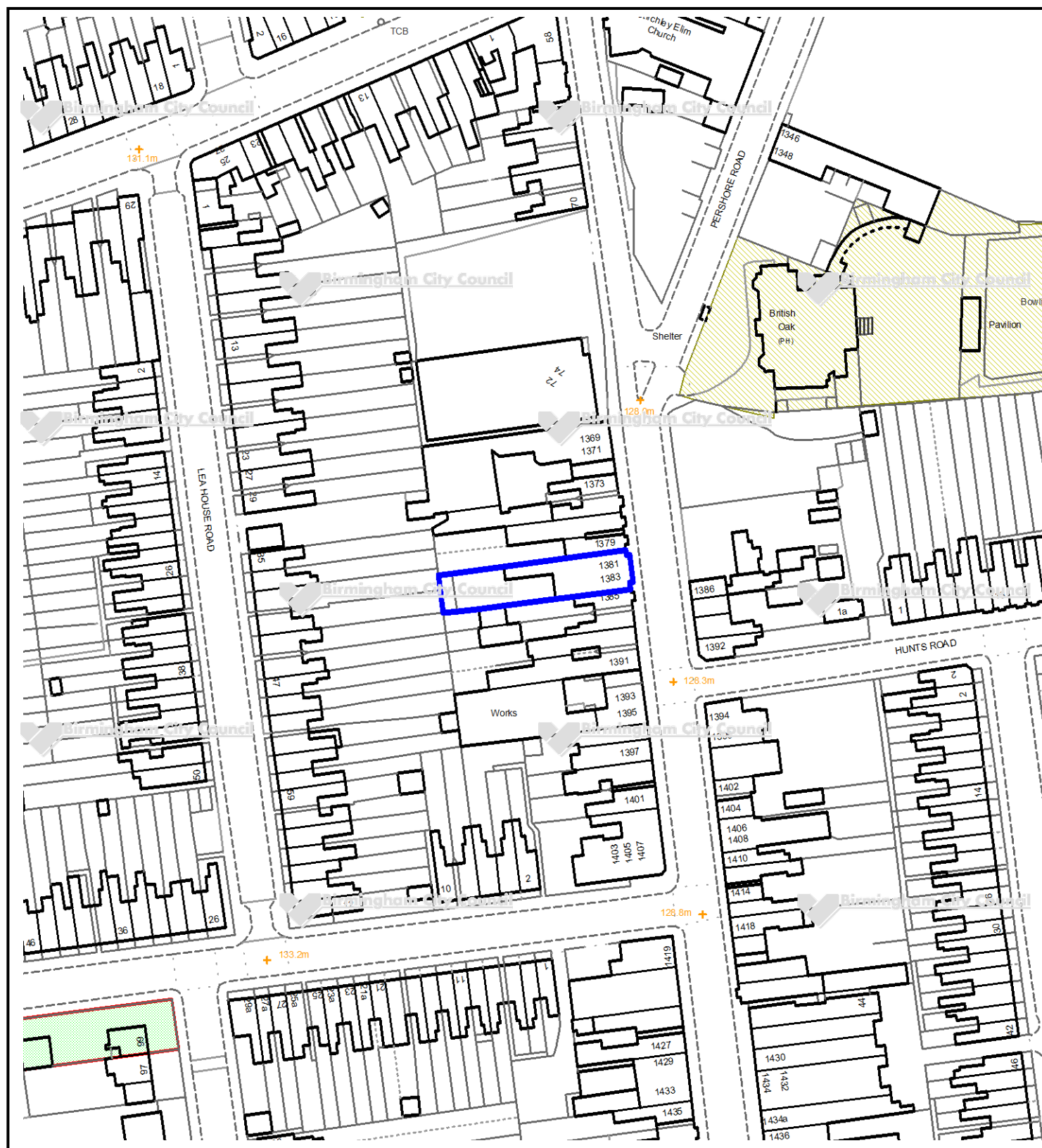
Case Officer: Andrew Fulford

Photo(s)



Figure 1: The application site viewed from the opposite side of the Pershore Road

Location Plan



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Report back following Site Visit 31 May 2018

Committee Date:	24/05/2018	Application Number:	2017/07534/PA
Accepted:	18/10/2017	Application Type:	Full Planning
Target Date:	24/05/2018		
Ward:	Northfield		

Quarry Sports & Social Club, 82 Quarry Lane, Northfield, Birmingham, B31 2PY

Alterations to and refurbishment of the Royal British Legion Club and associated car park and access points plus the erection of 12 semi detached dwellings on the former car park with separate access from Winchester Gardens. Includes demolition and re-building of the bowling pavilion

Applicant:	Royal British Legion & Kings Park Homes c/o Agent
Agent:	Jacobs Feasey Associates Limited 68A Reddicap Hill, Sutton Coldfield, Birmingham, B75 7BG

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Planning permission is sought for the partial demolition, alteration and refurbishment of the existing Royal British Legion Club including alterations to its associated car park and access points and the erection of 12 semi-detached dwellings on the former British Legion (Quarry Sports and Social Club) car park to the rear of the site with separate access from Winchester Gardens.
- 1.2. The proposed alterations to the existing Royal British Legion club would be undertaken as a result of the enabling development of the 12 dwellings and would comprise:
 - Demolition of the existing western wing of the club including at ground floor; main lounge, toilets, offices and further function rooms and at first floor: lounge, toilets, back bar and server, store rooms and offices.
 - Demolition of separate store room and ladies room to the west of the main building.
 - Revisions internally at ground floor to provide a reduced in size snooker room, cellar and lounge along with new toilets, staff room and reception area/foyer including lift.
 - Revisions internally at first floor to provide and main function room with raised seating area; new bar and dining area and meeting room along with a new landing area with lift.
 - Refurbishment of the exterior to include new render finish to the front and west elevations and cleaning and making good of east and rear elevations.

- The proposed alterations would see the reduction in floor space from the existing 1,504sq.m to 817sq.m and the building reduced in size from approximately 50m in length and 17m in width to 24m in length and 17m in width.
 - Provision of new car parking area adjacent to the building following demolition to provide 31 car parking spaces (including 2 disabled spaces) adjacent to the building and a further 7 staff car parking spaces to the rear of the building.
- 1.3. Access would be as existing as a one way road from Quarry Lane out onto Winchester Gardens however, rather than this running through the car park to the rear (located on a different level to the existing club), the access road would run from Quarry Lane into and/or round the new car parking area, round the front of the building and down its eastern side and out onto Winchester Gardens via a new access road running alongside the eastern site boundary. A new retaining wall running east-west behind the buildings to be demolished would support the higher housing land to the north, effectively splitting the wider site, with the houses and bowling green to the north, the British Legion Club to the south.
 - 1.4. A new bowling green club house would be provided as part of the proposals as the existing club house would be demolished as part of the access road widening. No works to or loss of the bowling-green is proposed. No details of the new club house are provided, apart from its relocation from the north side of the green (existing), to the south side (proposed).
 - 1.5. The proposed 12 semi-detached dwellings would be located on the upper level car park to the rear of the Club building adjacent to the existing bowling-green to the rear and would be solely accessed via the existing car park exit onto Winchester Gardens. The access would be widened to accommodate two-way traffic. The twelve dwellings would be located in six blocks of two, five of which would front a new access drive and the bowling-green. Plots 1 and 2 would be located side onto the bowling green overlooking the access road onto Winchester Gardens.
 - 1.6. All twelve dwellings would be 2.5 storeys in height with a dormer window to the front and rooflight to the rear in a gabled roof and would comprise a hall, cloakroom with W.C, kitchen/dining, living room and store at ground floor; two bedrooms and bathroom at first floor and a master bedroom with en-suite and store within the roof. The dwellings would range in size from 104sq.m to 105.5sq.m. The bedrooms would range in size from 11.1sq.m to 14.2sq.m. Plots 1 and 2 and 3 and 12 would have side facing windows to address their location adjacent to the proposed access.
 - 1.7. A small landscaped area would be provided to the front of each dwelling along with two car parking spaces. The rear gardens would range in size from 67sq.m to 88sq.m and would range in length from 12m to 14m.
 - 1.8. The application has been amended since submission to provide a wider access route from Winchester Gardens and amendments to the siting of Plots 1 and 2 and their respective car parking.
 - 1.9. The application is accompanied by a Planning Statement; Design and Access Statement; Flood Risk Assessment; Bat Survey; Ecological Appraisal; Arboricultural Impact Assessment and Survey; Ground Site Investigation Report and a Transport Statement.
 - 1.10. Site Area: 0.97Ha. Site Area for Residential Development: 0.4Ha (excluding access road 0.32Ha) Density: 12 dwellings per hectare (based on red line site area); 30

dwellings per hectare based on 0.4Ha site area and 38 dwellings per hectare excluding existing access.

1.11. [Link to Documents](#)

2. [Site & Surroundings](#)

2.1. The application site is located in a residential area and comprises a bowling green, large car park, the existing Royal British Legion Club and outbuildings and a war memorial located in landscaped gardens to the front of the site. The existing club buildings are a hotchpotch of differing ages and styles. The site is currently accessed from Quarry Lane and exited via the upper level rear car park onto Winchester Gardens. The site is split into two distinct levels as an approximate 5m level difference occurs between the ground floor of the Club and the rear car park/bowling green which sits at first floor level of the Club. A number of mature trees are located to the north and western site boundaries.

2.2. The surrounding residential properties also vary in age, architectural styles and plot sizes. Quarry Lane comprises large detached dwellings in large plots with large rear and front gardens whilst Winchester Gardens is a relatively modern 1970's infill of semi-detached and terraced properties.

2.3. The application site is within walking distance of Bristol Road South and Northfield District Centre to the west and north-west and within walking distance of Northfield Train Station to the south at the end of Quarry Lane.

2.4. [Site Location Map](#)

3. [Planning History](#)

3.1. The application site has extensive history relating to its use and extensions to both the Club building and the bowling-green and pavilion however none of these are relevant to this application. Pre-application discussions have been undertaken with regards to the development of this site.

4. [Consultation/PP Responses](#)

4.1. Local Residents, Ward Councillors, MP and Resident Associations notified. Two site notices and press notice posted. 12 letters of comment and objection have been received from residents in Quarry Lane, Winchester Gardens and Sylvan Avenue. The comments and objections are based on the following issues:

- Impact of extra traffic on adjacent residential roads, which are already full due to Northfield train station parking.
- Insufficient parking proposed on site for both the houses (as two spaces per unit) and the Club with 31 spaces.
- Is there enough space for large vehicles to enter and exit the proposed housing from Winchester Gardens?
- Density as proposed is too high for the local area.
- The car park should be used as an overflow for the station.
- 2.5 storey housing is out of character.
- Overshadowing, overlooking and loss of privacy.
- Noise and disturbance.

- Increase in flooding.
- Impact on ecology.
- Require access to allow the boundary of 80 Quarry Lane to be maintained.
- Loss of trees.
- Impact on security to rear boundaries of Quarry Lane dwellings.

Consultation responses on original submission

- 4.2. Transportation – tracking is required for a refuse vehicle as such unable to provide further comment.
- 4.3. West Midlands Police - should this planning application be approved - no objection. However, in the six month period between March and August 2017 there have been 128 burglaries and 159 instances of vehicle crime reported in the Northfield policing area. Since October 2016 there have been 5 burglaries/attempt burglaries and 10 vehicle crimes reported to the police that have been committed on either Quarry Lane or Winchester Gardens. With this in mind the only concern relates to plots 1 & 2 and their allocated parking spaces being at the bottom of their rear gardens. Although there would be some surveillance opportunities from plots 6 & 7, would it be possible to move their location down slightly, to opposite plots 9 & 10 to allow curtilage parking. From past experience where parking is allocated to the rear of the property, not only is the risk of vehicle crime increased, but also, the residents will park their cars at the front of their properties regardless which can lead to highway obstruction.
- 4.4. West Midlands Fire Service – the access road requires a minimum width of 5.5 metres.
- 4.5. Severn Trent Water – no objection subject to a drainage condition.
- 4.6. Lead Local Flood Authority – no objection subject to sustainable drainage conditions.
- 4.7. Local Services – no comments or observations to make.
- 4.8. Regulatory Services – no objection subject to conditions relating to contaminated land, construction management and noise insulation.

Consultation responses on amended submission

- 4.9. West Midlands Fire Service – no objection. The road requires a carrying capacity of 15 tonnes.
- 4.10. Transportation – no objection subject to condition relating to pedestrian visibility splay.

5. Policy Context

- 5.1. NPPF, Birmingham Development Plan (BDP) 2031, Saved Policies of the Birmingham Unitary Development Plan 2005, Places for Living SPG, Places for All SPD, Car Parking Guidelines SPD.

6. Planning Considerations

- 6.1. The Applicant has engaged in pre-application discussions with the Local Planning Authority (Ref. 2017/03091/PA) and the proposed scheme has been modified, and additional work undertaken/information provided, to take on board Officer comments made.
- 6.2. I consider the key planning issues to be assessed under this application to be:
- the principle of residential development;
 - design and layout
 - highways impacts, access and parking;
 - impact on the amenity of existing residential occupiers;
 - ecology/trees;
 - flooding/drainage; and
 - ground conditions.

Policy Context

- 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. Paragraph 17 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 BDP similarly supports a more sustainable pattern of development by re-using brownfield sites in suitable locations.
- 6.4. The NPPF, at Paragraphs 47-50, 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.
- 6.5. Policy TP27 of the BDP explains that new housing in Birmingham is expected to contribute to making sustainable places by offering: a wide choice of housing sizes, types and tenures; access to facilities such as shops, schools, leisure and work opportunities within easy reach; convenient options to travel by foot, bicycle and public transport; a strong sense of place with high design quality; environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources and the use of green infrastructure; attractive, safe and multifunctional public spaces for social activities, recreation and wildlife; and effective long-term management of buildings, public spaces, waste facilities and other infrastructure.
- 6.6. With respect to the location of new housing, Policy TP28 of the BDP explains that proposals for new residential development should be located in low flood risk zones; be adequately serviced by existing or new infrastructure which should be in place before the new housing is provided; be accessible to jobs, shops and services by modes of transport other than the car; be capable of land remediation; be sympathetic to historic, cultural or natural assets; and not conflict with any other specific policies in the BDP.
- 6.7. Paragraphs 3.14D-E of the Saved Policies of the UDP explain that new housing development should be designed in accordance with good urban design principles. Policies PG3 and TP27 of the BDP also confirm the importance of place making and creation of sustainable neighbourhoods. Policy TP30 details density requirements and states that in areas well served by public transport developments should

achieve at least 50 dwellings per hectare and elsewhere a minimum of 40 dwellings per hectare. The Council's Places for Living SPG encourages good quality residential accommodation in attractive environments. It contains a series of urban design principles with emphasis to assessing context and responding positively to local character.

- 6.8. Policy TP6 of the BDP requires 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. Sustainable Urban Drainage Systems (SuDS) should also be utilised in order to minimise flood risk.
- 6.9. Paragraph 109 of the NPPF states that the planning system should recognise the wider benefits of ecosystem services, minimise impacts on biodiversity, provide net gains in biodiversity where possible and contribute to the Government's commitment to halt the overall decline in biodiversity (including by establishing coherent ecological networks that are more resilient to current and future pressures). Policy TP8 of the BDP similarly identifies that all development should, where relevant, contribute to enhancing Birmingham's natural environment, having regard to strategic objectives for the maintenance, restoration and creation of ecological and geological assets.

Residential Development and the Existing Club

- 6.10. Both national and local planning policy seeks to accelerate the delivery of high quality housing in sustainable locations. This development would make a contribution to the City's housing supply, providing a sought after family accommodation. The site is previously developed land, lies within walking distance of Northfield District Centre (with access to local shops/services), and has established public transport, walking and cycling networks within walking distance, including Northfield Train Station to the south. The area is predominantly residential.
- 6.11. The application site is located in a low risk flood zone. The proposed residential development would secure the provision of 12 three bedroom family dwellings. The density of development on the site at 38 dwellings per hectare, would accord with that recommended in the BDP for this location.
- 6.12. It is therefore considered that both national and local planning policy support the principle of residential redevelopment on this site.
- 6.13. In relation to the demolition of part of the existing Club along with the proposed refurbishment works, the Applicant states the existing building is too large for the requirement of the British Legion and the building requires extensive repair and refurbishment. In order to enable these works to occur, the housing development is sought to the rear. I consider the principle of the works to the existing building to be acceptable and in accordance with policy, and they would ensure that a valuable community facility remains.

Design and Layout

- 6.14. Policy TP27 of the BDP requires that new housing provides a wide choice of housing sizes, types and tenures. This proposal would see the site developed for 12 dwellings providing a density of 38 dwellings per hectare. Given the sites location within walking distance of Northfield District Centre and accessible by public transport; I consider the density proposed to be acceptable and in general

accordance with policy. I note the objections relating to density being out of character however, whilst Quarry Lane is large dwellings on large plots, Winchester Gardens is more intensive. On this basis; I consider that the proposed density would be in accordance with the local character.

- 6.15. Whilst a mix of house types is not proposed within the twelve units; I consider that the proposal would meet the aim of the BDP for a variety of housing within the wider context of the application site. The proposed housing development would provide 12, three bedroom dwellings.
- 6.16. The houses would be traditional in design with brick elevations and pitched gabled roofs. They would incorporate design features including front dormer windows, porch canopies and side facing bay windows where appropriate. The houses would be two and a half storeys in height, which whilst not characteristic locally, would be considered acceptable in this discreetly-located site. The residential site to the rear of the Club can be little seen from either Winchester Gardens or Quarry Lane. I and my City Design advisor are satisfied that the proposed scale would be appropriate for the local context.
- 6.17. The majority of the proposed new housing would front the new extended access off Winchester Gardens and the existing bowling green and would back onto the rear gardens of dwellings in Quarry Lane. This would create a successful 'back to back' relationship providing a logical and coherent sense of place. Plots 1 and 2 would sit between Plots 9 – 11 and the bowling green, placed side-on to the green. Whilst not ideal for overall site layout and character, I do not consider their inclusion at this location constitutes a reason to withhold consent.
- 6.18. The development would see a density of 38 dwellings per hectare. Further improvements in design and layout have been sought during the application process; I and my City Design Advisor are satisfied that the proposed layout and density is acceptable, in accordance with policy in the BDP, NPPF and Places for Living.
- 6.19. The proposed 12 dwelling development would have separation distances and rear amenity areas that would generally comply with the guidelines in Places for Living. 3 of the houses proposed would have rear garden areas that would fall short of the 70sq.m guideline at 67 and 69sq.m. On those plots where the garden sizes fall short of the guidelines, a condition is recommended to remove permitted development rights. I and my City Design Advisor consider the garden sizes to be acceptable as the overall layout and place making is considered acceptable.
- 6.20. The proposed layout on plots 9 - 11 would front the side and active windowed elevation of plots 1 and 2 and this separation distance would be approximately 13 metres which would exceed the 12.5m requirement of front to flank wall separation but fall short of the 21m window to window distance, However, this relationship would be new to new and the main windows on the side elevation of plot 2, are primarily at ground floor and are secondary windows to both the kitchen and the living room. The active side facing windows are an appropriate design feature for this layout.
- 6.21. All of the units would generally meet or exceed the national space standards for bedrooms and overall dwelling sizes, which although not yet adopted by the Council, do provide a useful yardstick to judge the adequacy of accommodation size. Bedroom three in all of the dwellings would fall slightly short of the 11.5sq.m

requirement at 11.1sq.m. All of the units would exceed the unit size requirement of 102sq.m for a three bedroom, six person, two storey dwelling.

- 6.22. The proposed development aims to be sensitive to the context of the surrounding area and appropriate to its character. The local vernacular is a mix of styles, age and form and as such the proposed architectural style would be traditional in design utilising brick as the primary material but would be different to that locally. This would create a further mix to the area that I do not consider would be out of character as the local area does not have one defining style.
- 6.23. Extensive discussions have been undertaken with Officers during the course of the application and the layout now proposed represents the result of these discussions. The layout identifies that the requirements of Places for Living would generally be met. As such, my design officer raises no objections on design, scale and layout issues. I concur with this view.
- 6.24. Regulatory Services, whilst raising no objections to the proposal, have requested a noise insulation scheme to ensure that the proposed dwellings would not be affected by noise from the adjacent British Legion Club. The relevant condition is recommended below.

Impact on Existing Amenity

- 6.25. The closest existing residential property is that of 80 Quarry Lane, which lies adjacent to the existing access for the Club. A small rear courtyard sits adjacent to this boundary, with full intervisibility between the two sites (please see Photo 4 below). All of no. 80's amenity space lies to its front, fronting Quarry Lane. At present, the existing access to the car park passes this rear courtyard and goes steeply up hill to bridge the level difference between the lower and higher levels of the site. The proposed development would see this access removed at this point as the site splits into two but would now see a car park located instead adjacent to this boundary with landscaping. This means one form of public view into the property would be swapped to another (from access, to car park).
- 6.26. The residential element of the proposal would see the side elevation of plot 3 looking across to 80 Quarry Lane, with a separation distance of approximately 17m to the rear boundary of no. 80, and Plot 3 sitting at higher ground level (c. 4m higher). There would, therefore be some overlooking from Plot 3 towards the rear courtyard and windows of no. 80, but given the already very public aspect of the rear of no. 80, I do not consider this relationship would much further alter the amenity and privacy of no. 80. The side elevation of plot 3 would have bay windows at ground floor to both the kitchen and living room along with windows at first and second floor to a bathroom and bedroom. I consider this arrangement to be acceptable and would have minimal impact on the amenity of occupiers in number 80, with the opportunity for some new landscaping to perhaps actually secure a little more privacy for no. 80. I note the concern from number 80 regarding maintenance access to the rear boundary, as this boundary would be located adjacent to the car park, I consider that this matter is adequately addressed as the boundary would still be accessible.
- 6.27. I note the objections raised from residents further along Quarry Lane and from residents in Sylvan Avenue regarding overlooking and overshadowing. The Quarry Lane gardens that abut the western boundary of the site range in length from approximately 35m to 90m with the properties themselves sat at right angles to the orientation of the proposed dwellings with a significant tree belt between and at lower ground level. As such, I do not consider that a privacy issue through

overlooking would occur, not do I consider that the properties on Quarry Lane would be overshadowed by the proposed residential development. With regards to properties in Sylvan Avenue, only plots 1, 2 and 12 would be located near to the northern boundary with Sylvan Avenue. Plots 1 and 2 would be approximately 17.5m from the boundary and plot 12 some 13.5m with a further 15 to 20m (approximately) between the boundary and the rear of the properties in Sylvan Avenue. Based on these separation distances, I consider that a loss of privacy/overlooking/overshadowing would not occur from the proposed dwellings. I also note the question of security to rear gardens in Quarry Lane. At present, access to these can be achieved from the existing car park, which at present has no public or private visibility. The proposed development, would secure this boundary with new dwellings and as such, I consider that this would improve the security to Quarry Lane dwellings.

- 6.28. I am satisfied that the proposed development demonstrates that it would have an acceptable relationship to existing properties immediately abutting the site.

Landscape and Ecology

- 6.29. A preliminary ecological assessment is submitted in support of the application. The assessment identifies that there is hardstanding across much of the site. Amenity grassland forms much of the soft landscaping at the southern end of the site with trees lining the boundaries. The assessment identifies that a number of the buildings on site showed potential roosting features for bats; no evidence of badger activity was recorded on site although it was noted that optimal habitat for badgers and hedgehogs is present immediately adjacent to the application site; the site provides foraging and nesting opportunities for birds and the site does not provide habitat to support reptiles, amphibians or invertebrates.
- 6.30. A comprehensive bat survey has been undertaken to assess presence/ absence of bats within the range of buildings on site and determine any levels of site usage. All buildings were assessed for roost potential and following survey all bar the main block (referred to as B1 in the bat survey report) were regarded as not being used or negligible value for roosting. B1 however was identified as providing roosting for 2 x Pipistrelle bats. The proposed development would not impact on the roost site through the proposed demolition and any associated internal refurbishment however if plans should change then a reassessment will need to be undertaken.
- 6.31. The City Ecologist has reviewed the submitted ecological appraisal and concurs that the existing car park is hard paved and has negligible ecological value however it is bordered by a line of mature trees that do provide some bat and bird forage habitat and commuting route. As this tree line is to be retained, the impact on this is considered negligible although a suitable lighting plan may need to be produced for lighting of the access road to ensure that light spill to the canopy is kept to a minimum. Although there will be limited ecological impact on the overall site and the current bat roost location will not be affected it is foreseeable that work may need to be undertaken on the external sections of the building, the City Ecologist considers that it would be beneficial to include alternate roosting features in the new builds. As such, the City Ecologist raises no objections to the proposed demolition and development and recommends safeguarding conditions relating to lighting and an ecological enhancement plan.
- 6.32. A tree survey/impact assessment is submitted in support of the application. On the original submission, my Arboricultural Officer raised concerns regarding the potential loss of trees from a new footpath along the access road off Winchester Gardens.

The tree survey identifies a total of 27 surveyed trees on site comprising 17 Norway Maple (Category B); 6 Sycamore (Category C); 2 Ash (Category C) and 2 Scots Pine (Category A). The proposed development would require the removal of 1, Category C Ash Tree.

- 6.33. Following receipt of amended plans, which have removed the footpath alongside the trees, my Arboricultural Officer raises no objections and I concur with their view. Safeguarding conditions relating to the protection of retained trees are recommended below. Further, new planting is indicated at different points across the wider application site.

Drainage/Flood Risk

- 6.34. The application site is located within Flood Zone 1 and is considered to be at low risk of river or sea flooding and there have been no historic flood events recorded on the site. The surrounding area is subject to historical flooding in Mill Lane, Quarry Lane and Station Road however, these are located at much lower levels than the application site.
- 6.35. Surface water run-off is proposed to be collected in an underground geo-cellular tank, at the south of the site beneath the proposed car park. To achieve the LLFA required Greenfield run-off rate of 5l/s, 245m³ storage would be required and the proposed tank would cater for flows generated during the 1 in 100 year event plus 30% climate change. With regards to drainage, it is proposed to discharge flows to the local public surface water sewers present in Winchester Gardens with foul drainage connecting to the existing foul sewer in Quarry Lane.
- 6.36. The LLFA are in acceptance of the principles in the FRA and consider that further information required as part of the drainage strategy can be secured by drainage conditions. In addition, Severn Trent Water has raised no objections and, as per the LLFA, has requested suitable drainage conditions. I note the residents' objections raised in relation to the increase in flooding; however as the LLFA and Severn Trent Water have raised no objections on this ground; I consider that this is not a material consideration with significant weight and impact to warrant a refusal in this instance. I concur with the LLFA and Severn Trent Water comments and the relevant safeguarding conditions are recommended below.

Transportation

- 6.37. Access to the site is currently obtained from Quarry Lane and exited onto Winchester Gardens. The proposed development would see this existing entry and exit arrangement maintained for the users of the Royal British Legion Club however, the proposed residential occupiers would both enter and exit off Winchester Gardens via a widened internal access road.
- 6.38. Trip generation analysis within the submitted Transport Assessment has been considered. This shows that the proposed development would generate approximately 13 movements in the morning peak and 7 movements in the evening peak period. Parking is proposed to be provided by two parking spaces to the front of each proposed residential property and for the British legion Club, a new car park of 31 spaces is proposed.
- 6.39. Transportation has reviewed the proposed development, the submitted transport assessment and the likely trip generation rates. They consider that while some increase in traffic at this location will result it is not considered this will be of a level

significant enough to warrant concern. Tracking was requested in order to demonstrate that a refuse vehicle entering the residential site off Winchester Gardens, manoeuvring within the turning head and exiting back out can be achieved. Additionally, the manoeuvre out of the club exit back out onto Winchester Gardens was requested. Transportation considers that these movements have been adequately tracked with the layout of the carriageway areas suitable to accommodate refuse vehicles. However, landscaping in the vicinity of the Winchester Gardens access will need to consider the overrunning of the front of the vehicle to the north of the initial section of the access road. It is acknowledged the tracking of a fire engine has also been provided.

- 6.40. There are no Transportation objections to the proposed development at this site. An acceptable level of parking is provided for the new dwellings with 200% provision. The replacement car parking for the club provides 31 customer spaces along with separate staff provision. These are reached via the existing access off Quarry Lane. The new access will need to be constructed to City standards at the applicants expense.
- 6.41. I note the objections received in relation to increase in traffic and parking issues along with questions over how larger vehicles will serve the site. However, as already outlined, traffic associated with 12 additional dwellings would not be expected to significantly increase traffic upon the local highway network. In relation to parking, a good level of provision is offered within the site with the need for overspill expected to be minimal. The tracking of both fire & refuse vehicles within the site has been demonstrated.
- 6.42. I am satisfied that the layout adequately demonstrates that an appropriate level of parking is provided, particularly bearing in mind the site's sustainable location, close to local services and good public transport links; and the proposal would have limited impact on the surrounding road network (taking into account objections received from local residents on this ground). West Midlands Fire Service have removed their objection following the submission of amended plans widening the proposed access road.

Ground Conditions

- 6.43. A site investigation report was submitted in support of the application. Regulatory Services has reviewed the report and has raised concerns about the assessment and some of the outcomes described. The Consulting Engineers share concerns that additional monitoring is required in that the data submitted does not adequately permit the characterisation of site conditions. Regulatory Services have therefore advised that additional invasive work will need to be carried out, and as such require safeguarding conditions relating to this.
- 6.44. Some of the key areas of clarification are:
- Additional investigative work needs to be carried out to characterise made ground / contamination levels across the site, in particular to reflect the location of residential back gardens and any soft landscaped areas. The investigation needs to consider potential contamination in made ground and underlying strata.
 - Boreholes used thus far were relatively shallow and failed to identify groundwater. Any potential contamination of groundwater sources has therefore not been considered. Further investigations detailed above should hence utilise, where appropriate, deeper boreholes to enable such characterisation.

- Combined gas and groundwater monitoring will need to be included (over an appropriate period) and any subsequent assessment and reporting to indicate if there is any contamination in the made ground, soil or groundwater.
- Given the close proximity of a historical landfill site to the east, additional investigation works are necessary to reflect and assess risks presented by potential gas migration from the landfill site. Assumptions of CS1 classification for ground gases is not accepted, given the short time period and results included in the data supplied (AJM/23447). Additional borehole data over an extended monitoring period is required to adequately assess ground gas conditions. This will better clarify the CS1 classification, given flow rate and corresponding CO₂ levels found in WS6 (AJM/23447).

6.45. I concur with the view of Regulatory Services and the suggested safeguarding conditions are recommended below.

Sustainability

6.46. In terms of the site's inherent sustainability credentials, it is previously developed land and so its development would allow for a contribution to the housing target for South Birmingham to be accommodated on 'brownfield' land. It would also ensure that this site would be put into long term active use.

6.47. Whilst no sustainable features are incorporated into the site development, aside from SuDs attenuation in tanks under the site; the site is located in a sustainable position that minimises the need to travel, has good public transport links and is located close to facilities. It is:

- close to Northfield District Centre;
- within reasonable walking distance of doctors surgeries, schools and other services;
- close to Bristol Road South which has high frequency bus routes, connecting to outlying areas and the city centre, and close to Station Road where Northfield Train Station is located;

6.48. I therefore consider that the proposal meets the requirements for sustainable development.

Other Issues

6.49. The proposed development is not located in a CIL charging area and as such does not attract a CIL contribution.

6.50. I note that an objection has been raised proposing the use of the site as extra train station car parking. Whilst this may be an acceptable/appropriate use for the site, it is not the proposal for which planning permission is sought and as such, is not a proposed use that can be evaluated as part of this application or a reason to refuse planning permission for the development proposed.

7. Conclusion

7.1. The proposal would provide sustainable residential development on a brownfield site, close to public transport links and local facilities. It would have limited effect on surrounding residential occupiers and the highway network. As such, the proposal

is therefore supported as sustainable development and recommended for approval subject to conditions.

8. Recommendation

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

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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the agreed mobility access to be maintained |
| 3 | Requires the prior submission of a contamination remediation scheme |
| 4 | Requires the prior submission of a contaminated land verification report |
| 5 | Requires the prior submission of a sustainable drainage scheme |
| 6 | Requires the prior submission of a drainage scheme |
| 7 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 8 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures |
| 9 | Requires the prior submission a noise study to establish residential acoustic protection |
| 10 | Requires the prior submission of hard and/or soft landscape details |
| 11 | Requires the prior submission of hard surfacing materials |
| 12 | Requires the prior submission of boundary treatment details |
| 13 | Requires the prior submission of a lighting scheme |
| 14 | Requires the prior submission of a construction method statement/management plan |
| 15 | Requires the prior submission of sample materials |
| 16 | Requires the prior submission of the replacement bowling pavillion building details |
| 17 | Removes PD rights for extensions |
| 18 | Requires the parking area to be laid out prior to use |
| 19 | Requires pedestrian visibility splays to be provided |
| 20 | Requires the implementation of tree protection |
| 21 | Requirements within pre-defined tree protection areas |
| 22 | Requires tree pruning protection |
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23 Arboricultural Method Statement and Tree Protection Plan - Implementation

24 Implement within 3 years (Full)

Case Officer: Pam Brennan

Photo(s)



Photograph 1: Frontage of existing Royal British Legion Club – looking north east.



Photograph 2: Existing Car Park – looking south.

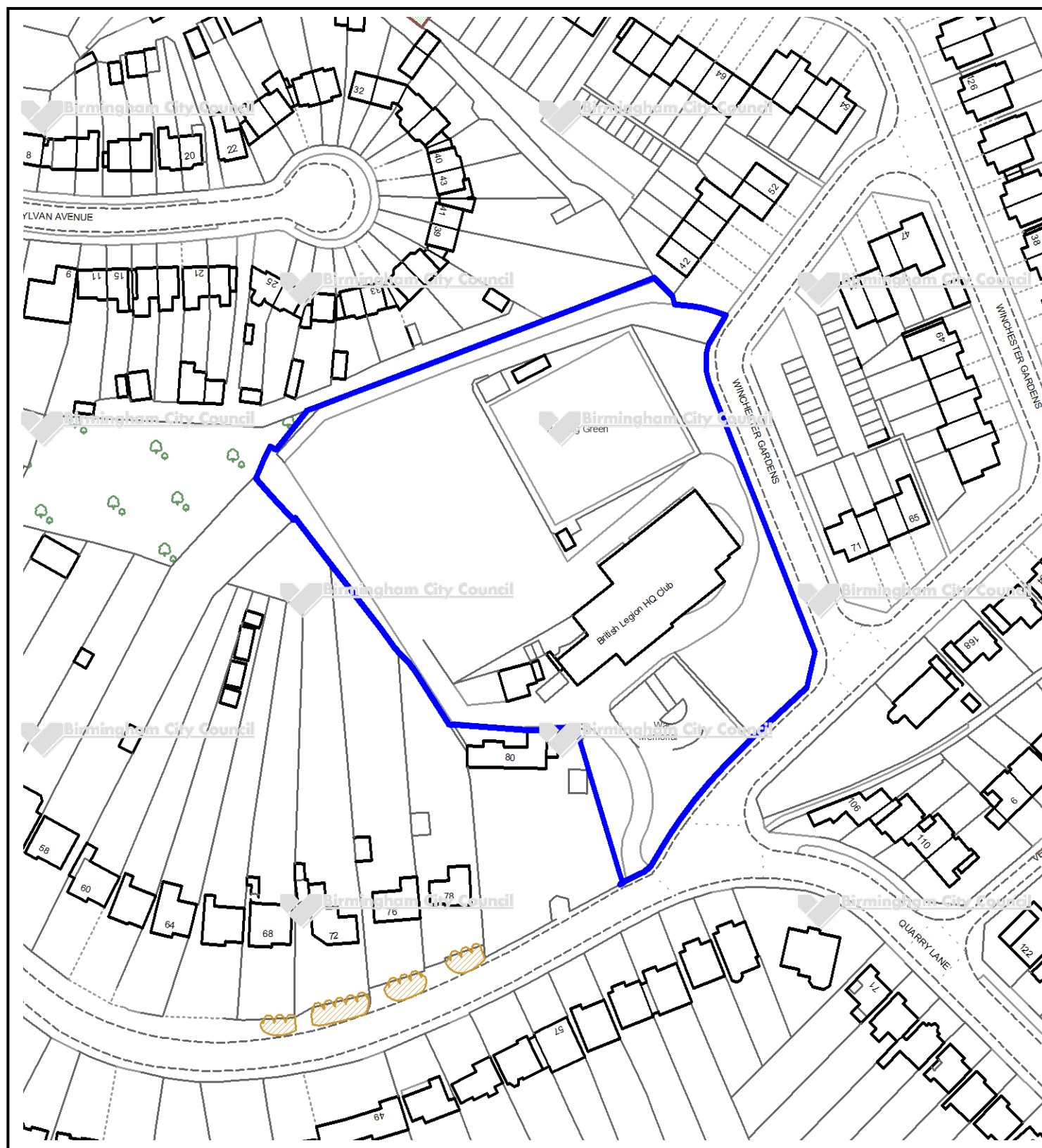


Photograph 3: Existing Access from car park onto Winchester Drive – looking west



Photograph 4: Rear of 80 Quarry Lane and the existing car park access road – looking south

Location Plan



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