

Birmingham City Council

Planning Committee

01 April 2021

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>
Prior Approval Required - Approve - Conditions	6	2020/09419/PA Partons Road Depot Rear of 64 Partons Road Kings Heath Birmingham B14 6TG Application for Prior Notification for the proposed demolition of existing building.

Committee Date:	01/04/2021	Application Number:	2020/09419/PA
Accepted:	25/11/2020	Application Type:	Demolition Determination
Target Date:	01/04/2021		
Ward:	Brandwood & King's Heath		

Partons Road Depot, Rear of 64 Partons Road, Kings Heath,
Birmingham, B14 6TG

Application for Prior Notification for the proposed demolition of existing building

Recommendation

Prior Approval Required and to Approve with Conditions

1. Proposal

- 1.1. This application, made under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015, is to determine whether prior approval is required for the demolition of various single storey office units, store units, toilet facilities and meter room.
- 1.2. Prior to demolition, a soft strip of the buildings would take place to remove all combustible materials using manual hand demolition tools. Once all asbestos has been removed and the soft strip completed, a 360 excavator fitted with demolition attachments would be used to demolish the building. During demolition a water sprayer would be used to suppress the dust arising from the demolition process. The arising materials would be sorted into four categories and loaded into containers to keep the site clear and tidy. The containers would then be taken to approved tips for disposal and recycling.
- 1.3. As the site is already enclosed, any broken or exposed existing fencing would be repaired or renewed where required to keep the site secure. All working areas would be cordoned off with suitable security fencing and appropriate signage displayed.
- 1.4. The site is surplus to requirement and demolition is required for future development.
- 1.5. Demolition works are expected to be completed May 2021.
- 1.6. A demolition method statement has been submitted to support the application.
- 1.7. This application is presented to Planning Committee for determination as the Applicant is part of the Inclusive Growth Directorate.
- 1.8. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to Partons Road depot which is a Council owned site that was previously in use as a Housing depot. There are a number of single storey buildings on the site surrounded by areas of hardstanding. The surrounding area is predominately residential in use with dwellings to the north of the site on Partons

Road, to the east of the site on Grove Road and to the south of the site on Listowel Road. To the west of the site, fronting Partons Road there are a small number of industrial uses with associated warehouses.

Site Location

3. Relevant Planning History

3.1. None.

4. Consultation/PP Responses

4.1. Transportation Development – No objection.

4.2. Regulatory Services – No objection.

4.3. Local councillors consulted and a site notice erected by the Applicant. No responses received.

5. Policy Context

5.1. The following local policies are relevant;

- The Birmingham Development Plan 2017
- Birmingham Unitary Development Plan (UDP) Saved Policies

5.2. The following local policies are relevant;

- National Planning Policy Framework (NPPF) 2019
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

6. Planning Considerations

6.1. Schedule 2, Part 11, Class B of the General Permitted Development Order 2015 states that any building operation consisting of the demolition of a building is permitted development subject to a number of criteria, including the submission of a prior notification application in order to give local planning authorities the opportunity to assess the details of demolition and site restoration only, to minimise the impact on the local amenity.

6.2. All buildings on the site are to be demolished intended for future development of the site. The existing buildings on site are not locally or statutorily listed and are of little architectural merit.

Method of Demolition and Restoration of the Site

6.3. The demolition method statement states that prior to demolition, manual hand demolition tools would be used to carry out a soft strip of the buildings to remove all combustible items, fixtures and fittings. A licensed asbestos contractor would be employed to remove and dispose of all asbestos prior to demolition commencing.

6.4. It is proposed to demolish the building's using a 360 degree excavator fitted with demolition attachments. During demolition, a water sprayer would be used to suppress the dust arising from the demolition process. The excavator and site operatives would sort the arising materials into four categories and the segregated

materials would be loaded into containers/waggon to keep the site tidy and clear. A water sprayer would also be used whilst the containers/waggon are loaded to further reduce dust. These waggon would then transport the materials to approved tips for disposal and recycling. All vehicles leaving the site to transport the materials would be sheeted to prevent dust dispersing whilst the vehicles travel.

- 6.5. Some areas of structure adjacent to neighbouring properties will have exclusion zones and may require hand demolition. The exclusion zone would prevent any unauthorised personal from entering into the work area.
- 6.6. The perimeter of the site would be kept secure by maintaining the sites existing boundary treatment which would be repaired or renewed to prevent any unauthorised access. All trees would be protected from being damaged.
- 6.7. Following demolition, the site would be picked and graded to match surrounding levels on completion.
- 6.8. This proposed method of demolition is consistent with demolition applications approved elsewhere in the City. Regulatory Services raise no objection.

Highway Safety

- 6.9. Transportation Development have no objection.

Ecology

- 6.10. A Bat Survey has been submitted to support the application which concluded the site's buildings have negligible suitability for roosting bats due to their structural characteristics. The City's Ecologist is satisfied that there is currently no evidence that bats are using the depot buildings for roosting and has recommended that a condition is attached which requires a further bat survey to be submitted if demolition has not commenced by 1st April 2022. This is secured via attached condition.

7. Conclusion

- 7.1. The proposed method of demolition and clearance/ restoration of the site are acceptable subject to the submission of a further bat survey if demolition does not commence by 1st April 2022. Prior approval is therefore required.

8. Recommendation

- 8.1. Prior Approval Required and to Approve with Conditions

1	Requires the submission of an additional bat survey if works not carried out by 1st April 2022
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Case Officer: Laura Reid

Photo(s)



Photo 1 – Existing buildings to be demolished

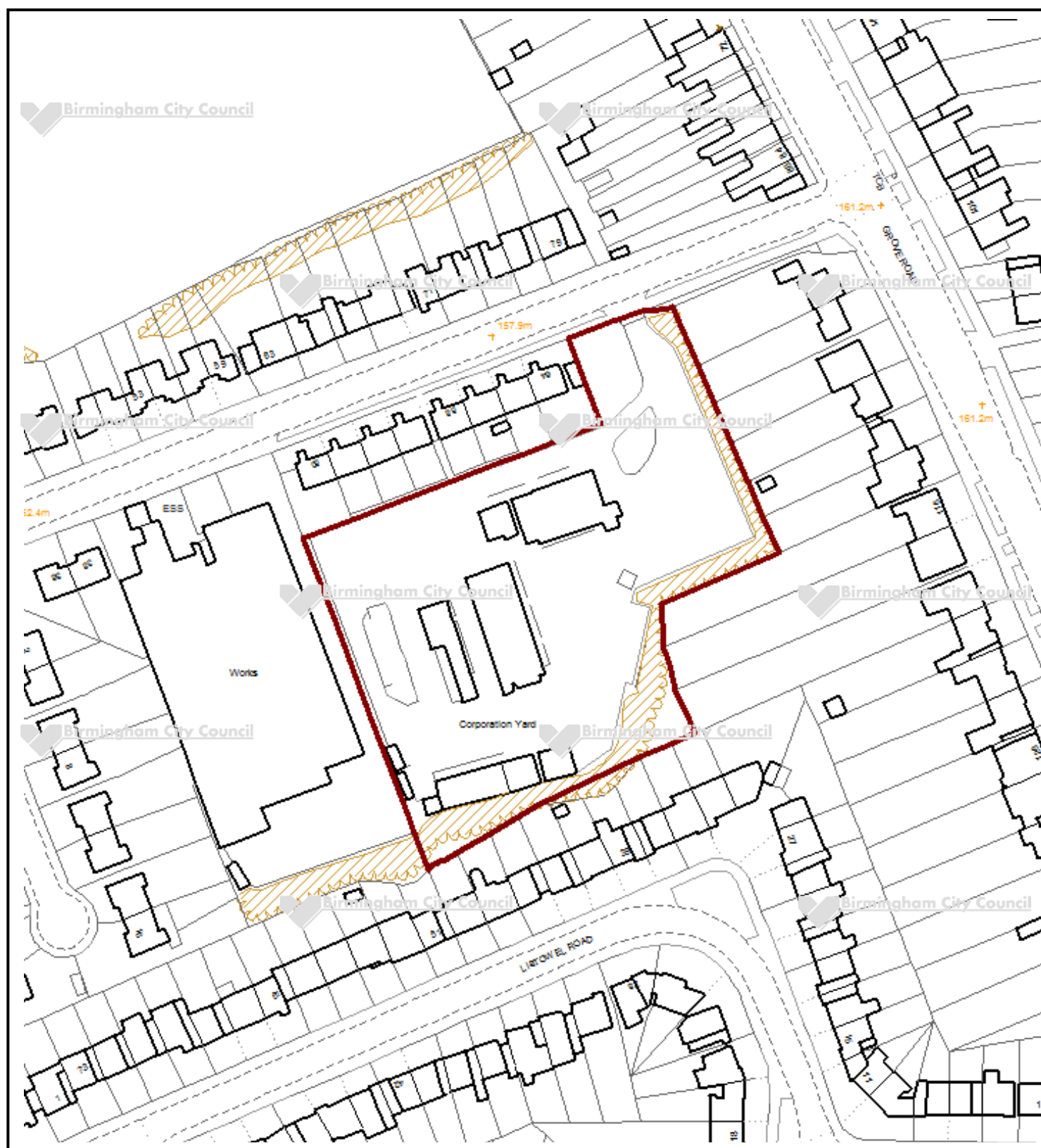


Photo 2 – Existing buildings to be demolished



Photo 3 – Existing buildings to be demolished

Location Plan



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Birmingham City Council

Planning Committee

01 April 2021

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	7	<p>2021/00082/PA</p> <p>Land fronting Aston Lane former commercial units Nos 6-24a Aston Lane (A4040) Birmingham B20 3BU</p> <p>Variation of Condition numbers 4 (submission of boundary treatment details), 20 (parking area to be laid out prior to use), 23 (details of control barrier in the car parking area) to be carried out in two phases and condition 17 (S278/TRO Agreement) to allow for highway works to be completed prior to use of the access attached to previous planning application 2019/06576/PA</p>
Approve – Conditions	8	<p>2020/09983/PA</p> <p>Phases 3A and 3B - Land at Icknield Port Loop (IPL), bounded by Ladywood Middleway, Icknield Port Road and Wiggin Street Ladywood Birmingham B16</p> <p>Reserved Matters application for Phases 3A and 3B in respect to: appearance, landscaping, layout and scale following Outline planning permission (2017/04850/PA) comprising of up to 98 no. dwellings at 2 and 3 storey level, alongside their associated car parking and landscaping works</p>

Committee Date:	01/04/2021	Application Number:	2021/00082/PA
Accepted:	07/01/2021	Application Type:	Variation of Condition
Target Date:	08/04/2021		
Ward:	Aston		

Land fronting Aston Lane, former commercial units Nos 6-24a Aston Lane (A4040), Birmingham, B20 3BU

Variation of Condition numbers 4 (submission of boundary treatment details), 20 (parking area to be laid out prior to use), 23 (details of control barrier in the car parking area) to be carried out in two phases and condition 17 (S278/TRO Agreement) to allow for highway works to be completed prior to use of the access attached to previous planning application 2019/06576/PA

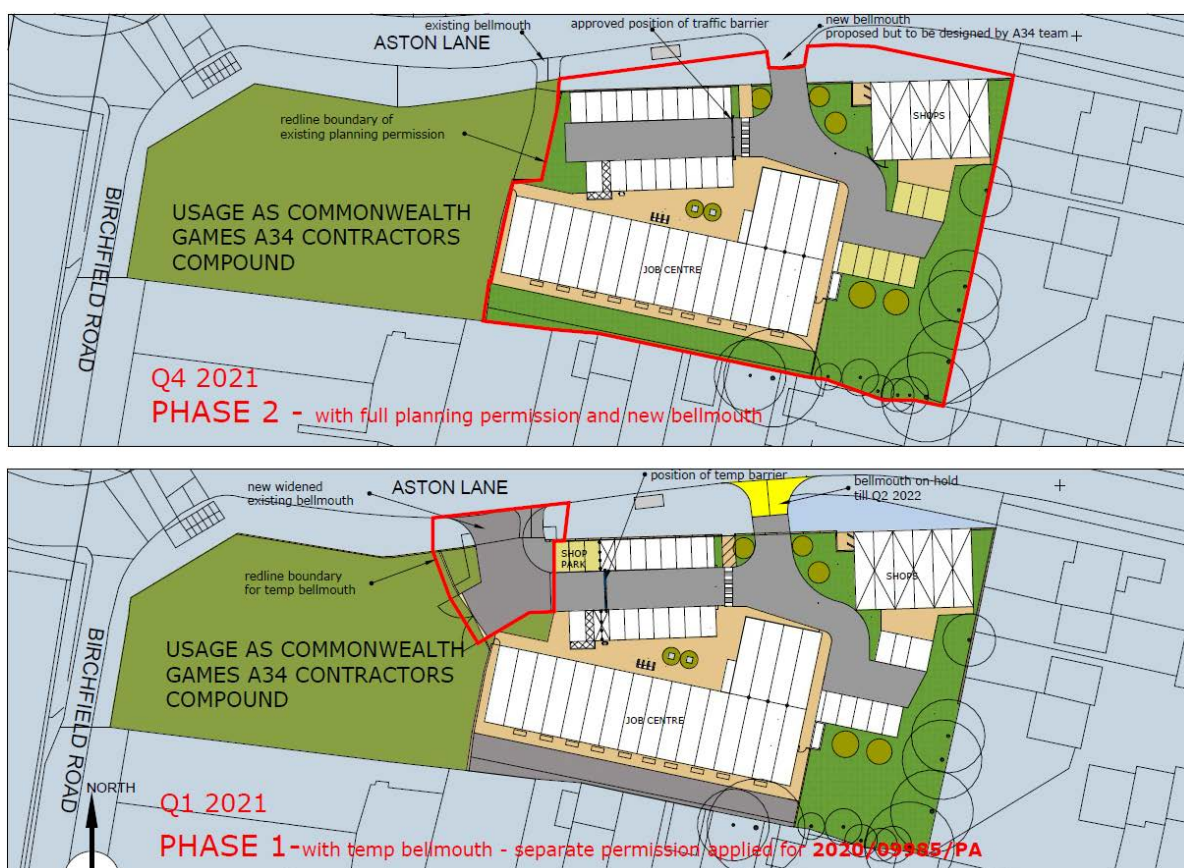
Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This application seeks to vary condition 4 (submission of boundary treatment), condition 20 (parking area to be laid out prior to use), condition 23 (details of control barrier in the car parking area) to allow for works to be carried out in two phases and condition 17 (s278/TRO agreement) to allow for highway works to be completed prior to use of the access attached to previous planning permission 2019/06576/PA.
- 1.2. This application follows a temporary planning permission for the erection of a Job Centre building and four retail units with associated access, parking and landscaping (2019/06576/PA) which has been granted in October 2019.
- 1.3. The wider site is in the freehold ownership of BCC and has been assembled as part of the package of measures to improve the Local Centre but also to accommodate facilities and displacement of existing uses for the Birmingham 2022 Commonwealth Games.
- 1.4. Since the original planning permission has been granted; the construction works for the A34 Perry Barr highway scheme has commenced and this include changes to the A4040 Aston Lane. The previously approved bellmouth and highway works cannot be constructed as the works on A34 highway scheme are expected to last up to February 2022. As a result, a subsequent planning permission for the provision of a temporary road bellmouth off Aston Lane to allow access to the new Job Centre building has been granted in February 2021 (2020/09985/PA). The temporary bellmouth has already been constructed and a temporary boundary treatment, parking and a control barrier have also been installed.
- 1.5. A temporary bellmouth, boundary treatment, parking layout and car park control barrier are expected to be on the site until the second quarter of 2022 (phase 1), and upon completion of the construction works for the A34 Perry Barr highway scheme,

they will be removed and the permanent design installed as previously approved under the original planning permission 2019/06576/PA (phase 2).



1.6. [Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The application site covers an area of approximately 0.33ha and is located to the eastern part of the wider plot bounded by Aston Lane to the north, Birchfield Road to the west, rear boundaries of residential properties located along Bragg Road to the south and along Chesterwood Gardens to the east. The wider site has now been redeveloped to provide a temporary Job Centre building together with retail units and car parking area. The site is located within a Primary Shopping Area of Perry Barr District Centre.

2.2. [Site Location](#)

3. [Planning History](#)

- 3.1. 2019/06576/PA - Erection of a temporary Job Centre (Use Class A2) four retail units (Use Class A1) together with a creation of new access, parking and associated landscaping and infrastructure works – Approved Temporary 10/10/2019
- 3.2. (2020/09985/PA) - Provision of a temporary road bellmouth off Aston Lane to allow access to the new Job Centre building – Approved Temporary – 04/02/2021

4. [Consultation/PP Responses](#)

- 4.1. Site notice posted and Residents' Associations; Ward Members; and local occupiers consulted. No responses received.
- 4.2. Transportation Development – No objections.

5. Policy Context

- 5.1. Relevant Local planning policy:
- Birmingham Development Plan (BDP) 2017
 - Birmingham Unitary Development Plan (UDP) 2005 (Saved Policies)
 - Aston, Newtown and Lozells AAP (2012)
- 5.2. Relevant National planning policy:
- National Planning Policy Framework (NPPF) (2019)
 - National Planning Policy Guidance (NPPG)

6. Planning Considerations

- 6.1. The main issues for consideration are whether the variation of conditions 4, 20, 23 and 17 is acceptable and the subsequent impact on visual amenity, as well as highway safety and parking.

Condition 4 (boundary treatment)

- 6.2. A temporary bellmouth off Aston Lane has been approved under planning permission (2020/09985/PA) and has already been constructed which also included the installation of the temporary boundary treatment. The temporary boundary treatment is expected to be on the site until the second quarter of 2022 (phase 1), after which it will be removed and the permanent design installed as previously approved under the original planning permission (phase 2).
- 6.3. The temporary boundary treatment installed during phase 1 comprises; 2.4m high plywood hoarding with lockable access gates as well as 2.4m high green paladin fence to the western side of the site; a 600mm high timber birdsmouth knee rails to the north (including across future bellmouth); and a 2.4m high green paladin fence to the east.
- 6.4. Upon removal of a temporary boundary treatment in the second quarter of 2022 (phase 2) the boundary treatment would comprise; a 2.4m high green paladin fence to the west with 600mm high timber birdsmouth knee rails as well as additional 2m high close boarded fence to the north and a 2.4m high green paladin fence to the east. Part of the existing boundary treatment to the east will be retained and one part of the existing 2m high close boarded fence to the east would be replaced. The existing 2.4m high brickwork boundary wall to the south would be retained.
- 6.5. It is considered that the submitted details of the boundary treatment for each phase are acceptable and the installation of the temporary boundary treatment would not impact on the visual amenity of the area.

Condition 20 (parking area) and Condition 23 (control barrier)

- 6.6. A temporary bellmouth as well as a temporary tarmac surface approved under planning permission 2020/09985/PA are expected to be on site until the second quarter of 2022 (phase 1). During this period; a temporary parking spaces for the

commercial units would be provided within the parking area originally allocated for Jobcentre use and a control barrier in the car parking area would be repositioned to the eastern part of the parking area. Upon completion of the works on A34 Perry Barr highway scheme in the second quarter of 2022(phase 2); new bellmouth to the site would be constructed and the permanent design including parking spaces for the commercial units and control barrier will be installed as previously approved under the original planning permission (2019/06576/PA).

- 6.7. Transportation Development raises no objections to laying out parking areas and for the position of car park control barrier in 2 phases. It is considered that the submitted details for each phase are acceptable and it would not impact on highway safety and parking in the vicinity of the site.

Condition 17 (highway works)

- 6.8. As approved the trigger point for the submission and completion of highway works is prior to the occupation of the development. However, due to the works on Perry Barr A34 highway scheme, the previously approved highways works and access to the Jobcentre cannot be constructed until after the second quarter of 2022. The site is already being occupied and the temporary access to the site has been approved under planning permission 2020/09985/PA. As such, an alternative wording has been recommended with proposed trigger to be *"Prior to the first use of the access hereby approved"*. Transportation Development raises no objection.

7. Conclusion

- 7.1. The amended to conditions 4, 20 and 23 to allow for the works to be carried out in 2 phases is acceptable and it would not impact on visual amenity or highway safety and parking in the vicinity of the site. The amendment to condition 17 to alter the trigger point for submission and substantial completion of highway works prior to moving the temporary access to permanent access is also considered to be acceptable. The proposal would continue to comply with both local and national planning policy.

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 | Hard and/or soft landscape details |
| 3 | Hard surfacing materials |
| 4 | Requires the installation of boundary treatment in a phased manner |
| 5 | Sample materials |
| 6 | Requirements within pre-defined tree protection areas |
| 7 | Local Employment Strategy |
| 8 | The disposal of foul and surface water flows |
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- 9 Sustainable Drainage Assessment and Sustainable Drainage operation and Maintenance Plan
 - 10 Limits the hours that plant and machinery can be used (07:00-20:00)
 - 11 Details of the sound insulation for plant/machinery
 - 12 Limits the noise levels for Plant and Machinery
 - 13 Limits the hours of operation (07:00-20:00)
 - 14 Limits the hours that materials can be delivered (07:00-20:00)
 - 15 Contaminated land verification report
 - 16 CCTV scheme
 - 17 Requires the submission and completion of works for the S278/TRO Agreement
 - 18 Requires pedestrian visibility splays to be provided
 - 19 Requires vehicular visibility splays to be provided
 - 20 Requires the parking area to be laid out in a phased manner
 - 21 Requires the provision of cycle parking prior to occupation
 - 22 Parking management strategy
 - 23 Requires the installation of control barrier in the car parking area in a phased manner
 - 24 Requires the approved buildings to be removed within a timescale (10 years/ 10/10/2029)
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Case Officer: Lucia Hamid

Photo(s)

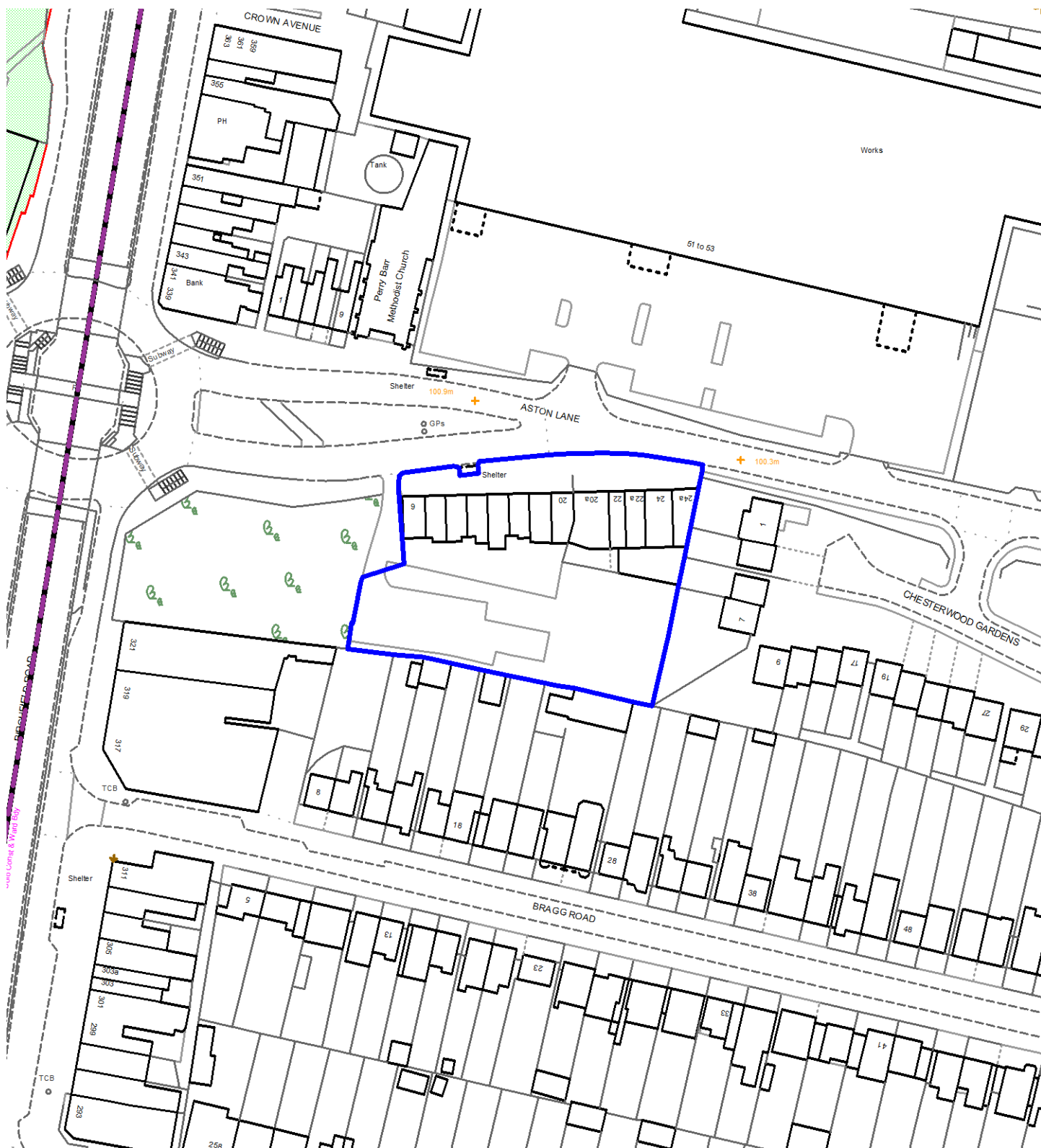


Picture 1: Aerial view of the site



Picture 2: View of the site from Aston Lane

Location Plan



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Committee Date:	01/04/2021	Application Number:	2020/09983/pa
Accepted:	04/01/2021	Application Type:	Reserved Matters
Target Date:	05/04/2021		Development
Ward:	Ladywood		

Phases 3A and 3B - Land at Icknield Port Loop (IPL), bounded by Ladywood Middleway, Icknield Port Road and Wiggin Street, Ladywood, Birmingham, B16

Reserved Matters application for Phases 3A and 3B in respect to: appearance, landscaping, layout and scale following Outline planning permission (2017/04850/PA) comprising of up to 98 no. dwellings at 2 and 3 storey level, alongside their associated car parking and landscaping works

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This reserved matters application is pursuant of an earlier application for Outline Planning Consent for Land at Icknield Port Loop, bounded by Ladywood Middleway, Icknield Port Road and Wiggin Street, Birmingham.
- 1.2. Consent was granted on the 20th of September, 2013 for: “*Outline planning application for demolition of buildings and a mixed use redevelopment of up to 1,150 dwellings, retail, service and employment, leisure and non-residential institutions uses (Use Class C3, B1, A1, A2, A3, A4, A5, D1 and D2) of up to 6,960 square metres (gross internal area) (including up to 2,500 square metres of retail) (gross internal area) together with hotel and community facilities, open space, landscaping and associated works including roads, cycleways, footpaths, car parking and canal crossings. Change of use of industrial buildings fronting Rotton Park Street to leisure, retail and non-residential institutions (Use Class A1, A2, A3, A4, A5, B1, D1 and D2)*”. This was later varied, in 2017, via application reference: 2017/04850/PA.
- 1.3. Following the above, a reserved matters application was submitted and granted by the Council on the 22nd of November, 2017. This granted consent for phases 1 and 2 of the approved outline consent; including a number of smaller sub-phases within each of the respective phases. A number of follow up consents relating to these sub phases were submitted and approved by the Council from 2018 through to August, 2020; with phases 1 and 2 of the scheme now either being complete, partially complete or under construction on site.
- 1.4. The current application seeks reserved matters consent for: appearance, landscaping, layout and scale, with reference to Phases 3A and 3B of the development.



Image 1: Proposed layout for Phases 3A and 3B.

- 1.5. In total 98no. dwellings are proposed as part of this phase. The dwellings would be arranged in 8no. terrace blocks, running parallel to the canal and Rotton Park Street or running perpendicular between these, at between two, two and a half and three storey level. The dwellings would be centred around 2no. internal shared courtyards.
- 1.6. The applicants are seeking a flexible consent, when referring to the building heights. This is to reflect the Urban Splash model of customised homes, where the customer can choose their internal floor plan and layout, allowing them to choose between a 2 storey, 2.5 storey and 3 storey option. This follows on from a similar approach in phases 1 and 2.
- 1.7. The applicants further propose to open up a new section of canal towpath, which will form an integral part of public realm, connect phases 3A and 3B, with the wider canal network. This stretch of canal towpath would run along the site's northern boundary and an increased level of landscaping both hard and soft is proposed along this area.
- 1.8. Two distinctive house types are proposed on site. In total 29no. dwellings are proposed in the "Town House" typology, while 69no. are proposed in the "Row House" typology. While the "Town House" typology has been used within the earlier phases of the scheme, the "Row House" would be a new addition to the development. The two house types have been designed by Shed KM.
- 1.9. The "Town House" house type takes inspiration from the traditional Victorian and Georgian terraced streets within the area and are designed at between 2 and 3 storey level. These dwellings allow flexibility to future users, through allowing for a variety of configurations, depending on the number of bedrooms, en-suites etc. The appearance of the 'Town House' house type consists of white finished coloured fibre cement panels, with large bay windows to the front and rear, as well as balconies erected from black finished PPC aluminium. These houses are factory built and brought to site fully finished.
- 1.10. The second house type "Row House", is a smaller dwelling type, which still carries the flexible approach in terms of size and layout. The options for this house type, together with its smaller size, make this much more affordable and will in turn, allow for much more varied and contrasting street-scapes. The "Row House" would be on offer at 2, 2.5 and 3 storey level; and would also be factory built and erected on site.

These dwelling will be finished in a dark grey prefabricated panel and will feature dark grey openings and other detailing on the parapet and roof lights.

- 1.11. Each of the proposed housing units would be provided with a single parking space (100%) either within the property's curtilage or at a short distance from the dwelling. Each house would also have provision for the storage of 2no. bikes, within a secure bike store sited within the property.
- 1.12. In terms of private amenity space, the proposed houses would all have access onto a communal resident's courtyard, alongside some degree of private space, in the form of a terrace. This shared communal courtyard would be secure and accessed from individual private gardens or terrace spaces to each house. The proposed dwellings would either front onto the canal, Rotton Park Street or private internal access roads; this would be similar to the arrangement of phases 1 and 2 of the wider scheme.

1.13. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site sits to the north of Rotton Park Street and has a rectangular form. The site's northern boundary is formed by the Birmingham Canal Old Line and Rotton Park Street bounds the site to its south. To the east lies a vacant parcel of land with the Canal Old Line further east. To the west lies further undeveloped land which will form part of future phases of the wider development strategy for this site. Earlier phases are sited to the south of the site, across Rotton Park Street.
- 2.2. Access would be via Rotton Park Street, to the south, with 3no. vehicular routes proposed, each sited centrally and to the eastern and western boundaries, these would be connected via Rotton Park Street to the south and a connecting internal road running parallel to the canal to the north.
- 2.3. The wider IPL site contains a Site of Local Importance for Nature Conservation (SLINC) in the form of the canal loop and adjacent to a Site of Importance for Nature Conservation (SINC) at Edgbaston Reservoir. This wider site also includes 3 statutory listed buildings (canal bridges - all Grade II) and there are 4 Grade II Listed Buildings at the adjoining British Waterways depot at Icknield Port Road.

3. Planning History

- 3.1. 20/09/13 – 2011/07399/PA. Outline planning application for demolition of buildings and a mixed use redevelopment of up to 1150 dwellings, retail, service, employment, leisure and non-residential institutions uses (Use Class C3, B1, A1, A2, A3, A4, A5, D1 & D2) of up to 6960 square metres (gross internal area) (including up to 2500 square metres of retail) (gross internal area) together with hotel and community facilities, open space, landscaping and associated works including roads, cycleways, footpaths, car parking and canal crossings. Change of use of industrial buildings fronting Rotton Park Street to leisure, retail and non-residential institutions (Use Class A1, A2, A3, A4, A5, B1, D1 & D2). Approved.
- 3.2. 31/08/17 – 2017/04849/PA. Erection of new leisure centre, including 8 lane, 25 metre main swimming pool and learner pools, fitness and dance studios, car parking with associated new access onto Ladywood Middleway and associated works. Approved.

- 3.3. 22/11-2017 - 2017/04850/PA - Section 73 application to vary conditions 4 (approved plans), 5 (approved access details), 10 (design code), 11 (landscape strategy), 19 (renewable energy statement) and 61 (highway works) of planning approval 2011/07399/PA (which grants outline planning permission for demolition of buildings and a mixed use redevelopment of up to 1150 dwellings, retail, service, employment, leisure, and non-residential institutions uses (Use Classes C3, A1, A2, A3, A4, A5, B1, D1 and D2) of up to 6960 square metres (gross internal area) (including up to 2500 square metres of retail) (gross internal area), together with hotel and community facilities, open space, landscaping and associated works including roads, cycleways, footpaths, car parking and canal crossings, and which grants full planning permission for change of use of industrial buildings fronting Rotton Park Street to leisure, retail and non-residential institutions (Use Class A1, A2, A3, A4, A5, B1, D1 and D2) including amendments to the indicative masterplan and associated parameter plans in relation to the proposed first phase of the development and the relocation of the proposed swimming pool to the south-east part of the site. Approved.
- 3.4. 22/11/17 – 2017/07024/pa - Reserved matters application for appearance, landscaping, layout and scale following outline planning permission 2017/04850/PA for the erection of 207 dwellings and 300sqm of Use Class A1-A5, B1a and D1 floor space together with associated internal roads, parking, landscaping and open space (Phase 1). Approved.
- 3.5. 24/10/2019 - 2019/06091/PA – reserved matters application for Phase 2A in respect to: appearance, landscaping, layout and scale following outline planning permission 2017/04850/PA. Approved.
- 3.6. 15/08/2020 - 2020/03360/PA - Reserved matters application for Phases 2B and 2C in respect to: appearance, landscaping, layout and scale following outline planning permission 2017/04850/PA; comprising of up to 98 No. dwellings, within 7 residential blocks and associated car parking and landscaping works. Approved.
4. Consultation/PP Responses
 - 4.1. Access Birmingham – make recommendations in relation to access for disabled people.
 - 4.2. Canal & River Trust – no objections.
 - 4.3. Environment Agency – no objections.
 - 4.4. Employment Access Team – no objection subject to employment related conditions.
 - 4.5. Education – request financial contribution as part of S106 Agreement.
 - 4.6. Regulatory Services – No objection or conditions.
 - 4.7. Transportation Development – No objection subject to conditions relating to highway works (including a TRO to prohibit waiting on Rotton Park Street to protect vehicular visibility splays), pedestrian visibility splays, cycle storage and a Travel Plan.
 - 4.8. West Midlands Police – No objection and make security related recommendations.

- 4.9. Nearby residential and commercial premises, residents groups, Ward Councillors and MP consulted with site and press notices posted. No comments were received in this regard.

5. Policy Context

- 5.1. Birmingham Development Plan (2017), Birmingham Unitary Development Plan (Saved Policies) 2005, Places for Living SPG, Car Parking Guidelines SPD, Greater Icknield Master Plan and the NPPF (2019).

6. Planning Considerations

Scale:

- 6.1. The scale of the 98no. dwellings remain within the height parameters, approved under the former outline consent at up to three storey level. Earlier phases of the development, have all been, or, are presently being erected on site, at scales of between 2-3 storeys. It is therefore considered that the location of the terraces within their respective context would be acceptable and would be in keeping with the rhythm and character of development within the surrounding area.

Appearance:

- 6.2. Town House – This house type, also found within earlier phases, is proposed at both two and three storey level; featuring modest modifications to its appearance, by way of its finish, in white gloss brick slip cladding and black openings and detailing.

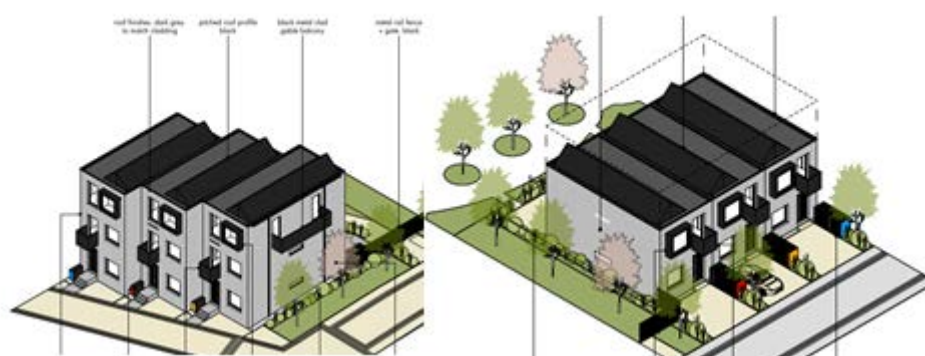


Image 2 – the two and three storey options for the “Town House”.

- 6.3. Row house – a new house type to the development, comes in 2, 2.5 and 3 storey options and is smaller in size, when compared to the “Town House” house type. The dwellings would be finished in dark grey coloured profiled metal cladding, with black finished openings and doors, alongside roof details.
- 6.4. City design officers support the proposals and appropriate conditions regarding materials and architectural detailing are attached to the former outline consent.



Image 3: the 2, 2.5 and 3 storey options for Row House, with and without the roof lights.

Landscape:

- 6.5. Detailed landscaping is proposed for the centrally sited shared courtyard area, alongside the private backyards and various through roads. Trees will also be used as urban landmarks across this phase and it is proposed that streets will be tree lined to give structure to the streetscape. In excess of 110no. trees would be planted throughout the site, these would be sited within the shared courtyards of the terraced blocks and within the front drives of the dwellings. Hedging, low level planting and other seasonal planting is also proposed to further diversify the landscaping offer within the site and break up the hardstanding within the site as a whole. This level of landscaping will further allow the dwellings to have a softer image from when viewed within the street-scene and will further enhance the visual amenities of the site itself and wider street-scene.
- 6.6. Landscaping would also be added alongside the canal pathway, with 13no. trees planted alongside the canal towpath. There would further be areas of seating, hedging and other planting added to this area, in order to make it more accessible and attractive to both residents and passers-by.
- 6.7. A landscape management plan has also been submitted in support of the application. This details regular maintenance programmes for the various forms of landscaping and further offers mitigation measures for any form of landscaping which may need replacing in the future. The Council's landscape/tree officers have no objections to the development proposals. I concur with this view and as such the development is considered to be acceptable in this regard. Further detailed landscape proposals will be submitted to the Council as part of the conditions discharge stage of the development, with reference to the conditions attached to the original outline consent, which require discharging, prior to any implementation of the subsequent reserved matters consent on site.

Layout:

- 6.8. To the north of the site, along the canal frontage, 20no. three storey "Town House" typology dwellings are proposed. These would be erected at three storey level and would incorporate a small private terraced area to their rear and front, with further

access to the shared private courtyard to their rear. To the western boundary of the site, a further 9no. “Town House” typology dwellings are proposed and these will have the flexibility to either be erected at 2 or 3 storey level. The dwellings would feature a small private terrace to their rear, leading onto the private courtyard. To the front they would feature a small private drive.

- 6.9. The remainder of the 69no. dwellings which would front onto Rotton Park Street and the internal link roads sited centrally within the site. These would be erected at between 2, 2.5 and 3 storey level. The vast majority of these dwellings would feature a front private drive for a single car parking space, with a private terrace to their rear, leading onto the shared courtyards. The dwellings that face onto Rotton Park Street however, would have their car parking provision provided in the form of allocated spaces sited to the eastern and western sides of the terraced blocks. These dwellings would feature a small landscaped setback from the footway.



Image 4: typical street-scene, with changes within house types.

- 6.10. The street pattern of the terrace blocks reflects that of the former reserved matters approval on site for phases 1 and 2. This would see the creation of strong perimeter blocks, with good levels of natural surveillance and security to the public realm, including new areas of public open space, which achieves good urban design principles. The canal fronting houses would all have 1no. parking space sited across the main road, fronting onto the canal. These spaces would be separated by a small dwarf wall to their north with the canal footway which would run along the site's northern boundary.
- 6.11. Appropriate conditions have previously been attached to earlier phases of the proposal for the removal of Permitted Development rights to modify the dwellings boundary treatment and in order to prevent the erection of new openings and extensions. These conditions would again be applied to this phase of the development, in order to protect the special architectural character of the development alongside the landscaping offer.



Image 5: illustration of canal fronting “Town House” dwellings with new canal public towpath and public realm.

Residential amenity

- 6.12. The application site is centrally located within the wider IPL site and as such has no residential development to its north, east and west, with the earlier phases of the development sited to its south. The proposed dwellings fronting onto Rotton Park Street would achieve separation distances of 15m to the opposite southern side facing dwellings. Internally, dwellings would achieve window to window distances of 15m along the internal streets, with distances of 24m retained across shared garden areas. The flank gables would retain 18m between one another and these separation distances are considered to be on par with those achieved within earlier phases of the scheme and as such are considered acceptable and are not considered to result in any new undue amenity concerns.
- 6.13. The shared gardens measure at around 1311sqm and 1377sqm respectively. This represents an approximate ratio of 27sqm of outdoor amenity space per house. These dwellings further however feature a private year yard at around 15sqm, with many of these also retaining small terraces to their front, when fronting onto the canal and front drives when fronting onto the internal roads. There also lie a number of other amenity spaces within this phase of the development by way of soft landscaped areas to the front of houses fronting onto Rotton Park Street and the canal side public realm. As such, it is considered that the development would provide an appropriate provision of outdoor amenity space, which would be easily accessible for future residents of the development and as such this approach is considered acceptable.
- 6.14. The internal arrangements of the house types provide an acceptable level of amenity to future residents and comply with the Technical Housing Standards –

Nationally Described Space Standard. Furthermore the internal flexibility of the Shed KM built homes, offers greater diversity for the individual needs of the occupiers. All of the proposed houses would have a dual outlook aspect, whilst the end terrace units would have a triple outlook aspect.

Highway safety/Parking

- 6.15. 100% parking provision is proposed for the houses. Transportation Development has considered the application and raises no objection to the levels of parking on offer. They do however recommend a number of conditions, which are already attached to the former outline consent and will be discharged through the implementation of this reserved matters consent.

Other matters

- 6.16. A detailed S106 was attached to the original outline consent and as such no further contributions can be made as part of this application.
- 6.17. An employment related condition is attached to the original outline consent.

7. Conclusion:

- 7.1. The proposal represents IPL's approach to providing family housing at a higher density than traditional suburban housing, which is a clear aspiration of the City Council for this site and the wider location, as identified in the Birmingham Development Plan and the Greater Icknield Masterplan. The scheme continues the offer of a different kind of product to the City's housing market that would appeal to those looking to embrace a different city dweller lifestyle choice. This first phase of the development has already set a benchmark for the wider site in terms of creating a new and distinctive character area, containing buildings, public open spaces and public realms of a high design quality, with high levels of amenity for future occupiers and an appropriate approach towards sustainable forms of transport. The current proposals seek to add to this offer further and reinforce this approach.

8. Recommendation:

- 8.1. APPROVE subject to conditions

-
- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the implementation of the approved soft landscape details |
| 3 | Removes PD rights for boundary treatments |
| 4 | Removes PD rights for new windows |
| 5 | Removes PD rights for extensions |
| 6 | Maximum and minimum building heights restriction |
-

Case Officer: Idris Gulfranz

Photo(s)



Picture 1 – View looking north at site from Rotton Park Street.

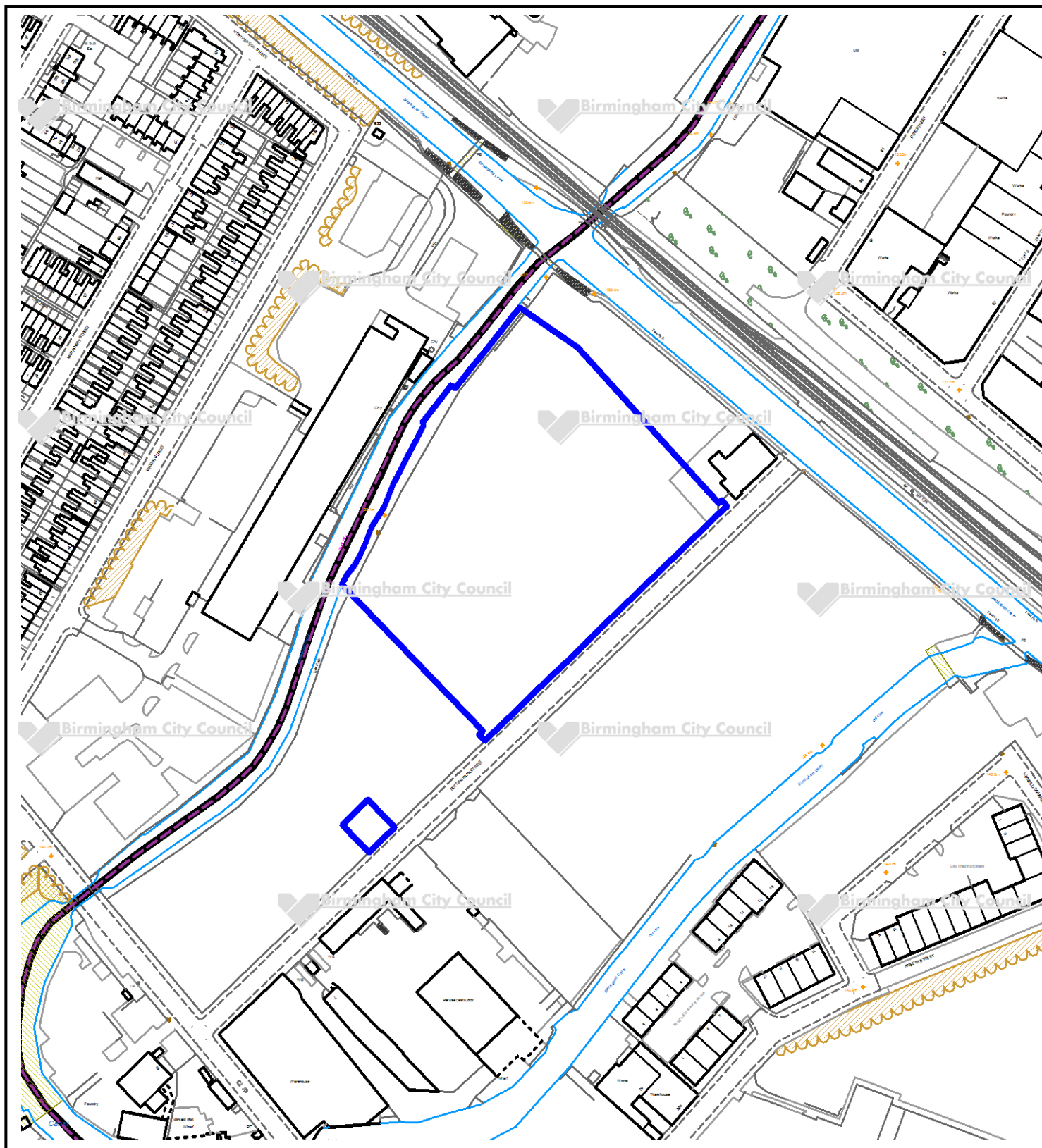


Picture 2 – View of Phases 1 and 2 – dwellings fronting onto Rotton Park Street opposite application site.



Picture 3 – Aerial view of IPL with Phases 1 and 2 to the middle of the picture and the site of Phases 3A and 3B to the right of the picture

Location Plan



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Birmingham City Council

Planning Committee

01 April 2021

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 – Subject to 106 Legal Agreement	9	2019/08256/PA Alum Rock Road Saltley Birmingham B8 3BX Variation of Conditions 14 (Landscaping) and 27 (S.278 Agreement) attached to Application 2019/04566/PA in relation to the construction of a new secondary school
Approve – Subject to 106 Legal Agreement	10	2019/01772/PA Land at and east of 257 Cateswell Road Sparkhill Birmingham B11 3DU Outline planning application for the erection of 31 dwellings with access, layout and scale to be determined
Approve – Conditions	11	2020/08710/PA Land at Shaftmoor Lane Hall Green Birmingham B28 8SN Reserved Matters application for the layout, scale, appearance and landscaping for 296 dwellings with associated open space and site infrastructure pursuant to Outline planning permission and discharge of conditions 7 and 13 (trees and Arb survey) and boundary details (Ref. 2019/06329/PA)

Committee Date:	01/04/2021	Application Number:	2019/08256/PA
Accepted:	07/10/2019	Application Type:	Variation of Condition
Target Date:	30/04/2021		
Ward:	Alum Rock		

Alum Rock Road, Saltley, Birmingham, B8 3BX

Variation of Conditions 14 (Landscaping) and 27 (S.278 Agreement) attached to Application 2019/04566/PA in relation to the construction of a new secondary school

Recommendation

Approve Subject to a Section 106 Legal Agreement

1. Proposal

- 1.1. The proposal relates to a Section 73 application in relation to the proposal for the erection of a three storey secondary school building, sports hall and outdoor sports facilities together with associated infrastructure works to include access, parking, landscaping and boundary works, which was approved under Ref: 2019/04566/PA.
- 1.2. The proposed S73 application relates to variation of conditions 14 (Landscaping) and 27 (S278 Agreement), which states:

Condition 14

The hard surfacing and soft landscape works hereby approved shall be implemented in accordance with details as per drawing numbers

FS0759-ALA-00-XX-DR-L-0001-S2 Revision P11 (Illustrative Masterplan), FS0759-ALA-00-XX-DR-L-0017-S2 Revision P09 (Planting Plan), FS0759-ALA-00-XX-DR-L-0010-S2 Revision P06 (Detailed Landscape GA 1 of 4), FS0759-ALA-00-XX-DR-L-0011-S2 Revision P06 (Detailed Landscape GA 2 of 4), FS0759-ALA-00-XX-DR-L-0012-S2 Revision P06 (Detailed Landscape GA 3 of 4), FS0759-ALA-00-XX-DR-L-0013-S2 Revision P06 (Detailed Landscape GA 4 of 4), FS0759-ALA-00-XX-DR-L-0002-S2 Revision P09 (Landscape General Arrangement), Meghull Pedesta 1 photo image, Meghull Pedesta 2 photo image, Meghull Pedesta 3 photo image, Pedesta Charcoal Swatch photo image, Pedesta Slate Swatch photo image

The works shall be implemented prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority and thereafter maintained. Any trees or shrubs which, within a period of two years from the completion of the development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

Condition 27

The development shall not be occupied until a package of highway measures has been approved by the Local Planning Authority and the approved measures have been substantially completed. The package of measures shall include removal of redundant sections of footway crossings/vehicular accesses and reinstatement with

full height kerbs, installation of pedestrian guardrail, 1-way Traffic Regulation Order to Rockville Rd and Alderson Rd, construction of new vehicular access on Alum Rock Rd midway between Foxton Rd and Brook Hill Rd, modification of all necessary Traffic Regulation Order(s) on Alum Rock Road (including provision of School Keep Clear markings) and all associated costs relating to carriageway markings, highway signage (illuminated/non-illuminated), future maintenance, power, design/road safety audit/supervision fees and accrual charges and are to be carried out at the applicants expense to Birmingham City Council specification.

- 1.3. In respect of Condition 14 (Hard and soft landscaping) attached to original consent ref: 2019/04566/PA, the changes seek amendment to the approved landscaping details. Supporting statements confirm that there would be a reduction in the girth from 20-25cm to 18-20cm of number of trees such as Acer Campestre (Field Maple), Prunus Avium (Wild Cherry) etc. around the site, and a reduction in the height of the 6no. 'Plataus x acerifolia' (London Plane) trees on the front boundary of the site (Alum Rock Road frontage). There would be no change in terms of their location, species or number of trees proposed on site.
- 1.4. In respect of Condition 27 (S.278 Agreement) attached to original consent ref: 2019/04566/PA, it is not possible to meet the requirement of this condition as it currently stands (i.e. highway works substantially completed) and for the school to be occupied and fully operational. The proposed variation to this condition seeks permission through an alternative mechanism that would split the highways works into two distinct elements.
- 1.5. The first element of Condition 27 relates to S.278/ highway works for Alum Rock Road and as per the current requirement would continue to be delivered through a S.278 process. The condition would be amended to ensure school is not occupied until the highway works to form the new access are substantially completed, which in this case the applicant has confirmed that the anticipated date would be June 2021.
- 1.6. The second element of Condition 27 (S.278/ highway works) would amend description and time of delivery of the originally agreed highway works condition in order to enable the ability to refer to an alternative mechanism via S.106 Legal Agreement to progress traffic management modifications for the one-way system to Alderson Road and Rockville Road (and if necessary Ludlow Road). This element of the works would be progressed by Council's Local Highway Authority.
- 1.7. The proposed alternative mechanism delivered through both the S.106 Legal Agreement and amended wording for Condition 27 would not change the substance or requirements under the S.278 condition attached to the original consent but provide a degree of flexibility in ensuring that the handover is complete and the school can open, occupied and be operational by June 2021.
- 1.8. This application is being reported to planning committee as the nature of the proposal is that of a variation to a major development and it is now subject to S.106 Legal Agreement.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is approximately 3.4 hectares situated on Alum Rock Road at the junction of Rockville Road and Alderson Road. The application site was a

cleared site formerly occupied by Smith & Nephew, where recent planning consent has been fully implemented with construction works for a new school building together with associated sport facilities/ infrastructure. The proposed school site would be accessed from Alum Rock Road frontage. The site is well served by public transport. Alum Rock Road is one of the key bus corridors in the local area, with bus stops close to the site both east and west bound. A strategic cycle route passes close by to west of the site.

- 2.2. The site is bounded by residential terraced streets of Alderson Road (to the south), Ludlow Road (to west), Rockville Road (to east) and Alum Rock Road (to the north) that also includes a small parade of shops (some with residential flats) and a place of Worship on Ludlow Road. A Grade II listed building known as The Brookhill Tavern PH is situated on the opposite side of Alum Rock Road at the junction of Brook Hill Road. The residential properties to the southwest of the site on Alderson Road and Ludlow are situated on higher ground level than the application site.

[Site Location Plan](#)

3. Planning History

- 3.1. Current 2021/01269/PA - Application to determine the details for condition numbers 2 (landscape and ecological management) and 4 (ecological/biodiversity/enhancement measures) attached to planning approval 2019/04566/PA – Awaiting determination.
- 3.2. Current 2021/00719/PA - Application to determine the details for Condition Nos. 16 (landscape management plan), 21 (siting/design of access) and 25 (cycle storage) attached to approval 2019/04566/PA – Awaiting determination.
- 3.3. 05/02/2021 - 2020/10109/PA - Application to determine the details for condition numbers 8 (noise levels for plant & machinery), 17 (lighting scheme) and 37 (local employment strategy prior to occupation) attached to planning approval 2019/04566/PA – Approved.
- 3.4. 14/01/2021 - 2020/09279/PA - Application to determine the details of conditions 31 (ground conditions), 32 (maintenance programme), 33 (ball catch fencing), 34 (design and specification of the sport hall), 35 (design specification for the MUGA) and 36 (community use agreement) attached to planning approval 2019/04566/PA – Approved.
- 3.5. 04/01/2021 - 2020/09010/PA - Application to determine the details for condition numbers 7 (extraction and odour control details), 16 (landscape management plan), 23 (parking management strategy) and 25 (cycle storage details) attached to planning approval 2019/04566/PA – Part approve and part refuse.
- 3.6. 22/10/2020 - 2020/04902/PA - Application to determine the details of condition numbers 7 (extraction and odour control details), 10 (vehicle charging point), 14 (hard surfacing and hard and soft landscape works), 16 (landscape management plan), 17 (lighting scheme), 21 (siting/design of the access), 23 (parking management strategy), 26 (applicants to sign-up to the Birmingham Connected Business Travel Network), 30 (vehicular visibility splays to be provided), 31 (prior submission of ground conditions for playing fields), 32 (playing field maintenance programme), 33 (ball catch fencing), 34 (design and specification of the sport hall), 35 (design specification for the MUGA), 36 (community use agreement), 37 (local

employment strategy prior to occupation) and 38 (sample materials) attached to planning approval 2019/04566/PA – Part approve and part refuse.

- 3.7. 06/04/2020 - 2020/01122/PA - Application to determine the details for condition number 15 (boundary treatment/ refuse storage and service yard enclosure details) attached to approval 2019/04566/PA – Approved.
- 3.8. 25/03/2020 - 2020/00568/PA - Application to determine the details for condition number 22 (submission of details of pavement boundary) attached to approval 2019/04566/PA – Approved.
- 3.9. 11/11/2019 - 2019/07691/PA - Application to determine the details for conditions numbers 1(Removal of Invasive Weeds 3 (Precautionary Working Method Statement) 5(Contamination Remediation Scheme) 12(Drainage Scheme) 13(Level Details) 18(Construction Method Statement/Management Plan) 19(Prevent Mud on the Highway) attached to approval 2019/04566/PA – Approved.
- 3.10. 30/08/2019 - 2019/04566/PA Erection of three storey secondary school building, sports hall and outdoor sports facilities together with associated infrastructure works to include access, parking, landscaping and boundary works. Approved subject to conditions.
- 3.11. 17/04/2015 - 2014/06294/PA Outline application for the erection of up to 122 residential units (98 dwellings and 24 flats), access to be considered and all other matters reserved. Approved subject to conditions and S.106 Legal Agreement.
- 3.12. 02/03/2011 - 2010/00465/PA. Outline application with all matters reserved for the erection of up to 110 residential dwellings, 3 No business units (Use Class B1), children's day nursery (Use Class D1) and associated development. Approved subject to conditions.
- 3.13. 22/12/2010 - 2010/05667/PA. Outline application for the erection of a new two storey primary school with access and scale for determination (appearance, and landscaping and layout are reserved). Approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Site and press notice displayed. Ward Councillors consulted – One response received from a neighbour, who questioned whether new library and leisure centre was planned for the area of land.
- 4.2. Transportation. No objections to alternative mechanism subject to modified wording and S.106 Legal Agreement.
- 4.3. LLFA – No objections.

5. Policy Context

- 5.1. NPPF (2019), Saved Policies within Adopted UDP (2005), Birmingham Development Plan (2017), Places for Living/ All SPG (2001), Car Parking Guidelines SPD (2012), SPD The 45 Degree Code (2006), SPG Places for All/ Living (2001), Loss of Industrial Land to Alternative Uses SPD (2006), Access for People with Disabilities (2006), Bordesley Park Area Action Plan (2020)

6. Planning Considerations

- 6.1. The principle consideration for a Section 73 variation is that the application can only be considered in so far as the varied conditions which in this instance are conditions 14 and 27.
- 6.2. **Impact on landscaping** - Condition 14 required that hard surfacing and soft landscape works are implemented in accordance with approved details. The approved detailed landscaping plan showed tree species and hedge along Alum Rock Road, formal line of trees and hedge along residential roads and irregular trees along the residential boundary on Ludlow Road. There are also shrubs and flowering grass to promote biodiversity on site. This current proposal under the S.73 application seeks a slight amendment in the approved landscaping details resulting in a reduction in the girth of some trees around the site, and a reduction in the height of the 'Plataus x acerifolia' (London Plane) trees on the front boundary of the site. Supporting statements confirm that amendments would reduce the risk of trees failing and smaller trees have better chance of establishment, growth and survival rate. There would be an equivalent number of trees in the same locations, which would also be easier to manage and maintain. There are no objections raised by the Council's Landscape Officer to the revised planting proposals for amended details to Condition 14. The proposed amendment to the landscaping condition would be considered acceptable and comply with policy TP7 and TP8 of the BDP that promotes green infrastructure and overall biodiversity value.
- 6.3. **Impact on highway safety** - The requirement of the condition 27 (S.278/ Highway works) requires the applicants to provide mitigation for the likely increased impact that the development may have or will generate on the local highway infrastructure. The current wording of the condition prevents the occupation of the school until a package of detailed highway works are substantially completed. This current variation of condition would split the highways works into two distinct elements without changing the requirement or substance to condition 27.
- 6.4. The first element deals with the package of highway measures as part of the S.278 Agreement on Alum Rock Road. Since planning permission was granted, the applicant sought to address the first element of the condition (Alum Rock Road) through a submission of a S.278 Agreement to undertake highways works. There have been significant negotiations between the parties and the Council's Highways Authority have confirmed that highway improvement works associated with the S.278 application have progressed and that they are now satisfied with the submitted detail for S.278/ highway works for Alum Rock Road. The Council's Highway Authority have raised no objections to this element of the condition. Consequently, I consider that the condition is amended to ensure that the school is not occupied until the highway works to form the new access are substantially completed.
- 6.5. The second element of the S.278/ highway works condition required a Traffic Regulation Order "TRO" for a one way street system that requires that vehicles only travel along Alderson Road and Rockville Road from the junction of Ludlow Road. Originally, this element of the work was to proceed with the construction of the new school. However, there has been a delay due to funding and Covid reasons and also these works can only be delivered by the Council as Local Highway Authority. This element would be delivered through an alternative S.106 legal agreement mechanism and would require the developer to fund the costs of the TRO process

and works as recommended as part of any original planning permission granted. A sum of £40,000 through a Section 106 Legal Agreement has been agreed by the Council as Local Highway Authority for use in providing traffic management improvements through Traffic Regulation Orders. This incorporates design, public consultation, implementation and future maintenance of the traffic management measures in order to introduce a one way system incorporating Ludlow Road, Alderson Road and Rockville Road. As part of the statutory Traffic Regulation Order process there will be a separate TRO consultation with local Ward Members, local residents etc. as required under the Highway Act to designate a Traffic Regulation Order. It is recommended that planning permission is approved subject to a S.106 Legal Agreement for the contribution of £40,000 for traffic management measures on Alderson Road and Rockville Road.

- 6.6. **Other conditions** - It is noted that the original consent was subject to a number of pre-commencement and pre-occupation conditions and approval/ discharge has been granted to the majority of these conditions. It is therefore considered that the wording to these conditions is modified to require compliance to approved details. There would be no change to the remaining conditions that are either pre-occupation or require implementation to approved details or operational that require compliance throughout the lifetime of the development.

7. Conclusion

- 7.1. On the basis of the above considerations, I conclude that the S73 application to vary through an alternative mechanism would not change the content or substance of the requirement of the original conditions. The application should be approved in accordance with Planning Committee's resolution subject to the satisfactory completion of the S.106 Legal Agreement.

8. Recommendation

- 8.1. Approve subject to Legal Agreement
- 8.2. Section 106 Legal Agreement to secure the following:
a) Contribution of £40,000 for delivery of a Traffic Regulation Order in design, public consultation, implementation and future maintenance of traffic management in order to introduce a one way system incorporating Ludlow Road, Alderson Road and Rockville Road (£40,000);
c) Payment of a monitoring and administration fee associated with the legal agreement of £1,500.
- 8.3. In the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by the 1st April 2021 or such later date as may be authorised by officers under delegated powers, planning permission be refused for the following reason:-

In the absence of any suitable legal agreement to secure the delivery of a TRO and a mechanism to review the TRO, the proposal would be contrary to policy PG3 and TP44 of the Birmingham Development Plan and NPPF.
- 8.4. That the City Solicitor be authorised to prepare, complete and seal an appropriate agreement under Section 106 of the Town and Country Planning Act.

-
- 1 Requires the method statement for the removal of invasive weeds to be implemented in accordance with approved details
 - 2 Requires submission of landscape and ecological management plan prior to occupation
 - 3 Requires precautionary working method statement to be implemented in accordance with approved details
 - 4 Requires the submission of a scheme for ecological/biodiversity/enhancement measures
 - 5 Requires contamination remediation scheme to be implemented in accordance with approved details
 - 6 Requires the submission of a contaminated land verification report
 - 7 Requires extraction and odour control equipment to be implemented in accordance with approved details
 - 8 Limits the noise levels for Plant and Machinery
 - 9 Limits the hours of use for multi-use games area and playing pitches (09:00 to 20:00 hours Mondays to Fridays and 10:00 to 17:00 hours Saturdays, Sundays and Public holidays)
 - 10 Requires the vehicle charging point(s) to be implemented in accordance with approved details
 - 11 Requires the implementation of sustainable drainage scheme prior to any building
 - 12 Requires the drainage scheme to be implemented in accordance with approved details
 - 13 Requires the approved level details to be implemented in accordance with approved details
 - 14 Requires hard surfacing and hard and soft landscape works to be implemented in accordance with approved details
 - 15 Requires the boundary treatment/ refuse storage and service yard enclosure details to be implemented in accordance with approved details
 - 16 Requires the submission of a landscape management plan
 - 17 Requires the lighting scheme to be implemented in accordance with approved details
 - 18 Requires construction method statement/management plan to be implemented in accordance with approved details
 - 19 Requires the approved details to prevent mud on the highway to be implemented accordingly
 - 20 Requires the prior installation of means of access
-

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- 21 Requires the submission of the siting/design of the access
 - 22 Requires pavement boundary to be implemented in accordance with approved details
 - 23 Requires parking management strategy to be implemented in accordance with approved details
 - 24 Requires the parking area to be laid out prior to use
 - 25 Requires the submission of cycle storage details
 - 26 Requires the applicants to sign-up to the Birmingham Connected Business Travel Network
 - 27 Requires highway works to form new access to be completed prior to occupation
 - 28 Requires the delivery and service area prior to occupation
 - 29 Requires gates to be set back
 - 30 Requires vehicular visibility splays to be provided
 - 31 Requires the ground conditions for playing fields to be implemented in accordance with approved details
 - 32 Requires playing field maintenance programme to be implemented in accordance with approved details
 - 33 Requires the ball catch fencing to be implemented in accordance with approved details
 - 34 Requires the design and specification of the sport hall to be implemented in accordance with approved details
 - 35 Requires the design specification for the MUGA to be implemented in accordance with approved details
 - 36 Requires community use agreement to be implemented in accordance with approved details
 - 37 Requires local employment strategy to be implemented in accordance to approved details prior to occupation
 - 38 Requires the sample materials to be implemented in accordance with approved details
 - 39 The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers
-

Case Officer: Mohammed Akram

Photo(s)



Figure 1: View of main school building from Alum Rock Road

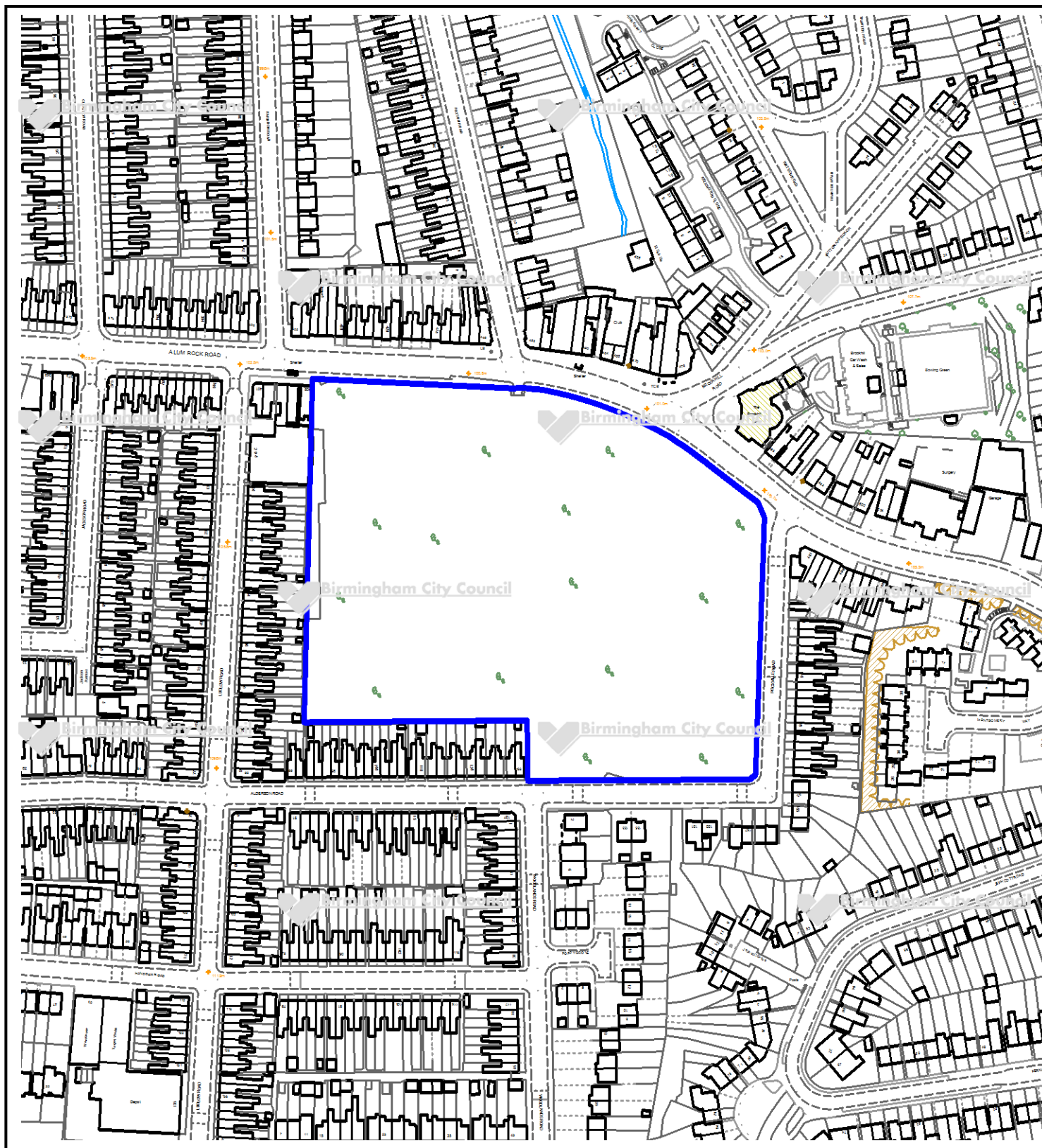


Figure 2: View from Alum Rock



Figure 3: School playing fields

Location Plan



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Committee Date:	01/04/2021	Application Number:	2019/01772/pa
Accepted:	04/03/2019	Application Type:	Outline
Target Date:	22/04/2020		
Ward:	Hall Green South		

Land at and east of 257 Cateswell Road, Sparkhill, Birmingham, B11 3DU

Outline planning application for the erection of 31 dwellings with access, layout and scale to be determined

Recommendation

Approve Subject to a Section 106 Legal Agreement

1. Proposal

- 1.1. This proposal represents an outline application with some matters reserved to establish the principle of the whole site being suitable for residential development.
- 1.2. The applicant has sought provide details of *access, layout and scale* for determination at this stage only. The application also seeks to fix the number of dwellings in this instance to a maximum of 31 dwellings.
- 1.3. This outline application also requires the demolition of the existing factory unit and the dwelling known as number 257 Cateswell Road. The demolition of the dwelling is sought in order to improve the current access arrangements and make the site access more suitable to support a modern residential development.
- 1.4. The site layout clearly shows 5 different house types noted as A – E. These are located as mix around the site, each with individual garden areas and with parking, and either on plot or adjacent. House Type E is the only plot shown as a detached unit while the rest are mainly semi-detached units and a smaller run a 3 as a terrace (type D) set over either 2 or 2.5 stories
- 1.5. The development is served by a new widened access and visibility splays (following demolition of number 257 Cateswell Road) with site access road with pavements shown to either side and this either ends as a turning head or a private drive.
- 1.6. The access road is designed to meet highway standards and the applicant has also provided tracking for large service vehicles to ensure the application site can be appropriately be serviced by refuse and emergency vehicles.
- 1.7. [Link to Documents](#)

Extract from google maps showing the site and adjacent site (cleared land at Shaftmore Lane on right)



2. Site & Surroundings

- 2.1. The site extends to just over 0.92 hectares and presently accommodates a large industrial premises set back from Cateswell road. The building itself is set over two storeys and has windowed elevation facing the rear of properties in Cateswell Road. The site is fairly level when viewed from Cateswell Road however there height difference between this site, towards the south and the adjacent site (former Rolls Royce Aerospace Works (this site is now being demolished and remediated).
- 2.2. The current access is currently via a narrow access road from Cateswell Road, adjacent to number 257. At the end of this access is what appears to be an old vehicular access point to the properties facing Cateswell Road and access to a garage building serving 257.
- 2.3. To the north of the site is Spring Road and to the south-east is Shaftmoor Lane. It should be noted that the site is adjacent to the land which has recently been granted outline approval for residential use and has now been cleared.
- 2.4. Located further to the east is Spring Road railway station that connects the area to the city and beyond and there are regular bus services serving the area. The nearest facilities are located in Spring Road where there are independent shops, a petrol station and a supermarket.
- 2.5. The site has been vacant for a number of years and still clearly borders residential properties. The area surrounding the site is predominately residential in nature.
- 2.6. [SITE LOCATION](#)

3. Planning History

- 3.1. 27.01.2017 - 2016/05594/PA – Outline for up to 44 dwellings – Withdrawn
- 3.2. *Prior to this number of applications relating to extensions at factory premises and driveway alterations with records from 1949 up to the late 1980's including (not exhaustive):*
- 3.3. 28.07.1949 – 04544000 – Extension to factory – Approved
- 3.4. 30.11.1950 - 04544001 - Extension to factory – Approved
- 3.5. 17.03.1960 – 04544008 – Extension to workshop office and canteen – Approved
- 3.6. 16.-3.1961 - 04544009 – Widen access – Refused
- 3.7. 30.01.1964 – 04544014 – Widen access and parking - Refused

4. Consultation/PP Responses

- 4.1. Transportation – No Objections
- 4.2. Regulatory Services – No objections - subject to contamination conditions/reports and the provision for noise mitigations on reserved matters to address noise environment on adjacent buildings
- 4.3. LLFA- No objections
- 4.4. Severn Trent – No objection subject to conditions for foul and surface water
- 4.5. West Mids Police – No objections suggest 'secure by design standards'
- 4.6. Leisure Services – Require contributions for open space and toddler play space of £171,585.00
- 4.7. Adjoining properties, MP and ward members notified
- 4.8. Site and press notice posted
- 4.9. 1 response received - Concerned about the highways parking levels along Cateswell Road and crime concerns regarding access and impact on value of property.

5. Policy Context

- Birmingham Plan 2017
- Saved UDP Policies
- Places for All
- Places for Living
- Car Parking SPD
- National Planning Policy Framework (NPPF) 2019

6. Planning Considerations

Principle

- 6.1. The National Planning Policy Framework 2019 and Birmingham Development Plan (2017) stress the importance of the re-use of previously developed land and its accessibility to public transport to secure well placed, sustainable residential development. .
- 6.2. The main history of the site concerns itself with terms of industrial consents. It should also be noted that the site appears as part the Strategic Housing Land Availability Assessment (SHLAA) as land suitable to come forward for residential development in this plan period (forming part of former Denso site 483).
- 6.3. This site is a former factory unit/employment site that has been empty for a long period of time. Given this is still employment land the LPA would normally seek to protect employment land as required by policy TP20. .
- 6.4. It is appreciated that this is a brownfield site where reuse should be encouraged and this is supported in guidance contained in the NPPF (brownfield first approach). Furthermore, as part of the application the applicant has outlined that the site been vacant since 2006 and has been actively marketed for a minimum of two years with no apparent success. The loss of employment land to alternative uses SPG outlines other considerations for any loss of employment land to be found acceptable. Account has to be taken into account to neighbouring context, which in this case is now housing led.
- 6.6. Cateswell Road is residential in nature and the adjacent site has been more recently granted outline consent for housing and in this context the continuation of this non-conforming industrial site would be detrimental to the surrounding residential/wider area. In this instance the principle of the use and redevelopment is considered acceptable.

Layout and Scale

- 6.7. This is an outline application seeking consent to the principle of the whole site for residential purposes along with details of a revised access arrangement, amended site layout along with scale (cross sections provided). No formal design of the dwellings has been provided. However, the submission contains sufficient detail to provide reassurance that the site can accommodate 31 units.
- 6.8. The site has no direct frontage to Cateswell Road, however the site and access is already well established and this arrangement will be widened (removal of no 257 Cateswell Road) and improved to serve the number of dwellings as proposed.
- 6.9. The layout follows a more intimate format with one main access road branching to the north and south into the development with dwellings shown fronting onto either the main route or onto private courtyards. Areas of planting/landscape are also shown as features in the location
- 6.10. The development would follow a similar density to those areas in Cateswell Road and beyond to the west, this would ensure the character of the area would be positively reinforced in accordance with policy PG3 of the Birmingham Plan. The layout is considered acceptable and will provide for a well-considered and fairly spacious layout which allows for appropriate levels of parking and servicing. The floor areas also accord with the DCLG guidance for the house types provided.

- 6.11. The following is the proposed layout of the scheme which shows the improved access along with the north/south access road and traditional layout with either on plot/frontage parking



Figure 1: Layout Revision F (amended to provide servicing/turning etc)

- 6.12. In this instance it is considered that the final design/appearance of the dwellings and the associated final landscaping layout can be adequately conditioned as part of the reserved matters which would help to ensure an acceptable appearance in the context of the wider locality.
- 6.13. It is considered that this site will have a positive impact in terms the character of the location as it brings a previous brownfield site back into effective use which would

ensure the development complies with Policy PG3 of the Birmingham Plan and the guidance in Places for All and places for Living SPG, the National Design Guide and NPPF.

Access- Parking layout (Transport and Highway impacts)

- 6.14. Access/servicing details have been provided. The proposal seeks to ensure the current access arrangements and adequate visibility is provided. The application is supported with detailed TS which provide details for projected existing/proposed trip generation for the site.
- 6.15. The analysis suggests that the development would be favourable in terms of peak hour movements and this is supported by the highly sustainable location. Transportation raises no objections to the amended scheme.
- 6.16. It is considered that the prospective impact of trips from the proposed residential use on network performance would consequently be unlikely to result in a demonstrably severe impact upon the surrounding highway network. Concerns have been raised in terms of parking levels and associated traffic impacts of the development. However this is a sustainable location with alternative options to travel. the development has provided for its own off road parking which should not create any further vehicle displacement into Cateswell Road and it is considered that conditions, including measures in regard the access arrangements are implemented and would be wholly reasonable and necessary to ensure that the development complies with vehicular and pedestrian safety and policy TP44 of the Birmingham Plan.

Landscaping/Trees

- 6.17. Indicative areas are shown on the submitted layout plans. These include new private amenity spaces (garden area) along with new areas of open space indicatively shown.
- 6.18. Landscaping is one of the reserved matters and a full scheme and subsequent management of which would need to be provided as part of a reserved matters application.

Ecology

- 6.19. The application has been supported with a detailed ecological survey. The site survey evidences that there is low probability/evidence of any protected species or suitable nesting sites of birds etc.
- 6.20. Your ecologists suggest that in order to provide enhanced biodiversity and ecological mitigation conditions be applied in line with your ecological matrix (i.e. bird bats boxes, wildflower grass to ensure that biodiversity opportunities are increased accordingly the imposition of suitably worded conditions linked through the landscape and associated management plan required in line with Policy TP8 of the Birmingham Plan.

Flooding risks

- 6.21. The site falls within Flood Zone 1 and has a low probability of flooding and is not shown to be at risk from Main River or surface water flooding. Consequently, there are no significant risks from flooding.
- 6.22. The applicant has provided a detailed FRA/SUD's assessment. After initial concerns the LLFA have suggested that suitable drainage strategies are required and have suggested conditions in this instance and the imposition of conditions are recommended in this instance.
- 6.23. Severn Trent has raised no objections. A condition relating to foul/surface drainage of the site is recommended to accord with TP6 the Birmingham Plan.

Amenity

- 6.24. Members will appreciate that each of the new 31 units will be required to have adequate bedroom sizes and overall internal spaces which meet and exceed the standards as required by the DCLG Technical Standards and this matter will be required in any future reserved matters submission.
- 6.25. The layout is provided as part of the submission and the majority of the site complies with distance separations, however plots 21-22 area little short on side to frontage (10.6m) and plots 28-29 is also short on side to frontage (11.3m). However given the overall garden sizes exceed the requirement set out in Places for Living it is considered that this deficit would not result in the scheme being unacceptable due to these reasons alone and on the whole the development provides adequate separation and amenity standards
- 6.26. A full noise report/amended report is provided as part of the supporting documentation for the application as the site is bounded by commercial properties to the North and South. In this instance the noise assessment found the noise levels would be within parameters for day time and night time impacts and could be adequately mitigated in terms of noise with appropriate glazing and ventilation.
- 6.27. Regulatory Services are satisfied that this ensures adequate amenity levels are maintained for future residents and this may be duly conditioned to relate to the final design of the dwellings
- 6.28. Concerns have been raised in respect to crime in the area. West Midlands Police have raised no objections to the scheme.

Land Contamination

- 6.29. The proposal is supported by a Phase 1 land contamination report/survey. Regulatory Services are satisfied that subject to further reports and verification that the site may be suitably controlled by the imposition of conditions to ensure the impacts to human health are satisfactory.

Affordable Housing and Planning Obligations

- 6.30. The development site falls within a Low Value Area Residential Zone and will therefore be subject to a nil CIL charge. However, given the scale of the proposed development, seeking to deliver more than 15 no. dwellings, 35% affordable housing must be delivered as part of the scheme, in accordance with Policy TP31 of the Birmingham Development Plan.

- 6.31. Furthermore, residential schemes of 20 or more dwellings should also provide on-site public open space and / or children's play provision. Developer contributions would be used to address the demand from new residents if not provided onsite.
- 6.32. The developer had originally considered offsetting contributions via Vacant Building Credit, however this approach was not accepted and therefore the applicant has now provided an amended financial viability report based on the amendments in the layout/development as proposed.
- 6.33. It is acknowledged by the applicant that there is a need for the provision of affordable units and the provision of POS/Play space. This has been thoroughly assessed by the Councils' independent advisors who have advised that 10% affordable housing provision can be provided/sustained in this instance. The developer has agreed to provide 10% affordable low cost sale units can be provided on site. This would equate to 3 units (Type A 2 bed unit, Type B 3 bed unit and Type D a four bed unit).
- 6.34. Further the Councils' Advisor also suggests that a financial provision via a contribution of £60,000.00 towards POS/Play space in the ward can also be sustained in this case.

Community Infrastructure Levy

- 6.35. The proposed development would not attract a CIL contribution.

7. Conclusion

- 7.19. This is previously developed land and the principle of residential redevelopment is considered acceptable in this predominately residential location where a residential use has been established through the previously approved applications.
- 7.20. The development is in a highly sustainable location and can be adequately accessed and serviced. The design of the new elements will continue to complement the existing building and the wider area. Subject to the reserved matters details and conditions I consider the development provides a good level of amenity for the existing and proposed new residents. The site can be improved in terms of its biodiversity which would both benefit the site and the wider location and is considered acceptable.

8. Recommendation

- 8.1. That the consideration of planning application 2019/01772/PA should be approved subject to the completion of a planning obligation agreement to secure the following:
- i) To secure 10% 'affordable units' delivered on site in perpetuity consisting of 3 'Low Cost' Sale units (Type A (2 bed unit), Type B (3 bed unit) and Type D (four bed unit)
 - ii) To Secure a contribution of towards public open space and play space equating to a total of £60,000.00
 - iii) Payment of a monitoring and administration fee associated with the legal agreement of £2100.00
- 8.2 In the absence of a suitable planning obligation agreement being completed to the satisfaction of the Local Planning Authority on or before 22nd April, 2021 or such later

date as may be authorised by officers under delegated powers the planning permission be refused for the following reason:

- i) The proposal represents an unacceptable form of development as it would not achieve Section 106 Planning Obligations in the form of appropriate affordable housing or open space. This is contrary to Policies TP9 and TP47 of the Birmingham Development Plan 2031, Affordable Housing SPG, and the National Planning Policy Framework (2018).

8.3. That the City Solicitor be authorised to prepare, seal and complete the planning obligation.

8.4 That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 22nd April, 2021 or such later date as may be authorised by officers under delegated powers favourable consideration be given to this application subject to the conditions listed below.

-
- | | |
|----|--|
| 1 | Implement within 3 years (outline) |
| 2 | Requires the submission of reserved matter details following an outline approval |
| 3 | Requires the scheme to be in accordance with the listed approved plans |
| 4 | Requires the prior submission of a contamination remediation scheme |
| 5 | Requires the submission of a contaminated land verification report |
| 6 | Requires the submission a updated Noise Insulation Scheme to establish residential acoustic protection |
| 7 | Requires the prior submission of a construction method statement/management plan |
| 8 | Requires the submission of details to prevent mud on the highway |
| 9 | Requires the prior installation of means of access |
| 10 | Prevents occupation until the service road has been constructed |
| 11 | Requires the submission of a residential travel plan |
| 12 | Requires the parking area to be laid out prior to use |
| 13 | Requires the submission of cycle storage details |
| 14 | Requires the provision of a vehicle charging point |
| 15 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures |
| 16 | Requires the prior submission of details of bird/bat boxes |
-

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- 17 Requires the submission of a lighting scheme
 - 18 Requires the prior submission of a construction employment plan. No development shall take place, including any works of demolition, until a construction employment plan has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The construction employment statement shall provide for details of the following:
 - 19 Requires the submission of hard and/or soft landscape details
 - 20 Requires the submission of boundary treatment details
 - 21 Requires the prior submission of level details
 - 22 Requires the submission of a landscape management plan
 - 23 Non Standard Condition Suds Drainage Scheme
 - 24 Non Standard Condition Drainage Plan and O and M Plan
 - 25 Drainage scheme for foul or surface water
-

Case Officer: Sarah Willetts

Photo(s)



Figure 1 – View down existing access towards building

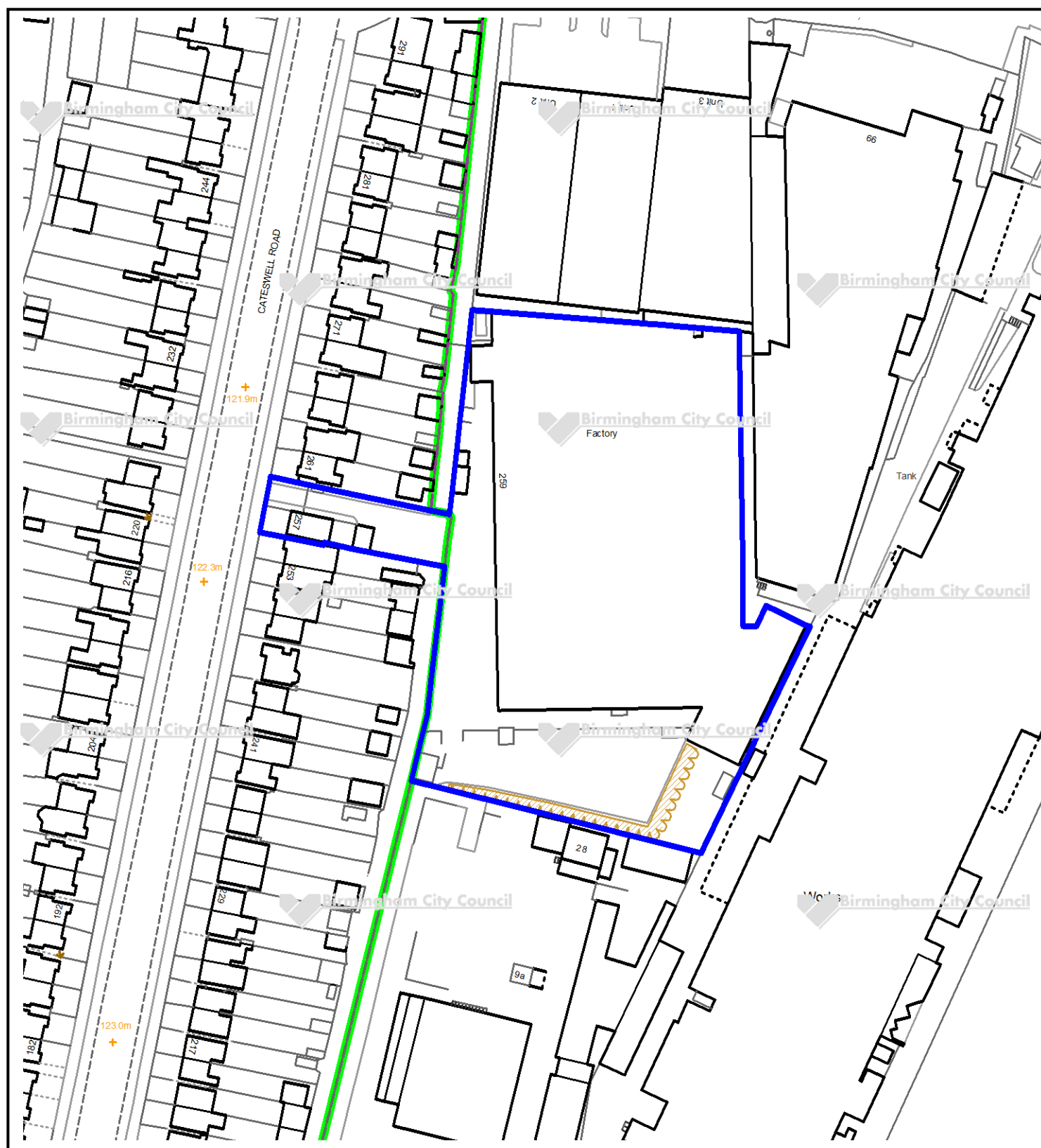


Figure 2 – View from access across the road including part of 257 Cateswell Road



Figure 3 – View of site entrance (257 or RH side to be demolished

Location Plan



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Committee Date:	01/04/2021	Application Number:	2020/08710/PA
Accepted:	03/11/2020	Application Type:	Reserved Matters Development
Target Date:	02/04/2021		
Ward:	Tyseley & Hay Mills		

Land at Shaftmoor Lane, Hall Green, Birmingham, B28 8SN

Reserved Matters application for the layout, scale, appearance and landscaping for 296 dwellings with associated open space and site infrastructure pursuant to Outline planning permission and discharge of conditions 7 and 13 (trees and Arb survey) and boundary details (Ref. 2019/06329/PA)

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This proposal represents a reserved matters application with detail on matters provided including:
 - Layout
 - Scale
 - Appearance
 - Landscaping with open space and associated infrastructure
- 1.2. This application follows the outline application that was considered at committee on 19.12.19 under reference 2019/06329/PA which established the principle of the whole site being suitable for residential development and only included details on the two existing /reutilised access points to the site (Spring Road and Shaftmoor Lane).
- 1.3. The applicant had sought to fix the number of dwellings to a maximum of up to 301 dwellings. This proposed reserved matters scheme now results in a total of 296 dwellings which is an acceptable number, given the maximum fixed number approved.
- 1.4. This reserved matters application continues to include the previously approved access points one from Spring Road and one from Shaftmoor Lane which forms the main link road with a hierarchy of secondary roads running parallel to this with links through by smaller tertiary routes, with associated footpaths/pedestrian access. This results in the creation of mixture of perimeter blocks of development.
- 1.5. There is a central area of public open space POS included along with and area of suds located to the north (near the POS) and south along Shaftmoor Lane along with informal open space to the east. These areas area shown as planted and landscaped. These areas were required as part of the original consent.

- 1.6. The scheme would provide for a mix of residential dwellings of private and affordable rent/shared ownership these are in a range of detached, semi-detached and terraced dwelling which vary in size as follows:
- 1.7. 14 x 1 bed dwellings
- 1.8. 134 x 2 bed dwellings
- 1.9. 132 x 3 bed dwelling
- 1.10. 16 x 4 bed dwellings – TOTAL 296 Dwellings
- 1.11. *Out of this mix the following is provided:*
- 1.12. 14 x 1bed affordable rent properties
- 1.13. 25 x 2 bed affordable rent properties and 33 shared ownership properties
- 1.14. 20 x 3 bed affordable rent properties and 29 shared ownership properties
- 1.15. Over and above the 35% affordable housing requirement set out in the original S106 the applicant is offering 17 additional affordable 'shared ownership' properties as part of the proposal
- 1.16. Building height plans show the site is mainly and mix of 2 and 2.5 storey housing with single storey garages where proposed.

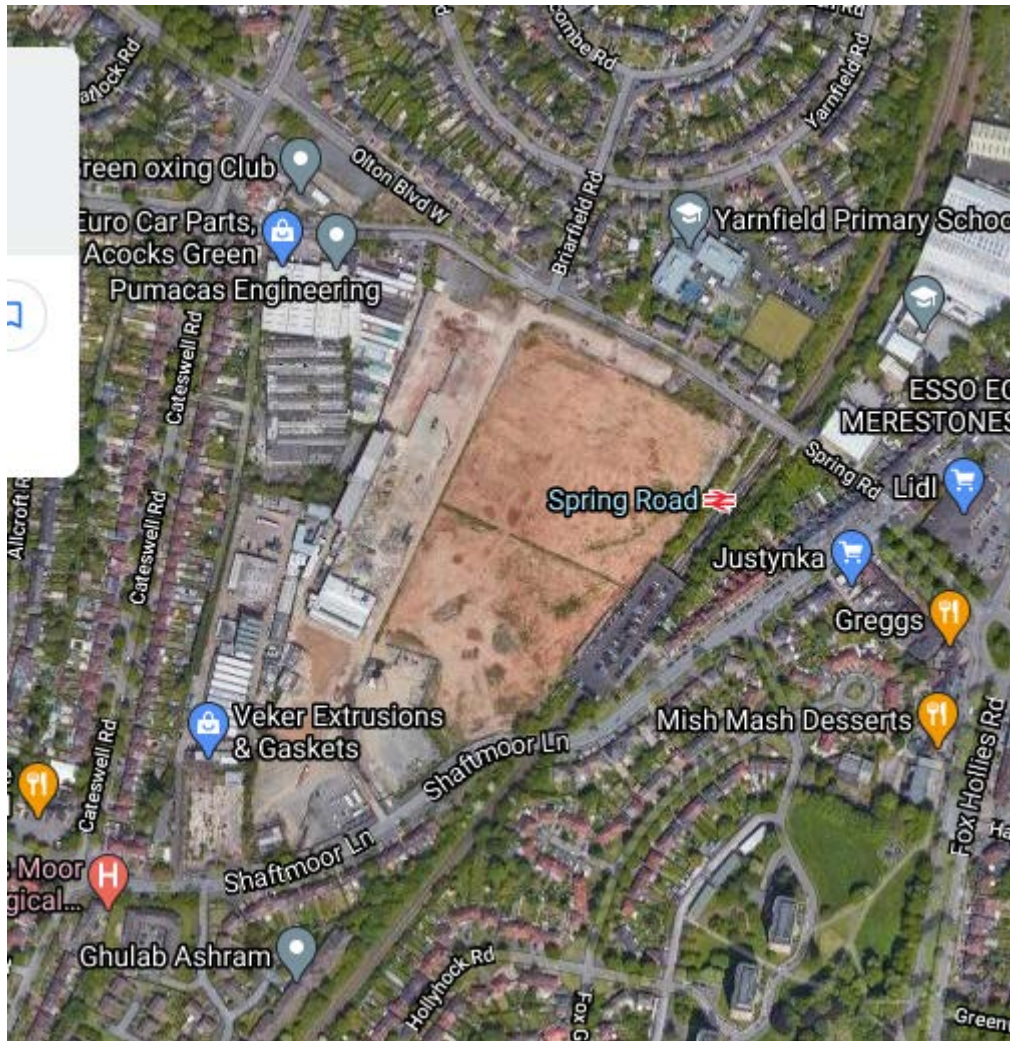


Figure 1 Aerial shot of showing the site mainly cleared.
Source: Google Maps

1.17. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site extends to just over 8 hectares and previously accommodated industrial premises for both Lucas Aerospace and Rolls Royce. The site is fairly level when viewed from Shaftmoor Lane and rises towards the centre before levelling again towards Spring Road. In this central area (Western boundary) there is a retaining wall between the site and the existing commercial uses. There is also a slight fall from west to east across the site.
- 2.2. To the North of the site is Spring Road where there is an existing site entrance and to the Southeast is Shaftmoor Lane where there is another site entrance to the original industrial premises. Located to the East is Spring Road railway station that connects the area to the city and beyond.

2.3. The nearest facilities are located in Spring Road where there are independent shops, a petrol station and a supermarket.

2.4. Both the previous factory premises of Lucas and Rolls Royce have now closed with the former Lucas factory site being both cleared and remediated/levelled and the Rolls Royce factory has now been cleared and remediated. It is noted that the area generally surrounding the site is predominately residential in nature.

2.5. [SITE LOCATION](#)

3. Planning History

3.1. 06.02.2009 - 2008/06278/PA - Outline retirement village – Withdrawn

3.2. 04.02.2011 – 2009/03352/PA - Outline retirement village – Refused. Appeal Withdrawn

3.3. 26.07.2012 - 2011/06775/PA – Outline for demolition of buildings and construction of 120 residential units – Approved

3.4. 26.07.2012 – 2011/06776/PA – Demolition of building and erection of a supermarket and 120 units access parking and landscaping – Approved

3.5. 28.09.2018 – 2018/06816/PA – Prior Notification for Demolition – prior approval not required.

3.6. 17.04.2019 – 2018/09505/PA – Site works and site remediation following demolition – Approved

3.7. 29.06.2020 - 2019/06329/PA – Outline Application for Residential Development of up to 301 dwellings (all matters reserved except access) – Approved

4. Consultation/PP Responses

4.1. Transportation – No objections – suggest conditions.

4.2. Environment Agency – No objections (conditions on outline)

4.3. Regulatory Services – No objections

4.4. Severn Trent – No objections

4.5. West Mids Police – No objections

4.6. West Mids Fire Service — No objections

4.7. Leisure Services – Comments reference to outline application.

4.8. 158 Neighbouring properties, local Cllrs and residents groups and MP were duly notified

4.9. Site and press notice posted – no comments received

5. Policy Context

- Birmingham Plan 2017
- Saved UDP Policies 2005
- Places for All
- Places for Living
- Car Parking SPD
- National Planning Policy Framework (NPPF) 2019
- National Design Guidelines (NDG)
- DCLG Technical housing standards

6. Planning Considerations

Background

- 6.1. The site has been brought together by the Government Agency 'Homes England' who are tasked in bringing forward residential schemes where previous development has previously stalled. In this instance Homes England cleared and restored the site and have outline approval for residential development under reference 2019/06329/PA
- 6.2. As part of the reserved matters submission the 'developer partner' proposes to bring forward detailed (reserved matters) proposals in line with the outline approval and as part of this Homes England also request that any 'developer partner' would also be bound by the set of parameters of 'Building for Life 12 Design Scheme' which is a Government industry standard for well-designed homes and neighbourhoods. In this case the development is also in line with Building for Life 12.

Principle

- 6.3. The principle of this development has been established and accepted in the outline application under reference 2019/06328/PA and this application seeks to provide details on the outstanding reserved matters. These include the scale, layout, appearance and landscaping and the discharge of two conditions in relation to the outline scheme.

Layout Scale and Appearance

- 6.4. The layout demonstrates that the site can adequately accommodate 296 dwellings.
- 6.5. Condition 2 of the outline approval sought a quantum level of Open space and SUD's provision which the development as proposed has achieved. The main layout follows a traditional format of 2 and 2.5 storey dwellings (required by condition 17) served from one main link road through the development (Shaftmoor Lane to Spring Road) with both parallel 'secondary roads' and tertiary link roads between. The majority of dwellings front onto the main roads in a classic perimeter style block layout with the rear of the dwellings facing each other via garden areas.
- 6.6. In two areas where the perimeter block style is not followed, there are discrete courtyards with properties and their associated landscaping and parking (plots 183-189 and 157-162).
- 6.7. The layout demonstrates two areas that are proposed as 'home zones' which are separately defined (i) adjacent to the Public Open Space (POS) and (ii) to the east of the site show via a link road that connects to the main route.

6.8. The following is the latest layout plan showing the development as proposed, however this excludes the detail of the home zone areas/road surface changes.

6.9. **Figure 2 – Site layout plan (Revision Q (to be revised)**



6.10. The site plans shows areas of planting within the POS, on the eastern informal space, around the SUD's area on Shaftmoor Lane and greened street frontages and corners as features in the location. There are also footpath links through the development which provide connectivity and an access footpath access to the station is provided to the east which is adequately overlooked by the proposed plots.

6.11. The development proposes different house types within the development. Some key elements of design have been considered as part of the overall design of these which are reflected in the surrounding area. This includes roof types, brickwork detailing, window and door alignment and window sizing, (to name some). This has formed the benchmark for the house types proposed on this site. It is also important to acknowledge the use of similar facing materials also attempts to reflect the local area, which is predominated by red brickwork, red and grey roof tiles.

6.12. Figure 3 – Examples of House Types and Typical Street scenes



House Type Portfolio - Shaftesbury Lane, Birmingham

Bewdley - House Type Plans (Scale: 1:100)



Plot Numbers: 32 & 33 (As) 95 & 234 (Opposite)



- 6.13. All the dwellings are either 2 storeys or 2.5 storeys with a mixture of terraced, semi-detached and detached properties. This scale and mix of house type continues to fully respect the character of the surrounding residential streets.
- 6.14. The scheme been subject to a number of changes to the layout which includes the provision of the 'home zone areas', more landscaped areas on individual plots revisions to the courtyard areas, house type changes and plots being re-orientated and the amended scheme represents an improvement over the original layout especially with more landscape breaking up hard surfacing.
- 6.15. The layout continues to follows a similar density to those areas that surround it, which would ensure the character of the area would be positively reinforced and will have a positive impact in terms the character of the location and its associated frontages and to the local environs which would ensure the development complies with policy PG3 of the Birmingham Plan and the guidance in Places for All and places for Living SPG.
- 6.16. It is also noted that the changes made also help break up long runs of dropped kerbs, this has allowed parking adjacent to plots rather than on the frontage.
- 6.17. As part of the design the applicant has provided details of boundary treatments. The majority are 1.8m timber fences with some boundary and corner plots having brick screen walls. A 0.45m high knee rail is proposed around the main open space, also along with some properties along Spring Road where the Highways Improvement line runs. Some corner locations have 0.9m estate railings and box hedging around their front gardens which is considered acceptable.

- 6.18. The housing mix is spread out across the site and provides a mix of 1, 2, 3 and 4 bedroomed units which provides a good mix of property types/styles overall which is in line with Policy TP30 of the BDP.

Amenity

- 6.19. Following earlier comments, the applicant has comprehensively reviewed the schedule of accommodation to significantly improve compliance with NDSS. This has included the introduction of new house types and enlarging/amending existing types.
- 6.20. The scheme is now wholly compliant in respect of gross internal floor areas and broadly compliant in respect of bedroom sizes. All the two bedroom units either meet or exceed the minimum gross internal floor area of 70m², the 3 bedroom dwellings are within the range of 84m² - 130m² and the 4 bedroom dwellings are between 125m² and 134m². These sizes relate to both private and affordable dwellings.
- 6.21. Several of the house types include study rooms. These are not of a suitable size to be categorised as a bedroom by NDSS but can be used as a home office and allow people to separate 'work life' from 'home life'.
- 6.22. The only house type that fails to meet NDSS (DCLG Technical standards, in respect of the principle bedroom being a double room, is the 'Archford' which is only short by 0.9m². It should be noted that this bedroom does have en-suite bathroom which is not included in the measurements.
- 6.23. The majority of gardens meet as least a 10m rear garden and the main habitable room to main habitable room separation are met (21m) in accordance with Places for Living SPG. There is a small deficiency in some plots between gable and window elevations by around 1m (eg plot 48-50) however the majority are met and where they are a little short the orientations of the plots concerned are slightly offset to each other so this would not create undue overlooking or amenity issues.
- 6.24. The scheme provides a mix of 1, 2, 3 and 4 bedroomed units which provides a good mix of property types overall in line with Policy TP30 of the BDP. This housing mix is spread out across the site.
- 6.25. In summary it is considered that the scheme has no undue impact on the occupiers of adjacent properties and creates an acceptable living environment for the proposed occupiers.

Transport and Highway impacts

- 6.26. The access points were agreed at the outline stage however the internal road layouts manoeuvring and parking were reserved. Details show a hierarchy of road layouts which form regular perimeter style blocks.
- 6.27. The main link can be found from Shaftmoor Lane through to Spring Road with a parallel route to the west and shorter route to the east with linking roads between.
- 6.28. As previously noted the parking provision is now provided on the frontage or down the side of the property (tandem) which helps to break up continuous areas of dropped kerbs and allows more meaningful landscape.
- 6.29. Other changes include removal of some private drives away from the approved access points to allow more properties to front onto the highway especially along

Spring Road where a Highway Improvement Line is being maintained. Some plots contain garages which exceed 3 x 6m and access and parking provision meets or exceeds your adopted car parking SPD standards.

- 6.30. The applicant has also provided details of tracking for large emergency and refuse vehicles on the routes and courtyards which are considered acceptable. Measures are required to reduce the speed of traffic along these routes to ensure both vehicle and pedestrian safety which includes the home zones and the main arterial route and Transportation have suggested measures to reduce speed and have suggested changes in surface, home zone areas and further landscape build outs to more naturally reduce traffic speed.
- 6.31. Transportation are now content with the general changes to the scheme and the final details of the home zone and speed restrictions are recommended as conditions along with an informative for the S278 to ensure its complies with vehicular and pedestrian safety and policy TP44 of the Birmingham Plan.

Landscaping/Trees

- 6.32. The application is supported by a planting scheme and schedule. The landscape officer has suggested conditions in respect to management. The Arboricultural Impact assessment notes that there are some shrubs and 2 number self-set trees on the site. The report demonstrates that these trees that are left are of low quality (category c) and would not warrant their protection subject to replacements as shown in the planting plans and schedules.
- 6.33. The tree officer has suggested conditions in respect to tree pits/soil volume and cross sections to ensure that any trees proposed near areas of hard surface would be able to survive.

Planning Obligations

- 6.34. A S106 agreement is attached to the outline approval which secured 35% affordable housing
- 6.35. The scheme proposed actually delivers over 40% affordable housing scheme with a total of 66 affordable rent and 21 shared ownership properties. This provision and mix is fully supported.

7. Conclusion

- 7.1. This is previously developed land and the principle of residential redevelopment has already been considered acceptable in this residential location for a commensurate number of dwellings at outline.
- 7.2. There have been a number of significant but positive changes to the scheme to ensure that the design and layout of the house types are NDSS compliant and the layouts changes to roads, courtyard, materials, boundaries and planting schemes which create a stronger sense of place for the site.

8. Recommendation

- 8.1. That approval is given to the reserved matters of appearance, landscaping, layout and scale as they relate to outline planning permission 2019/06329/PA, covered by reserved matters application 2020/008710/PA, subject to the conditions set out below.

8.2. That approval is given to the details submitted pursuant to the following conditions of outline planning permission 2019/06329/PA:

- Condition 5 – Contamination remediation scheme
- Condition 6 – Land verification report
- Condition 8 - FRA and Drainage Strategy
- Condition 9 - Suds and Maintenance Plan
- Condition 10 - Arb method statement
- Condition 11 - Ecological biodiversity enhancement measures
- Condition 12 - Bird and bat boxes
- Condition 14 - Groundwater contamination verification report
- Condition 15 - Landscape management plan
- Condition 16 - Lighting scheme
- Condition 18 - Noise and vibration condition
- Condition 19 - Construction method statement/management plan
- Condition 21 – Employment Condition

1	Requires the scheme to be in accordance with the listed approved plans
2	Requires the submission of sample materials
3	Non Standard Condition Details of horizontal deflections
4	Non Standard Condition Details of shared surface home zone
5	Non Standard Condition Details of the Pedestrian Link
6	Requires the submission of the siting/design of the access
7	Requires the submission of an amended car park layout
8	Requires the submission of cycle storage details
9	Prevents occupation until the service road has been constructed
10	Requires the submission of details to prevent mud on the highway
11	Requires the details of tree pits for planting tree near hard surfacing

Case Officer: Sarah Willetts

Photo(s)



View 1 Shaftmoor Lane Entrance gate showing extent of site cleared . Source Google Maps

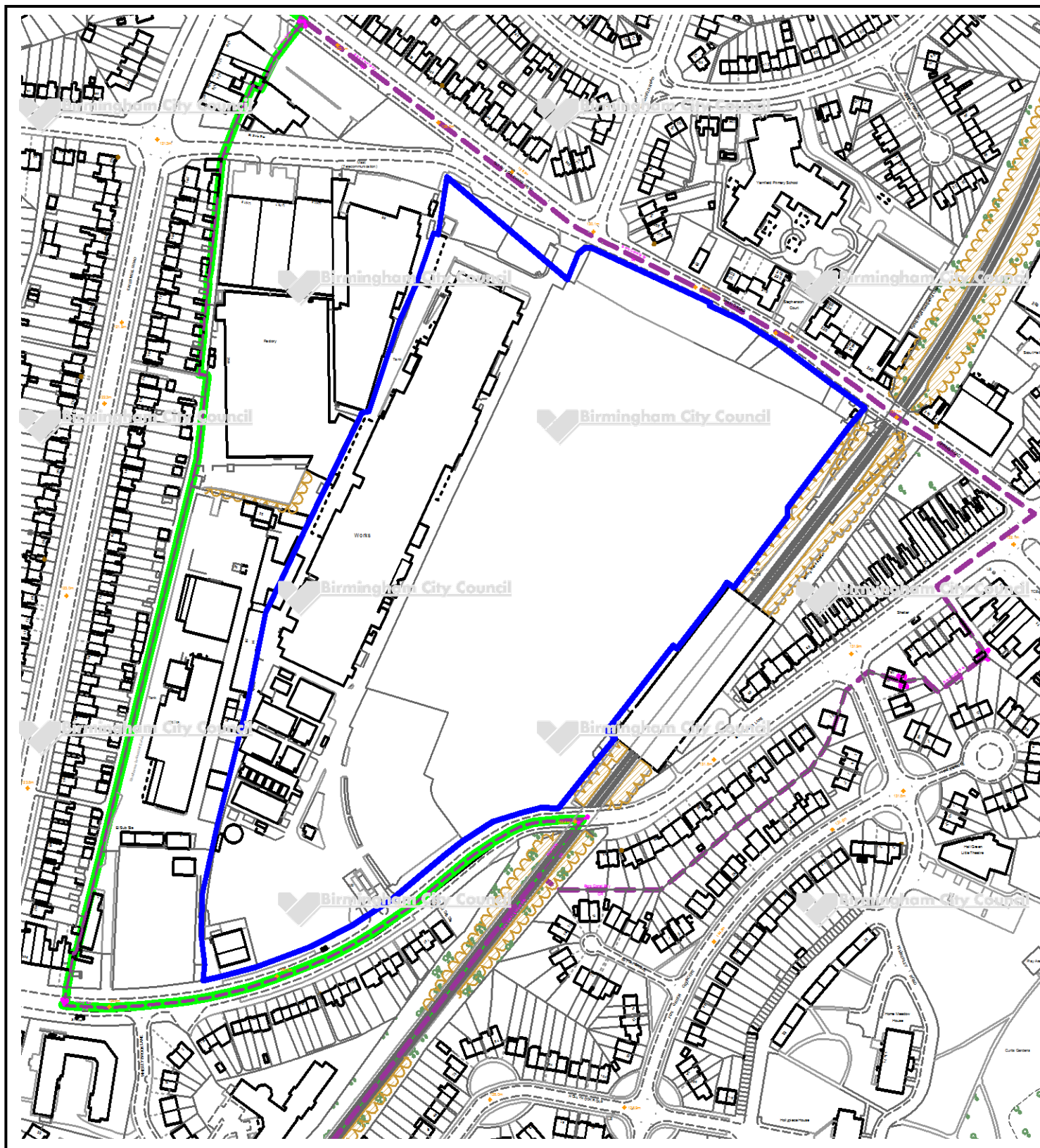


View 2 Spring Road Entrance with dropped kerb. Source Google Maps



View 3 Further view from Spring Road at the end with Olton Boulevard West. Source: Google Maps

Location Plan



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