

Birmingham City Council

Planning Committee

25 October 2018

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	9	2018/07022/PA The Boot Inn Rectory Road Sutton Coldfield Birmingham B75 7RU Erection of two storey detached building to form retail unit (Use Class A1) and reconfiguration of existing car park.

Committee Date:	25/10/2018	Application Number:	2018/07022/PA
Accepted:	28/08/2018	Application Type:	Full Planning
Target Date:	25/10/2018		
Ward:	Sutton Reddicap		

The Boot Inn, Rectory Road, Sutton Coldfield, Birmingham, B75 7RU

Erection of two storey detached building to form retail unit (Use Class A1) and reconfiguration of existing car park.

Applicant:	Punch Partnerships (PML) Ltd c/o Agent
Agent:	WYG 54 Hagley Road, 3rd Floor, Edgbaston, Birmingham, B16 8PE

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the erection of a new building to be used as a convenience retail store in Class A1. It is understood that the store would be occupied by the Midcounties Cooperative, trading as the Co-Op. The new convenience store and existing pub building would continue to be served by the site's existing access points, with a shared car park providing capacity for 34 vehicles (of which 2 would be disabled car parking spaces). A delivery bay would be located to the east of the new store, immediately to the west of the public house. An acoustic fence would also be provided to the south of the new store, along the southern boundary of the site.
- 1.2. The proposed store would primarily single storey, with a small two storey element on its eastern side adjacent to the public house. The single storey part would be 3.0m high to the eaves of a pitched façade roof, which would be 4.8m high at its ridge. This would conceal plant and refrigeration equipment on the otherwise flat rooftop. The two storey part of the building would be 5.5m high to the eaves, with a roof ridge 9.0m high. The submitted street scene elevations indicate that this would be slightly lower than the existing public house.
- 1.3. Internally, the net sales floorspace of the proposed convenience store would be 181sqm. This would be in addition to a further 144sqm of back of house non-sales floorspace across both ground and first floors.

1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The Boot Inn public house is situated on the south side of Rectory Road, a short distance to the east of its junction with Bedford Road. The road in this location is on a gradual uphill gradient from west to east, and the application site is also marginally

higher than the opposite side of the road. Good Hope Hospital is located approximately 200 metres to the west along Rectory Road.

2.2. The site covers an area of 0.24ha, with the vast majority currently forming the hardstanding and car parking (currently 47 spaces) surrounding the pub building which is at the eastern end of the site. This is currently used on a pay-and-display basis as a commercial operation, understood to primarily serve hospital visitors. Marked-bay street parking also exists on Rectory Road adjacent to the site, providing capacity for approximately 10 vehicles. This is limited in duration of stay to 1 hour between 8am and 6pm on weekdays, but is unrestricted at other times.

2.3. The surrounding area is almost entirely residential in character, with a wide array of house types evident – generally detached dwellings on the southern side of the road, and a mix of terraced and semi-detached dwellings on the northern side in addition to several apartment blocks adjacent to the junction of Bedford Road. The public open space at Rectory Park is located a short distance to the south, with a right of way to the park passing alongside the application site to the east.

2.4. [Link to site location and street view](#)

3. Planning History

3.1. There is a varied planning history relating to alterations to the public house on the site, but none is of direct relevance to this application.

4. Consultation/PP Responses

4.1. **Transportation Development** – No objections subject to conditions ensuring the retention and maintenance of existing vehicular and pedestrian visibility splays, and requiring the submission of a Construction Management Plan. Traffic impacts and the proposed levels of car parking are acceptable.

4.2. **Regulatory Services** – No objections subject to conditions requiring the limiting of noise levels from plant and machinery, limiting the opening hours and delivery hours, and requiring the submission of contaminated land surveys.

4.3. **West Midlands Police** – No objections, with conditions recommended for the provision of CCTV within the site and the provision of gates to prevent unauthorised access to the rear of the store.

4.4. **Royal Sutton Coldfield Town Council** – Support the proposal, subject to suitable controls over noise disturbance and deliveries being in place.

4.5. **Councillor Ewan Mackey** – Object to the proposal as it is not wanted by the local community, for the following reasons:

- The proposal will make local parking problems worse, and add to traffic congestion on Rectory Road;
- The proposed building is out of character with the existing public house;
- There are known antisocial behaviour problems on this site, and the proposal could add further to these;
- There are already issues with litter on Rectory Road, which will worsen;
- Noise from refrigeration units is a concern;
- The area is already well served by convenience retail.

4.6. Local ward councillors, local residents associations and occupiers of neighbouring properties were consulted on the application. A site notice was also posted adjacent to the site on Rectory Road. Thirteen objections have been received, raising the following issues:

- There is already an excessive number of convenience stores within the surrounding area, and no need for further provision;
- A loss of car parking provision for the existing public house will potentially threaten its future survival – trade will be diverted elsewhere;
- The new building will compromise the setting of the historic pub building, and generally be an unattractive addition to the street scene;
- Increases in litter and pollution as a result of the proposal will harm wildlife;
- The proposal will result in overlooking for the houses located on the opposite side of Rectory Road;
- The likely increase in lighting necessary for the proposal will result in nuisance for adjoining residents;
- The proposal and its use will create noise disturbance, particularly from refrigeration plant which will operate both during the day and at night;
- Groups of people will potentially be attracted to loiter outside the shop, worsening noise and antisocial behaviour issues already associated with the public house on the site;
- Such a proposal will result in a proliferation of litter in the surrounding area;
- Rectory Road is busy, and this proposal will create additional congestion – because it serves Good Hope Hospital, this will impede emergency services;
- Vehicular safety is already challenging in this location; because of the curve of the road, uphill slope, and narrowing of the road around parked vehicles. This is of particular importance given that the forthcoming Sprint bus rapid transit route will pass along the road;
- The loss of car parking will inevitably cause displacement onto Rectory Road, which will be unable to cope and lead to illegal and unsafe parking on yellow lines and grass verges;
- The marked on-street parking which is relied upon by the applicant in order to help meet parking needs is proposed to be removed as part of the Sprint bus rapid transit scheme;
- Even without the Sprint scheme, the on-street parking spaces are needed by local residents and already heavily used by other vehicles, including by private hire vehicles waiting close to Good Hope Hospital and by hospital visitors themselves;
- The submitted transport assessment relies on parking surveys carried out on non-football match days, when the pub car park can become much busier – it is therefore an inappropriate basis for assessment.

4.7. Some of the responses received also identified concerns with loss of property value, and concerns around boundary maintenance of the site in relation to neighbouring properties. These are not planning matters, and have not been considered in this report.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Development Plan (2017)
- Birmingham Unitary Development Plan (2005) – Saved policies
- Places for All SPG (2001)
- Shopping and Local Centres SPD (2012)

- Car Parking Guidelines SPD (2012)
- 5.2. The following national policies are applicable:
- NPPF: National Planning Policy Framework (2018)
6. Planning Considerations
- 6.1. The main issues to consider for this application are the principle of new retail development in this location, the design of the proposal and impacts on local character, the proposal's impacts on the amenity of neighbouring residents, and its impacts on highways and parking.
- 6.2. **Principle of retail development** – Policy TP21 of the Birmingham Development Plan states that designated centres (i.e. Town Centres, District Centres and Neighbourhood Centres) will be the preferred locations for new retail development. Proposals arising outside of those designated centres, as in this case, will not be permitted unless they satisfy the requirements of national policy.
- 6.3. The NPPF requires local planning authorities to apply a sequential test to planning applications which are neither in an existing centre nor in accordance with an up-to-date plan. The application in this case is supported by a Planning Statement, which incorporates a sequential assessment. This highlights the intended local catchment of the proposal, particularly including visitors and staff of Good Hope Hospital. The nearest designated Neighbourhood Centres are Walmley and Boldmere both 2.8km away, with Sutton Coldfield Town Centre 850m away.
- 6.4. These centres have been discounted from the applicant's sequential assessment by virtue of their distance from the application site. The 850m straight-line distance to Sutton Coldfield Town Centre equates to an approximate 15 minute walking time – whilst there is no established threshold for a convenience store, this distance is considered to be beyond what would reasonably be expected for a local convenience store. The discounting of these designated centres from the assessment is therefore considered to be appropriate and acceptable.
- 6.5. Three other retail parades are situated closer to the application site – Reddicap Hill/Hollyfield Road (approx. 725 metres), Rectory Road/Jerrard Drive (approx. 700 metres) and Whitehouse Common Road/Withy Hill Road (approx. 550 metres). Whilst not designated centres within the BDP, these would be sequentially-preferable locations by virtue of their established retail use. However, at the time of assessment these parades were reported to have no vacant units into which the proposed convenience store could be located – their fully-occupied nature has also been verified subsequently. As a result, it is accepted that the applicant has carried out an acceptable sequential assessment.
- 6.6. Whilst specific to designated centres, Policy TP22 of the BDP takes a broadly supportive stance towards proposals for new convenience stores, subject to them being at an appropriate scale. Other than this, and the sequential/location tests above, there are no local policies which restrict the provision of new convenience floorspace. Whilst a number of responses from local residents have identified the proximity of other nearby convenience stores as a reason why this proposal should be resisted, the planning system is designed to provide scope for market choice and does not restrict competition. As such, the principle of development is considered to be acceptable.

- 6.7. **Design impacts and local character** – The submitted street scene drawings illustrate the extent to which the overall scale and design approach of the proposal will be suitably in-keeping with adjoining buildings. The proposed materials will comprise red/brown brickwork, concrete tile roofing and a coated aluminium shopfront – a condition is proposed to require their subsequent detailed approval so that they suitably blend with local character. Several of the objections to the application cited concerns about the proposal's impacts on the historic public house adjacent to it. However, the pub building is not subject to any form of statutory or local listing and the historic core of the building has already been substantially altered and extended in a much less sympathetic fashion.
- 6.8. The submitted plans indicate that landscaping within the site will consist entirely of hard surfacing around the new building. Given that the site is entirely hard surfaced as a car park in its current state, this is considered to be acceptable. It is however necessary to impose a condition requiring the submission of details for the site's boundary treatment, particularly given that this relies on the use of acoustic fencing.
- 6.9. It is proposed to remove several trees close the southern boundary of the site, adjacent to the boundary with 202 Rectory Road. These have been rated as Category C (i.e. low quality), and the Council's arboricultural officer is satisfied with the principle of their removal. The proposal has the potential to impact on a number of other trees, located outside the site within the garden of 192 Rectory Road. Given the role that these play in providing a visual and also acoustic barrier between the site and this property it is important that they are retained, and as such a condition is proposed to require the submission of an Arboricultural Method Statement. In terms of ecological issues, the Council's ecology officer is satisfied that the proposal will have limited impacts and has not recommended any conditions.
- 6.10. **Impact on residential amenity** – It is evident from the objections received to this proposal that there is a general concern of increased disturbance to adjoining residents; by virtue of issues such as delivery noise, plant and machinery noise, groups of people gathering, vehicular traffic, vehicular headlights, and overlooking. However, by virtue of the existing historical (and unrestricted in planning terms) use of the site as a public house and its existing public accessibility, the impacts of the proposal in terms of these issues are considered unlikely to be materially greater than at present.
- 6.11. Regulatory Services hold no objections to the proposal; subject to conditions to control the opening hours and delivery hours of the store, and to limit the noise levels from plant and machinery in accordance with existing background noise levels. These conditions are considered to be reasonable and will ensure that any disturbance to adjoining residents is controllable – a supplementary condition is also proposed to ensure that refrigeration plant is only sited in the sheltered and enclosed position shown on the submitted plans.
- 6.12. It is acknowledged that the site will be lit more intensely than it is currently, and a condition is proposed to require the details of proposed lighting to be submitted for approval. This will provide an opportunity to ensure that neighbouring residents are not adversely affected by issues such as light orientation or leakage outside of the site. It is also proposed to impose a condition requiring the submission of details of CCTV coverage around the site, in accordance with the recommendation of West Midlands Police. This will provide an opportunity to deter antisocial behaviour and crime from the site. Given the likelihood that the convenience store will sell alcohol, additional scrutiny of these matters will also arise through the Licencing process.

- 6.13. The potential for littering arising from the proposed use is noted. There are no bins in the immediate vicinity of the application site, leading to a potential likelihood for increased littering that would be harmful to the amenity of the surrounding area. In order to combat this, a condition is proposed to require the provision of bins adjacent to the front entrance of store and adjacent to Rectory Road itself at the site entrance.
- 6.14. Regulatory Services have also recommended the imposition of a condition requiring contamination remediation. Such a condition is considered to be necessary and reasonable as a result of the scale of development taking place, and the previous use of the site for car parking.
- 6.15. **Highways and Transport** – The application site is currently used as a commercial car parking operation, effectively in competition with the main public car parks at the nearby Good Hope Hospital (although paying customers of the public house can claim their parking costs back). With this proposal the applicant is effectively seeking to cease that commercial parking operation, and has indicated that car parking prices will be raised to be consistent with those at the Hospital. This would remove any incentive to use the site for hospital parking, and given that the most appropriate location for hospital-related parking is considered to be at the hospital itself there is no concern with the principle of this. A condition is proposed to require the approval of a parking management strategy, in order to ensure that measures are properly in place to divert this car parking demand elsewhere.
- 6.16. The car parking requirements for the site will therefore be based upon a combination of the proposed convenience store use and the existing public house use. The internal customer floorspace of the public house has been calculated at approximately 175sqm – the Car Parking Guidelines SPD seeks 1 car parking space for every 4.5sqm of drinking floorspace in Use Class A4, which would equate to a need for 38 car parking spaces. However, given that the public house is in a suburban location and operates in a manner more akin to a pub-restaurant (with much of its internal area taken up by seating), this level of provision is considered to be unnecessarily high. This is borne out by evidence submitted by the applicant, which indicates average parking demand across surveyed Friday and Saturday evenings of between 20 and 25 vehicles, and peak parking demand of between 29 and 32 vehicles. This assessment has been considered to be reasonable by Transportation Development.
- 6.17. The internal customer floorspace of the proposed convenience store is 181sqm. The Car Parking Guidelines SPD seeks 1 car parking space for every 14sqm of floorspace, which would equate to a need for 13 car parking spaces. The applicant has submitted an assessment based upon TRICS trip generation data and average visit length for comparable convenience store schemes. Given the small nature of the convenience store proposed and high levels of occupancy ‘churn’ expected, this suggests that 6 car parking spaces would be sufficient to meet the projected demand generated by the quantum of retail floorspace proposed. Again, this assessment has been considered to be reasonable by Transportation Development.
- 6.18. With the store in place, the car park would provide a combined total of 34 spaces. It is noted that the peak demand periods for the convenience store and public house will not be simultaneous, indeed the observed peak demand for the public house occurred between 22:00 and 23:00 at which time the convenience store would be closed. On this basis, Transportation Development is satisfied that the overall levels of parking provision would be acceptable and that an overspill of parking onto the public highway that could endanger highway safety is unlikely to occur.

- 6.19. The applicant has highlighted that marked parking bays are available on Rectory Road, and these could be used as potential overspill provision during exceptional events (for example major football tournaments). However, these are evidently relied upon by local residents, and it is not considered that they should be counted towards the site's parking provision. It is also noted that plans exist to remove these parking bays as part of the Sprint bus rapid transit scheme which was recently subject to public consultation. Notwithstanding this, as noted above, the use of these bays is not necessary to make the scheme acceptable.
- 6.20. In terms of highway safety, Transportation Development has indicated that no adverse issues are anticipated subject to a condition requiring the existing visibility splays at the site access points to be maintained. Given that it is proposed to introduce one-way traffic flow within the site (i.e. one of the two access points becomes entrance-only and one becomes exit-only), levels of vehicular conflict will conceivably be reduced below the current level with resultant improvements in safety.
- 6.21. In order to maximise opportunities to access the site by sustainable means, a condition is proposed to require the proposed cycle parking provision to be provided prior to the use of the convenience store commencing. In order to ensure that potential impacts are acceptably managed, it is also proposed to impose the condition required by Transportation Development for the submission of a Construction Method Statement.

7. Conclusion

- 7.1. The applicant has submitted a sequential assessment as required by local and national policy, which indicates that there are no sequentially-preferable locations available in which to locate the proposal. Accordingly, the principle of development for a convenience store in this location has been considered to be acceptable.
- 7.2. The design of the proposal is considered to be acceptable, and potential impacts on local character and residential amenity are considered able to be suitably mitigated through the imposition of conditions. No major highway safety concerns have been identified, and on balance the proposed levels of car parking have been considered to be acceptable by Transportation Development.

8. Recommendation

- 8.1. That planning permission is granted, subject to the conditions below.

-
- | | |
|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Limits the hours of use to 07:00 - 22:00 Monday to Sunday |
| 3 | Limits delivery time of goods to or from the site to 08:00 - 18:00 Monday to Saturday and 10:00 - 16:00 on Sunday |
| 4 | Limits the noise levels for Plant and Machinery |
| 5 | Restricts the location of plant and machinery |
-

6	Requires the submission of sample materials
7	Requires the submission of boundary treatment details
8	Requires the submission of a lighting scheme
9	Requires the submission of a CCTV scheme
10	Requires the provision of litter bins
11	Requires the prior submission of a contamination remediation scheme
12	Requires the submission of a contaminated land verification report
13	Arboricultural Method Statement - Submission Required
14	Requires the prior submission of a construction method statement/management plan
15	Requires the submission of a parking management strategy
16	Requires the parking area to be laid out prior to use
17	Requires the cycle parking facilities to be provided prior to use
18	Requires vehicular and pedestrian visibility splays to be maintained
19	Implement within 3 years (Full)

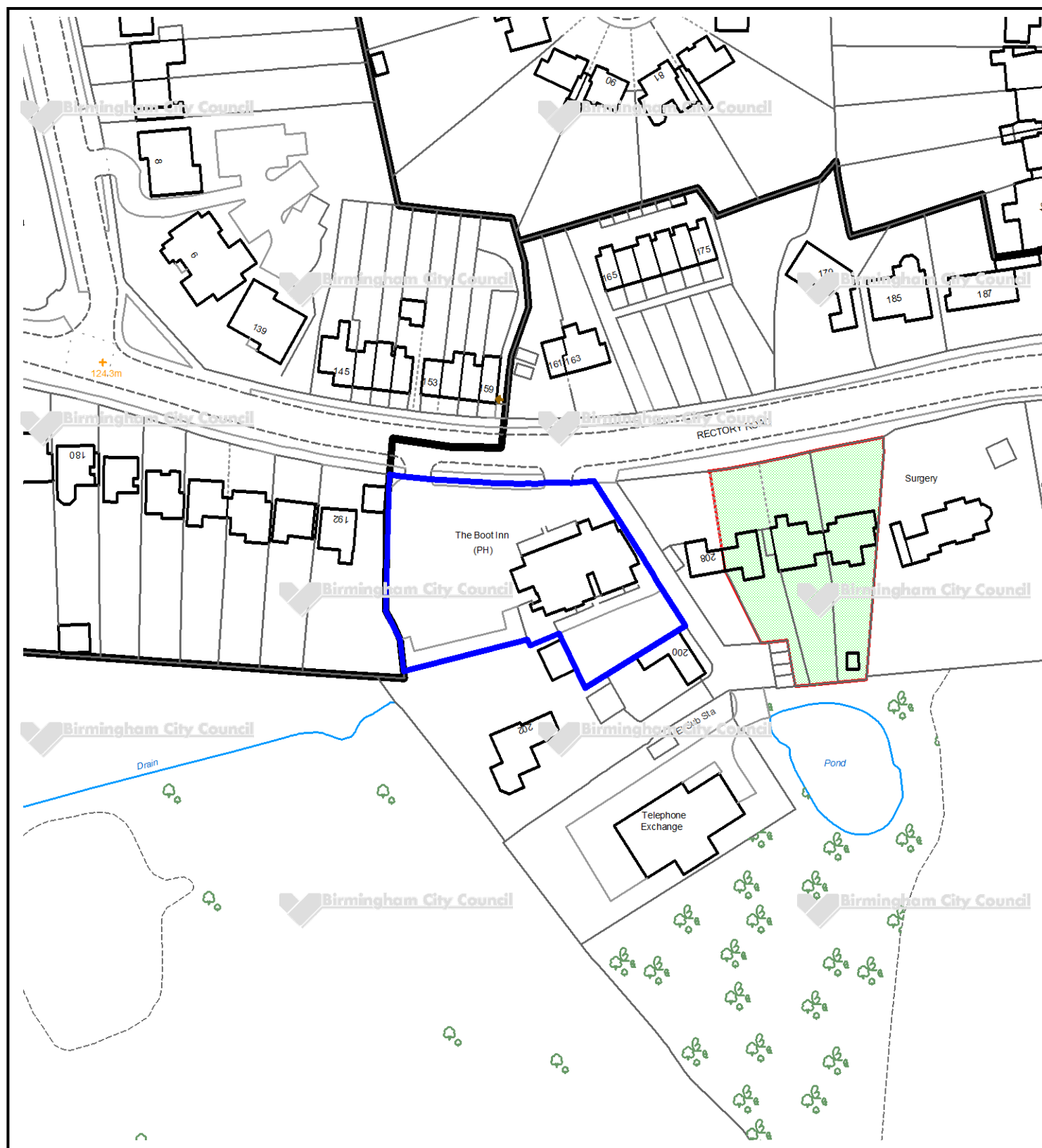
Case Officer: Robert Webster

Photo(s)



Figure 1 – View south-west from the footway of Rectory Road, with The Boot Inn to the left. The proposed convenience store would be located in the distant centre and right of the site.

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Birmingham City Council

Planning Committee

25 October 2018

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	10	2018/02828/PA Former Greenwood Academy Farnborough Road Castle Vale Birmingham B35 7NL Erection of 124 no. dwellinghouses with associated landscaping and car parking

Committee Date:	25/10/2018	Application Number:	2018/02828/PA
Accepted:	03/05/2018	Application Type:	Full Planning
Target Date:	31/10/2018		
Ward:	Castle Vale		

Former Greenwood Academy, Farnborough Road, Castle Vale,
Birmingham, B35 7NL

Erection of 124 no. dwellinghouses with associated landscaping and car parking

Applicant:	Birmingham City Council Birmingham Municipal Housing Trust, 1 Lancaster Circus, Queensway, Birmingham, B4 7DJ
Agent:	BM3 Architecture Ltd 28 Pickford Street, Birmingham, B5 5QH

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This planning application seeks consent for the erection of 124 no. dwellinghouses with associated landscaping, car parking and related works, on land located off Farnborough Road, Castle Vale. The application site was formerly occupied by Greenwood Academy Secondary School which relocated to a site on the opposite side of Farnborough Road with the building demolished in summer 2018 under prior notification provision (application reference 2017/06969/PA).
- 1.2. The planning application is made by Birmingham Municipal Housing Trust. The dwellings would comprise a mix of one, two, three and four bedroom dwellings including bungalows, houses and apartments. It is proposed that 52% of the dwellings would be affordable homes with the remaining 48% of the dwellings being marketed for open market sale. It is understood that 24no. of the proposed affordable dwellings would be delivered as affordable homes through Pioneer Group.
- 1.3. The proposed dwellings would comprise:
 - 10no. one bedroom apartments – open plan kitchen / diner / lounge; bedroom; bathroom; and store (minimum 45sqm).
 - 4no. two bedroom bungalows – open plan kitchen / diner / lounge; two bedrooms; bathroom; and store (minimum 72.7sqm).
 - 54no. two bedroom houses – hallway; lounge; open plan kitchen / diner; WC and store at ground floor; two bedrooms; bathroom and store at first floor (minimum 73sqm).

- 50no. three bedroom houses – hallway; lounge; open plan kitchen / diner; WC and store at ground floor; en-suite master bedroom; two further bedrooms; bathroom; and store at first floor (minimum 84.4sqm).
 - 6no. four bedroom houses – hallway; living room; kitchen; dining room; utility; WC and store at ground floor; four bedrooms; bathroom and store at first floor (minimum 121.7sqm).
- 1.4. The proposed dwellings would be constructed of facing brickwork in red or buff brick with black brick plinths; grey concrete roof tiles; grey fascias; black rainwater goods; and grey and cream UPVC windows. On all prominent elevations a glazed black cill brick is proposed. The buildings would be a mix of one storey (bungalow), one and a half storey (bungalows), two storeys (houses) and two / three storeys (flats).
 - 1.5. Rear gardens are proposed to be provided to the dwellings alongside areas to the front being lawn and landscaping. The rear gardens would comprise a minimum of 48sqm for some two bedroom properties and a minimum of 66sqm for three bedroom properties. The proposed three storey flats (6no.) would be provided with a communal external amenity area amounting to approximately 110sqm (18sqm per flat). Each pair of the two storey flats (4no.) would each be provided with a more traditional communal garden which would be located to the rear.
 - 1.6. The boundary treatments proposed across the site including to the rear gardens would comprise a mix of brick walls, timber close boarded fences and railings alongside hedges, trees and other landscaping features.
 - 1.7. The proposed development would be supported by 203 no. car parking spaces, including 12no. visitors spaces on the northern boundary of the application site. The remaining 191no. car parking spaces would be amount to approximately 1.5no. spaces per dwelling with 2no. spaces allocated to the larger three and four bedroom homes and some two bedroom homes, with 1no. space allocated to the smaller one and two bedroom homes.
 - 1.8. The majority of the site would be accessed from an existing access located on School Close, an extended access from Rawlins Croft and a new access from St Athan's Croft. Pedestrian and cycle access to the site would be retained from the existing open space that runs along the western and northern boundaries of the application site. An existing footpath running along the eastern boundary at the northern tip of the site would be redirected along the highway proposed within the site. Independent access to plots 33 – 58 would be provided from Pixhall Walk. Maintenance accesses are proposed to be retained in the south of the site, off Pixhall Walk, accessed off Farnborough Road.
 - 1.9. Given that the application site was formerly a school, there is noted to be some mature trees located across the application site. Where possible, some of these trees would be retained. Where trees are to be removed, replacement trees would be introduced. Semi-mature trees to the eastern boundary would be retained for screening purposes.
 - 1.10. The proposed landscaping would comprise a mix of hedged frontages and ornamental shrub planting across the application site. The proposed spine road would be lined with Eleagnus hedge along the frontages with ornamental shrub planting behind. Secondary streets would have a Photinia hedge along the frontages with shrub planting behind, tertiary streets would have a Carpinus hedge dividing plots with ornamental shrub planting behind and the mews area would have

Lonicera hedge with ornamental planting filling the frontage. The new tree planting would consist of a mix of native and ornamental trees to add ecological and aesthetic value.

- 1.11. The proposed drainage scheme comprises proposed private storage areas throughout the site alongside public drainage arrangements.
- 1.12. The site has an area of 3.28 hectares and would have a density of approximately 38 dwellings per hectare.
- 1.13. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises a former school site located on Farnborough Road, Castle Vale. The former school site accommodated an artificial grass pitch, a MUGA, two rounder's pitches and a sports hall.
- 2.2. The former school site is now vacant, with the building demolished following Greenwood Academy re-locating to the opposite side of Farnborough Road in a new purpose built school facility. The site has been vacant for approximately twelve months with the school relocated to the new school site on the opposite side of Farnborough Road in September 2017.
- 2.3. There are a number of existing trees located across the site, with many situated within hedging on the western and southern boundaries. To the west of the site is a strip of open space with a pedestrian route, Thomas Walk, which links through to Pegasus Primary School and Turnhouse Road to the north of the site.
- 2.4. The surroundings to the application site comprise a mix of residential dwellings, including three storey flats, bungalows and two storey houses.
- 2.5. Farnborough Road connects to Tangmere Drive and leads to the A47 Fort Parkway which provides the main route from the area into Birmingham City Centre. Residential streets through the estate, including School Close and Rawlins Croft, connect to these arterial routes which run through Castle Vale.
- 2.6. [Site Location](#)

3. Planning History

- 3.1. 14.09.2017 – 2017/06969/PA – Application for prior notification of proposed demolition of Greenwood Academy buildings – Prior approval required and approved subject to conditions.
- 3.2. 09.07.2015 - 2015/02540/PA - Erection of new school building with associated sports hall, external play areas, landscaping and parking as a replacement for the existing Greenwood Academy – Approved subject to conditions.
- 3.3. Various applications relating to the former school and surrounding residential estate which are of no relevance to this planning application.

4. Consultation/PP Responses

- 4.1. Transportation Development – recommend conditions to secure amended car park layout; siting and design of access; cycle storage details; refuse storage details; pedestrian visibility splays; Section 278 / TRO Agreement; revised access from St Athans Croft; revised design of private drives serving plots 71-77 and 116 – 122; and revised access from School Close.
- 4.2. Regulatory Services – recommend conditions to secure a noise insulation scheme; contaminated land remediation and verification; and the installation of electric vehicle charging points.
- 4.3. Local Lead Flood Authority – recommend conditions to secure the prior submission of a detailed sustainable drainage scheme; and the submission of a Sustainable Drainage Operation & Maintenance Plan.
- 4.4. Leisure Services – requires a total financial contribution of £803,195 to address loss of public open space (£132,145), loss of school playing fields (£258,475), and the requirement for public open space and play area to address new development requirements (£412,575).
- 4.5. Severn Trent – recommend condition to secure drainage plans for the disposal of foul and surface water flows.
- 4.6. Environment Agency – recommend conditions to secure the integrity of the watercourse culvert and to prevent the erection of any dwellings within 8m of the culvert.
- 4.7. West Midlands Fire Service – advise that suitable water supplies for firefighting should be provided.
- 4.8. West Midlands Police – no objection.
- 4.9. University Hospitals Birmingham NHS Foundation Trust – requests a financial contribution of £182,689 to emergency admissions service capacity.
- 4.10. Site and press notices displayed. MP, Ward Members and neighbours notified. A petition signed by 65 local residents was received raising concerns regarding:
 - The creation of the new road layout which would connect into the existing St Athans Croft creating congestion.
 - The proposed road layout being incapable of accommodating refuse vehicles or ambulances, alongside an increase in traffic to serve the proposed development.
 - Suggest the use of the former Greenwood Academy vehicular access off Farnborough Road to facilitate access to the proposed development.
- 4.11. Three letters of objection were received raising the following concerns:
 - Insufficient infrastructure to accommodate 124 new dwellings;
 - Vehicle congestion created by proposed access road from St Athan's Croft;
 - Lack of green places for children to play within the development site; and
 - No play area / park to facilitate the development and wider Castle Vale estate.

5. Policy Context

- 5.1. National Planning Policy Framework (2018); DCLG Technical Housing Standards – Nationally Described Spatial Standard (2015); Birmingham Development Plan (2017); Birmingham Unitary Development Plan Saved Policies (2005); Places for Living SPG (2001); Car Parking Guidelines SPD (2012); Public Open Space in New Residential Development SPD (2007)

6. Planning Considerations

- 6.1. **Background** – The application site comprises a former school site which was occupied by Greenwood Academy Secondary School. The secondary school relocated to a site on the opposite side of Farnborough Road, opening in September 2017, under planning permission 2015/02540/PA. The site was vacant for approximately 12 months prior to the demolition of the buildings under prior approval 2017/06969/PA. The application site became surplus and disposed of by Education. It was subsequently acquired by BMHT with the intention of seeking consent for residential development.
- 6.2. **Principle of Development** – The application site comprises a former school site located amongst the existing Castle Vale housing estate. The site has been identified as surplus to requirements where the school has been relocated to a site on the opposite side of Farnborough Road. The site has been identified in the 2018 Strategic Housing Land Availability Assessment as being capable of delivering approximately 120 dwellings.
- 6.3. Chapter 11 of the revised National Planning Policy Framework relates to making effective use of land. Paragraph 121 of the NPPF indicates that Local Planning Authorities should support proposals to make more effective use of sites which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. It goes on to provide guidance in respect of Local Planning Authorities approach to residential densities in paragraph 123. Clause a) sets out that “plans should contain policies to optimise the use of land ... and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport.”
- 6.4. Policy TP27 of the Birmingham Development Plan relates to sustainable neighbourhoods, and sets out that new housing in Birmingham is expected to contribute to making sustainable places. New residential development would need to demonstrate that it is creating sustainable neighbourhoods, characterised by:
- A wide choice of housing sizes, types and tenures to ensure balanced communities catering for all incomes and ages.
 - Access to facilities such as shops, schools, leisure and work opportunities within easy reach.
 - Convenient options to travel by foot, bicycle and public transport with reduced dependency on cars and options for remote working supported by fast digital access.
 - A strong sense of place with high design quality so that people identify with, and feel pride in, their neighbourhood.
 - Environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources and the use of green infrastructure.

- Attractive, safe and multifunctional public spaces such as squares, parks and other green spaces for social activities, recreation and wildlife.
 - Effective long-term management of buildings, public spaces, waste facilities and other infrastructure, with opportunities for community stewardship where appropriate.
- 6.5. Policy TP28 relates to the location of new housing, stating that it should:
- Be located outside flood zones 2 and 3a (unless effective mitigation measures can be demonstrated) and 3b.
 - Be adequately serviced by existing or new infrastructure which should be in place before the new housing for which it is required.
 - Be accessible to jobs, shops and services by modes of transport other than the car.
 - Be capable of remediation in the event of any serious physical constraints, such as contamination or instability.
 - Be sympathetic to historic, cultural or natural assets.
 - Not conflict with any other specific policies in the BDP, in particular the policies for protecting Core Employment Areas, open space and the revised Green Belt.
- 6.6. The proposed residential development comprises a mix of one, two, three and four bedroom flats, bungalows and houses. The development would comprise an expansion of Castle Vale Estate, which benefits from access to a range of facilities and amenities, whilst being accessible by public transport. I am satisfied that the application proposals would contribute positively towards the existing sustainable neighbourhood of Castle Vale whilst making effective use of land, as advocated by the NPPF.
- 6.7. Policy TP30 relates to the type, size and density of new housing, and states that developments should be provided at a target density responding to the site, its context and the housing need with densities of at least:
- 100 dwellings per ha within the City Centre.
 - 50 dwellings per ha in areas well served by public transport.
 - 40 dwellings per ha elsewhere.
- 6.8. The application proposals comprise a density of 38 dwellings per hectare. The Design and Access Statement submitted in support of the application sets out that 'The proposed mix of dwelling sizes and tenure has been developed by BMHT in close liaison with The Pioneer Group. It responds to a local housing need survey commissioned in 2017 for affordable housing and to the demand for Homes for Sale in the area. The site comprises of two tenures, Affordable Rented and Sale. The number and mix of tenures has been devised with internal sales, housing management and lettings teams (Birmingham City Council and The Pioneer Group) from an affordable and commercial perspective. The mix of units across the tenures will provide a variety of housing covering the needs in the area.'
- 6.9. Given the vacant nature of the site, and the surrounding residential character of the area, the site is considered to be appropriate for residential development. The proposals comply with the overriding adopted planning policies and accordingly are considered to be acceptable in principle.
- 6.10. **Affordable Housing** – Policy TP31 of the Birmingham Development Plan relates to affordable housing, setting out that 35% of residential developments of 15 dwellings or more should be delivered as affordable housing. The application proposals

comprise 52% of dwellings would be proposed as affordable rented, to be delivered by BMHT and the Pioneer Group. It is accepted that the proposals would exceed the policy requirement set out within adopted planning policy, and would be compliant with affordable housing obligations.

- 6.11. Analysis of waiting list data shows significant unmet need for social housing in the Castle Vale Ward, particularly for, 1, 2 and 3 bedroom units. The proposal to build 64 dwellings for social rent in this location would significantly contribute towards meeting demand for affordable family housing. The proposed mix meets the aims of the UDP for “a variety of housing” identified in the City Councils Strategic Housing Market Assessment. The 60 homes provided for sale would contribute to the variety of housing choice also required by the Birmingham Development Plan 2031.
- 6.12. **Planning Obligations** – Policy TP9 of the Birmingham Development Plan relates to public open space, playing fields and allotments. The policy sets out that public open space should aim to be provided throughout Birmingham and in new residential developments provision of new public open space will be required broadly in line with the standard of 2 ha per 1000 population. In most circumstances, residential schemes of 20 or more dwellings should provide on-site public open space and/or children’s play provision. Developer contributions could be used to address the demand from new residents on other types of open space such as allotments and civic spaces.
- 6.13. Leisure Services have been consulted on the planning application and raised questions regarding the inclusion of Hercules Park, accessed off Rawlins Croft. This is currently laid out as an area of public open space. However, it is noted that Hercules Park is the cleared land of Hercules House, a tower block that was demolished in 2003. On that basis, the allocation of this land has been discussed with BMHT and Leisure Services and the financial contribution associated with such a loss would amount to a compensation sum of £132,145. It has been agreed between the applicant and Leisure Services that this financial compensation would be provided. The compensation would be secured by condition requiring the provision of an appropriate mechanism as the city owns the site and cannot enter into a legal agreement with itself.
- 6.14. Leisure Services also advise that the development would result in the loss of 10,339 m2 of school playing field which would generate a compensation sum of £258,475. However, whilst the application site did formerly comprise a secondary school with associated facilities, the school has been relocated to the opposite side of Farnborough Road. The new school included 3no. MUGAs and playing fields to the rear of the school building. It is considered on this basis that the loss of the playing fields has previously been addressed in the development and delivery of the new school. As was the case with the former school on the application site, a Community Use Agreement is in place at the new school to ensure access to the facilities by the community. I am satisfied on this basis that the matter has been addressed and that there is no requirement for additional financial compensation.
- 6.15. With regards to the policy requirement for new residential development to provide public open space (POS) and play facilities, Leisure Services has advised that the new housing development generates the need for a financial contribution of £302,575 for POS and £110,000 for play area. However, the disposal of the application site and the development of the new school on the opposite side of Farnborough Road included a planning mechanism to secure the financial contribution for the public open space through the capital receipt of the sale of land. This matter is still progressing and therefore it is considered that the financial

contribution required as part of this planning application would duplicate that which was secured through the 2015 consent for the development of the new school. I am therefore in agreement that no financial compensation in relation to this element is sought to be provided as part of this planning application.

- 6.16. It is noted that a local resident raises concerns with regards to the lack of play area for children to be provided as part of the development. It is considered that the agreed planning obligations would address this concern with the financial compensation contributing towards the enhancement and maintenance of public open space and recreation areas in the Castle Vale area.
- 6.17. **Impact on Visual Amenity** – The application site comprises a vacant school site which has been cleared of buildings. The site is bounded by a number of existing residential properties and forms part of the wider Castle Vale estate. The character of the surrounding properties is mixed with regards to appearance and design. There is a number of walking and cycling routes located throughout the area, as part of Project Wagtail. The overriding character of the area is predominantly suburban.
- 6.18. The proposed residential development comprises a mix of dwelling types, to be constructed of a mix of red and buff facing brickwork, with tiled roofs, grey UPVC windows, grey canopies and UPVC / wooden doors. This composition would be considered to be characteristic of the surrounding area, with many of the existing residential dwellings being of a similar appearance.
- 6.19. The proposed layout would seek to connect into existing streets at St Athan's Croft, Pixhall Walk and Rawlins Croft. The proposed development would also retain and enhance existing links throughout the site to the Project Wagtail walking and cycling routes. I consider that the proposed layout would have an acceptable relationship with existing streets and would comprise a comprehensive redevelopment of the site, which has been vacant for over 12 months.
- 6.20. Given the current condition of the vacant site which presents risks for flytipping and anti-social behaviour, I consider that the proposals would have an acceptable impact on visual amenity, improving the appearance of the site and the streetscene.
- 6.21. **Impact on Residential Amenity** – The proposed residential dwellings would comprise a mix of house types and sizes. The mix of dwellings is understood to have been designed through an assessment of established housing needs in the area, with the Design and Access Statement submitted in support of the planning application setting out that waiting list data presents significant unmet need for social housing in the Castle Vale Ward, particularly for 1, 2 and 3 bedroom units. The proposal to build 64 dwellings for social rent in this location would significantly contribute to meeting demand for affordable family housing. Furthermore, the 60no. dwellings proposed for market sale would also contribute towards Birmingham's housing requirement as identified within the Birmingham Development Plan.
- 6.22. The proposed dwellings would exceed the nationally described spatial standards for minimum residential floorspaces identified within the Technical Housing Standards. The proposed internal floorplans present is considered to achieve an acceptable level of residential amenity for prospective residential occupiers at the development, providing functional layout for family living. The proposed bedroom sizes would not all meet the minimum spatial standards for bedroom sizes of 11.5sqm for a double and 7.5sqm for a single, with double bedrooms achieving 10.2sqm and single bedrooms achieving 6.2sqm in some of the three bedroom properties. However, it is

considered that the bedrooms would be of a regular size and would achieve a functional layout which would be conducive to a good quality living environment.

- 6.23. The proposed dwellings would each benefit from a rear private garden or communal external amenity space where the dwellings are to be delivered as flats. The guidance set out within Places for Living SPG recommends that 70sqm private garden should be provided for family dwellings, 52sqm private garden should be provided for smaller dwellings and 30sqm communal external amenity space should be provided per flat. As indicated in the proposed site layout plan, the majority of dwellings would benefit from the minimum required garden space however there are a number of plots that would experience a slight shortfall. It is noted that the sizes set out within the SPG form guidance only and I consider that when weighed against the condition of the site at present, and the wider benefits that the residential development of the site could deliver to the existing and emerging Castle Vale community, the slight shortfall would be acceptable and would not have an adverse impact on residential amenity for prospective occupiers. I consider it appropriate to attach a condition to remove permitted development rights for extensions to retain adequate amenity areas for the dwellings.
- 6.24. The separation distances proposed between the new dwellings within the site would amount to a minimum of 22m between windowed elevations with gardens achieving a minimum depth of 10m. Places for Living SPG recommend a separation distance of 21.5m between windowed elevations and 10m garden length for two storey dwellings. These distances are therefore compliant and would be unlikely to result in unacceptable instances of overlooking or loss of privacy.
- 6.25. With regards to neighbouring residential amenity, it is noted that there are a mix of residential properties located on the boundaries. I advise that all separation distances to windowed elevations or flank walls would comply with Places for Living SPG. I am satisfied on this basis that the proposed residential development would be unlikely to generate any unacceptable instances of overlooking or loss of privacy to the existing dwellings located within the vicinity of the application site.
- 6.26. The proposed residential development would be accepted as introducing an increased residential population in the Castle Vale area which could potentially result in additional noise and disturbance. Regulatory Services has been consulted on the planning application and raise no objections subject to a noise insulation scheme. Given the former use of the application site as a secondary school I would consider that there was an existing level of noise and disturbance associated with the school. The proposed density of the development would be approximately 38 dwellings per hectare. This is considered to be reflective of the density of the surrounding area and accordingly would be comparable to the existing circumstances found in the area. On this basis, I am satisfied that the proposed development would be unlikely to have an adverse impact on neighbouring residential amenity in terms of additional noise and disturbance.
- 6.27. **Impact on Landscape and Ecology** – The proposed residential developments would comprise front and rear gardens to the proposed residential dwellings, with the front gardens comprising a mix of driveway parking and landscaped areas. This approach is considered to be characteristic of the surrounding area, with many dwellings within Castle Vale presenting this arrangement. Landscaped areas throughout the development would be enhanced, with existing trees preserved and a mix of shrubs, turfs and hedges proposed as the soft landscaping for the development.

- 6.28. Connections into the Greater Castle Vale 'Project Wagtail' walking and cycling routes are proposed to be retained in the west of the application site, and would be accessible from the pedestrian footpaths. The existing hedge located on the perimeter of the application site would be removed to ensure that accessibility to the walking and cycling routes from the residential development could be achieved.
- 6.29. The Council's Landscape Officer provides comments with regards to the proposed planting and boundaries, stating that a good level, and variety, of tree, feature shrub, hedge and shrub planting would be required to all front gardens. Moderately defensive planting would be required in front of publicly visible rear garden boundaries. Furthermore, front garden boundary treatments would be required between front gardens to secure ownership to the respective occupiers. I am of the view that these details would be appropriate to secure by planning conditions.
- 6.30. The application site does not relate to any existing Tree Preservation Orders. The proposed scheme looks to retain some of the better quality trees located on the site but seeks to focus on delivering new street tree planting throughout the development site. No objections have been raised by the Council's Tree Officer with regards to the proposed arrangement or any adverse impact on landscape and amenity, in the context of the existing site.
- 6.31. Given the site's location in relation to the Project Wagtail cycling and walking routes, it is considered appropriate to require conditions for the installation of bat boxes and other ecological enhancement measures throughout the site.
- 6.32. **Impact on Flood Risk and Drainage** – The application site is located within Flood Zone 1. The application has been supported by a Flood Risk Assessment which includes an evaluation of the site in terms of its capacity to utilise SuDS. The application proposals seek to incorporate a drainage scheme to be delivered through the installation of private storage areas and a public drainage system.
- 6.33. The Local Lead Flood Authority raises no objection subject to recommending conditions to secure the prior submission of a detailed sustainable drainage scheme; and the submission of a Sustainable Drainage Operation & Maintenance Plan. Severn Trent has been consulted on the planning application and raise no objection subject to a condition to secure drainage plans for the disposal of foul and surface water flows.
- 6.34. The Environment Agency was consulted on the application given the scale of the proposed development and the proximity of the application site to the Plants Brook culvert. They raise no objection to the proposal in principle, subject to conditions to secure the integrity of the watercourse culvert and to prevent the erection of any dwellings within 8m of the culvert.
- 6.35. The proposed development is not considered to have an adverse impact on drainage or flood risk. I consider that the recommended conditions with regards to flood risk and drainage would be reasonable and necessary in the context of the application proposals.
- 6.36. **Impact on Highway Safety** – The development would comprise a mix of detached, semi-detached and terraced dwellings arranged in a series of perimeter blocks with cul-de-sacs, through streets and private drives forming the various accesses to the properties. The vehicular accesses and highways would have footpaths located on both sides of the highway in the majority of cases, except on the northern most boundary and along the private drives which would relate to shared surfaces. It is

considered that the proposed arrangement would achieve acceptable levels of pedestrian accessibility, and would be reflective of the arrangements found throughout Castle Vale.

- 6.37. The proposed development would secure 203no. resident car parking spaces as well as 12no. visitor car parking spaces on the northern most boundary of the site. The car parking amounts to the equivalent of 164% provision, with 1no. car parking space provided for the smaller one and two bedroom dwellings and 2no. car parking spaces provided for some of the two bedroom dwellings, and all three and four bedroom dwellings. The car parking would be delivered as a mix of frontage / driveway car parking for the majority of the proposed development and parking courts for plots 35 – 58. It is noted that there are a few plots throughout the proposed development which have car parking located remotely from the plots. It is considered appropriate in this case that a condition to secure an amended car park layout to address these elements.
- 6.38. The residential development would be accessed from new pedestrian and vehicular links to St Athan's Croft and Rawlins Croft, with School Close extended to provide access to the site from Farnborough Road. Plots 35 - 58 would be accessed via the existing pedestrian and vehicular accesses from Pixhall Walk.
- 6.39. Transportation Development has been consulted on the planning application and raised concerns with regards to the accessibility of the development by refuse vehicles throughout the proposed site layout. It is considered that, overall, the proposed highway layout would be functional and provides through routes across the whole of the application site, to connect into existing highways. I do not consider that the proposed highway arrangement would be significantly different given the existing arrangement throughout the Castle Vale estate. Transportation Development recommends amendments throughout the application site to secure the optimum highways layout, which have been agreed to be addressed through the imposition of conditions to be attached to any grant of planning permission. I concur that such conditions are appropriate and necessary in seeking to deliver the optimum layout for the development of the site.
- 6.40. No concerns are raised by Transportation Development in terms of existing highway capacity or the impact of the proposed site accesses on to Farnborough Road. The proposed connections into St Athans Croft, Rawlins Croft and School Close are considered likely to contribute towards dispersal of vehicular traffic across the site and reduce prospective congestion.
- 6.41. It is noted that a petition has been received raising concerns with regards to the proposed vehicular link from the application site to St Athan's Croft, and the impact that this would be likely to have upon traffic congestion within the area. Local residents suggest that the development should be served entirely by School Close, off Farnborough Road. I am of the view that this would lead to an isolated development which would not have a positive relationship with the surrounding residential character of the area.
- 6.42. The relocation of the school has been accepted via a separate planning application, inevitably resulting in a large vacant site located within the context of an existing housing estate. The residential development of the site is accepted in principle and the proposed vehicular and pedestrian links proposed to be achieved from existing streets would have a positive impact in respect of the integration of the development with the existing residential communities.

- 6.43. I consider that, given the current condition of the site and the benefits that the proposed redevelopment could deliver in terms of affordable housing and financial contribution towards public open space, whilst making the most effective use of land, the satisfactory development of the site can be achieved with the provision of conditions being attached to any grant of planning permission.
- 6.44. **Other Matters** – Regulatory Services recommends a condition to secure the installation of electric vehicle charging points. The development comprises a mix of driveway parking and parking courts, alongside visitor parking. It is understood that electric vehicles can be charged from the mains electricity supply with the appropriate power adaptor. On this basis, I am of the view that one charging point for electric vehicles per dwelling would be onerous and unjustifiable. I would however consider it reasonable that electric vehicle charging points should be secured for non-allocated parking spaces throughout the development, which would relate to the parking courts and visitor parking. An appropriately worded condition has been recommended on this basis.
- 6.45. I note the request received from the NHS Trust, for a sum of £182,689.00. The Council's position is that we do not consider the request would meet the tests for such Section 106 contributions, in particular the necessity test (Regulation 122.(2)(a) necessary to make the development acceptable in planning terms). We believe the interval from approval to occupation of the proposed development, along with published information (such as the BDP and SHLAA) gives sufficient information to allow the Trust to plan for population growth and associated. Discussions with the relevant Trust are continuing on this matter, in order for us to understand more fully their planned investments in the City and how we might best be able to support that.

7. Conclusion

- 7.1. The application proposals seek to deliver a comprehensive redevelopment of a vacant school site located within the surrounds of the Castle Vale estate. The proposals are in accordance with adopted planning policy and would have an acceptable impact on residential and visual amenity. Acceptable arrangements are proposed with regards to access and parking, and tree retention and soft landscaping is proposed to be delivered as part of the scheme.
- 7.2. The loss of public open space has been agreed to be mitigated through financial compensation. The proposals would be unlikely to have an adverse impact on flood risk and drainage throughout the site and surrounding area. For the reasons set out above, I recommend that planning permission be granted subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

-
- | | |
|---|---|
| 1 | Requires the provision of a financial contribution towards off site public open space in Castle Vale Ward |
| 2 | Requires the provision of the affordable homes |
| 3 | Restricts implementation of the permission to Birmingham City Council |
-

-
- 4 Requires the submission of sample materials
 - 5 Requires the prior submission of level details
 - 6 Requires the submission of an amended car park layout
 - 7 Requires the submission of the siting/design of the access
 - 8 Requires the submission of cycle storage details
 - 9 Requires the submission of details of refuse storage
 - 10 Requires the submission of a residential travel plan
 - 11 Requires the prior submission of a construction method statement/management plan
 - 12 Requires the submission of details to prevent mud on the highway
 - 13 Requires pedestrian visibility splays to be provided
 - 14 Requires the submission and completion of works for the S278/TRO Agreement (Memorandum of Understanding)
 - 15 Requires the submission of an amended highway layout of cul-de-sac serving plots 115-121
 - 16 Requires the prior submission of an amended design of vehicular access into the site from St Athans Croft
 - 17 Requires the prior submission of an amended vehicle speed reduction feature and pedestrian crossing facility
 - 18 Requires the prior submission of amended siting and highway layout of plots 71-73
 - 19 Requires the prior submission of an amended highway lighting layout
 - 20 Requires the prior submission of amended details of School Close access
 - 21 Requires the submission of hard and/or soft landscape details
 - 22 Requires the submission of hard surfacing materials
 - 23 Requires the submission of a landscape management plan
 - 24 Requires the submission of boundary treatment details
 - 25 Requires the prior submission of a contamination remediation scheme
 - 26 Requires the submission of a contaminated land verification report
 - 27 Requires the submission a Noise Insulation Scheme to establish residential acoustic protection
-

-
- 28 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 29 Requires the prior submission of a sustainable drainage scheme
 - 30 Requires the prior submission of a survey of the Plants Brook culvert
 - 31 No new buildings, structures or raised ground levels shall be constructed within 8 metres of any side of an existing culverted watercourse
 - 32 Requires the prior submission of drainage plans for the disposal of foul and surface water flows
 - 33 Requires the submission of a scheme for ecological/biodiversity/enhancement measures
 - 34 Requires the provision of a vehicle charging point
 - 35 Removes PD rights for extensions
 - 36 Requires the scheme to be in accordance with the listed approved plans
 - 37 Implement within 3 years (Full)
-

Case Officer: Claudia Clemente

Photo(s)



Figure 1: Application site (school now demolished)



Figure 2: Application site (school now demolished)

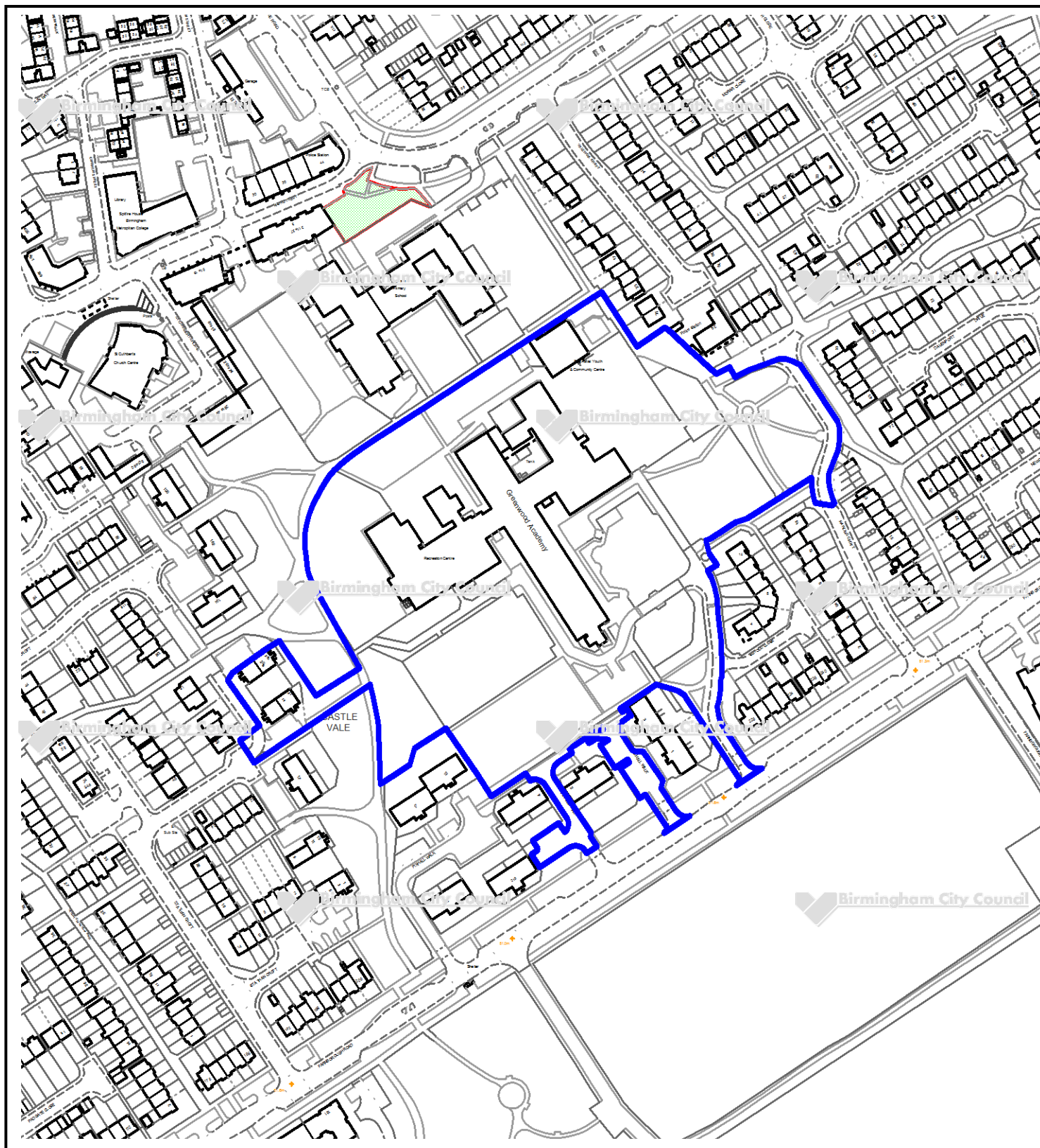


Figure 3: St Athan's Croft



Figure 4: Residential dwellings, Farnborough Road

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Birmingham City Council

Planning Committee

25 October 2018

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Refuse	11	2017/08471/PA 153 Allens Croft Road Kings Heath Birmingham B14 6RP Erection of a two storey rear wing extension to an existing HMO comprising of nine additional bedrooms
Determine	12	2018/06195/PA 24 Hampshire Drive Edgbaston Birmingham B15 3NZ Erection of two storey rear and single storey side extensions
Approve - Conditions	13	2017/10775/PA Land at Longbridge West North of Bristol Road South Longbridge Birmingham Reprofiling of levels, river (including new floodplain) works, vehicular bridge, highways, pedestrian / cycle and associated infrastructure.
Approve - Conditions	14	2018/00766/PA Existing Park and Ride site Longbridge Lane Longbridge Birmingham Construction of a 6 level decked car park providing 630 spaces for a park and ride facility and associated access and landscaping

Committee Date:	25/10/2018	Application Number:	2017/08471/PA
Accepted:	31/10/2017	Application Type:	Full Planning
Target Date:	26/12/2017		
Ward:	Brandwood & King's Heath		

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

Erection of a two storey rear wing extension to an existing HMO comprising of nine additional bedrooms

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

Recommendation

Refuse

1. Proposal

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

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

1.7. [Link to Documents](#)

2. Site & Surroundings

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

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

3. Planning History

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

4. Consultation/PP Responses

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

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

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

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

4.5. Network Rail- no response received.

4.6. West Midlands Police – Object due to the number of incidents within the locality.

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

- would more than double the size of the building, and would not be in-keeping with the area;
- due to levels, would be higher than some neighbours' houses, and cause loss of view and privacy (from overlooking) Also, would block winter sun (that helps burn-off ground moisture and heats up houses). Need to move building to other side (west) of plot;

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

5. Policy Context

5.1. The following local policies are applicable:

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

5.2. The following national policies are applicable:

- National Planning Policy Framework (NPPF) 2018

6. Planning Considerations

6.1. The main considerations in the determination of this planning application are the effects of the proposed development on residential amenity, future residents' amenity, highway matters, and trees and ecology. The Saved parts of the UDP include policy for HMOs, at Paragraphs 8.23 – 8.25. The policy's principal criteria are local amenity, the size and character of the property, floorspace, parking, and whether there are other HMOs in the area. Further guidance is provided within the Specific Needs Residential Uses SPG which indicates that single rooms should be a minimum of 12.5sqm in size.

6.2. Neighbours' Residential Amenity

6.3. I am not aware of any particular concentration of HMOs in the area, with the locality primarily consisting of traditional family homes. The use of the premises is already quite intensive with 9 bedrooms provided. The proposal would double the intensity of the use at the site. The proposal would effectively create 18 separate households within the building with individuals living separate lives with the potential for comings and goings throughout the day and night. This could significantly increase levels of noise and disturbance for local residents.

6.4. West Midlands Police have objected to the proposal highlighting that they have received 260 calls regarding incidents on Allens Croft Road since June 2016 with some calls relating specifically to matters at the application site. The Applicant indicates the site is managed on a 24 hour basis by a caretaker however this has not prevented cases of anti-social behaviour arising. It is probable that a doubling in the size of the premises would lead to an increased number of anti-social incidences. As well as increasing crime levels the larger premises would also raise the fear of crime in the local area. This is contrary to paragraphs 91 and 127 of the

NPPF which seek to create safe environments where the fear of crime is reduced and schemes are designed to minimise opportunities for crime.

- 6.5. The proposal would comply with the 45 Degree Code. Although it would breach a 45 degree line by approximately 2m, it would be at a distance of some 23m from the affected windows at 141/147 Allens Croft Road. The Code allows for such scenarios, where the separation distance is substantial.
- 6.6. The proposal would comply with the distance separation standards as set out in 'Places for Living' SPG: there would be 12.2m distance from first-floor windows to the north-eastern boundary, exceeding the guideline minimum of 10m; there would be 28m distance from first-floor windows to the rear of neighbours' rear elevations to the north-east, exceeding the guideline minimum of 21m. Originally, the development was located close to the boundary with neighbouring residential properties which raised Officer concern (and neighbours') regarding the potential overlooking, loss of privacy and loss of outlook to the neighbouring occupiers. However, the amended scheme has been significantly set back from the boundary with neighbouring residential properties and as such, I am satisfied that the revised location would overcome the concerns raised previously. I consider that there would be sufficient distance between the proposed development and the adjacent neighbourhood offices to avoid any overlooking or lack of privacy, given the offices' non-residential nature. I am satisfied that the proposed development would not have a detrimental impact on neighbouring amenity by way of loss of daylight, outlook or privacy.
- 6.7. I note an objection regarding the potential disturbance to the neighbourhood offices caused by the increase in traffic at the site. However, the proposal would provide an additional 5 car parking spaces, which I do not consider would cause significant increase in disturbance to neighbouring uses.
- 6.8. Whilst the extension would not cause a loss of light or loss of privacy the increased intensity of the use would result increased levels of noise and disturbance which would unduly impact upon local residents.
- 6.9. Future residents' amenity
- 6.10. The proposed extension would provide 9 well-proportioned bedrooms which comfortably exceed the minimum national bedroom standards (although the standards are not adopted policy in Birmingham, they do provide a useful yardstick against which to judge the adequacy of proposals). I also note the provision of a large kitchen, and large lounge room in the proposed extension, while the existing building has the same large kitchen and large lounge room shown also. The building would retain 632sqm of rear amenity space. I am satisfied that the development would provide adequate living conditions for future occupiers.
- 6.11. I note that Regulatory Services raise no objection subject to a condition relating to a noise insulation scheme for all habitable room windows facing the railway, a contamination remediation scheme and a contaminated land verification report. They also request the provision of a vehicle charging point. I concur with this view.
- 6.12. Highway matters
- 6.13. Transportation Development has raised no objection to the proposal subject to a condition requiring secure and sheltered cycle storage. The Applicant has since amended the scheme to include cycle storage. The proposed development is set

well within the curtilage of the site and I am therefore satisfied that the proposed development would not impact upon the safety of the highway.

6.14. Trees and ecology

6.15. My Tree Officer has no objection subject to a condition requesting details relating to the construction of surface and edging in the vicinity of the willow tree on the frontage. My Ecologist notes the tile-hung elements of the building elevations, which can allow space for roosting bats, and the proximity to the wooded railway corridor which would provide a foraging route to further foraging at Lifford Reservoir. It is considered that any impact on the local bat population could be satisfactorily addressed by condition.

6.16. Otherwise, I note some local concern about drainage. However, neither Severn Trent nor the Environment Agency object, and therefore this could be addressed by condition if the application were to be approved.

7. Conclusion

7.1. The development would not result in any harm to the visual amenity of the area or on highway safety. However the proposal is likely to lead to increased levels of noise and disturbance causing substantial harm to residential amenity. Given the objections raised by the police, I also consider the intensification of the use could increase the fear of crime. I therefore consider the development to be unacceptable and contrary to policy.

8. Recommendation

8.1. Planning permission is refused.

Reasons for Refusal

-
- | | |
|---|---|
| 1 | Due to the intensification of the use the proposal would adversely affect the amenities of occupiers of dwellings in the vicinity by reason of additional noise and general disturbance. As such the proposal would be contrary to Policy PG3 of the Birmingham Development Plan 2017, saved paragraph 8.24 of the Birmingham Unitary Development Plan 2005 and the National Planning Policy Framework. |
| 2 | The intensification of the use has the potential to increase the fear of crime and the potential to generate further crime and disorder. As such it is contrary to Policy PG3 of the Birmingham Development Plan 2017 and paragraphs 91 and 127 the National Planning Policy Framework. |
-

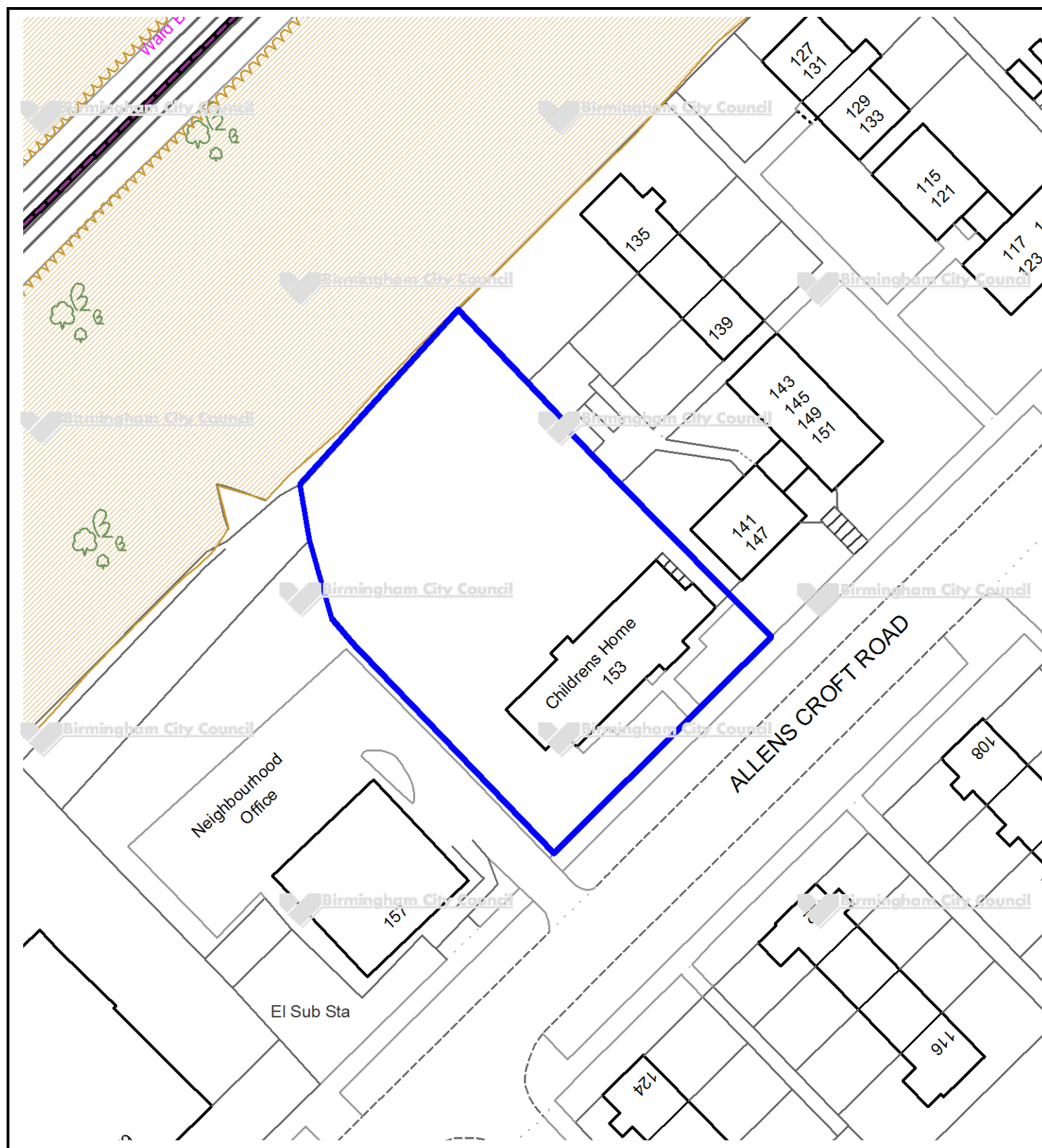
Case Officer: Andrew Fulford

Photo(s)



Front Elevation

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Committee Date:	25/10/2018	Application Number:	2018/06195/PA
Accepted:	11/09/2018	Application Type:	Householder
Target Date:	06/11/2018		
Ward:	Edgbaston		

24 Hampshire Drive, Edgbaston, Birmingham, B15 3NZ

Erection of two storey rear and single storey side extensions

Applicant:	Mr Taha Jalal
	24 Hampshire Drive, Edgbaston, Birmingham, B15 3NZ
Agent:	JS Designs
	68 Grestone Avenue, Handsworth Wood, Birmingham, B20 1AY

Recommendation
Determine

Report Back

Members will recall that the above application was reported to Planning Committee on the 27th September. Members were minded to refuse the scheme and resolved to defer the application to enable officers to prepare suggested wording for a refusal.

Concerns were expressed by Members at Committee in regard to; lack of amenity to No 26. No 26 is the detached house to the east of No 24. That property has a side kitchen window and door that would face onto the proposed two storey rear extension. However, that kitchen also has a rear window that would not be impacted upon. Your officers remain of the view that any impact on No 26 would therefore not be so substantial. However if members are still of the view that these are grounds for a refusal, the following wording is suggested;

Impact on amenity

The proposed extension would lead to an adverse impact on the light and outlook to No 26 Hampshire Drive. As such the proposal would be contrary to Policy PG3 of the Birmingham Development Plan 2017, saved Paragraph 3.14C of the Birmingham UDP 2005, guidance in Places for Living adopted as Supplementary Planning Guidance and Extending your Home adopted as a Supplementary Planning Documents, and the National Planning Policy Framework.

Original Report

1. **Proposal**
 - 1.1. Consent is sought for the erection of a full width, two-storey rear extension, and single storey side extension at the rear of the existing garage.
 - 1.2. The proposed rear extension would be 3m deep and would extend across the width of the house, with a gable-ended pitched roof as a continuation of the main roof. The side garage is flat-roofed, its rear element would be removed, re-built and extended to the rear, also with a flat roof.

1.3. [Link to Documents](#)

2. [Site & Surroundings](#)

2.1. The application site is a two storey, detached, gable fronted dwelling with forward projecting side garage. The property is set back from the road with frontage parking and a garden to the rear.

2.2. Hampshire Road is a cul-de-sac of similar sized detached properties of varying designs. Nos 20-26 have a staggered set back from the road.

2.3. [Site Location Plan](#)

3. [Planning History](#)

3.1. 12/08/1971 – 08124004 – Erection of 46 Detached Houses and Bungalows with Garages – Approved

3.2. 04/07/2018 - 2018/02543/PA - Erection of two storey side and rear extensions, first floor side and single storey rear extensions - Withdrawn

4. [Consultation/PP Responses](#)

4.1. Neighbouring properties and local Councillors have been consulted. Six neighbours have objected and Councillor Deirdre Alden has requested that the application be decided by Planning Committee. The objections raise concerns on the following grounds:

- Loss of light and outlook: to side facing kitchen window and door, and; to rear facing windows, so breaches neighbours' 45 degree code. Breaches right to light
- Proposal is dominant, bulky and out of character, too big for the plot and surroundings, and is contrary to minimum distance separation guidelines and Extending your Home SPD
- Adverse effect on streetscene through extension of east and west walls
- Would result in a dark narrow passageway between neighbours
- Encroachment of red edge to no. 26, at front of gardens
- Loss of privacy to dwellings to the rear
- Loss of staggered layout
- Impact on highways from increased occupancy
- Damage to non-adopted road from construction traffic
- Impacts on drainage system from increased building size

5. [Policy Context](#)

5.1. The following national policies are applicable:

- National Planning Policy Framework.

The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017

- Birmingham Unitary Development Plan 2005 (Saved Policies).
- Places For Living SPG 2001.
- Extending Your Home SPD 2007.
- 45 Degree Code SPG.

6. Planning Considerations

- 6.1. This application should be assessed against the objectives of the policies as set out above. The principal matters for consideration are the scale and design of the proposed extensions, the impact on the architectural appearance of the property, general street scene and the impact upon neighbouring properties' amenities.
- 6.2. The scale and design of the proposal is acceptable. Whilst the design is not subservient to the dwelling house (as outlined in Extending your house SPD) the proposal, as a full width / height extension extending the gable end and single storey side element is in keeping with the original dwelling house and would not compromise the existing character and architectural appearance of the property and therefore comply with the principles of the SPD. From the public realm, the proposed increase in depth of the dwelling from 10m to 13m would be little discernible (see Photo 1 below).
- 6.3. Impact on the amenity of neighbours at No 22 - The proposed extensions would breach the 45 degree line in respect of the rear windows of the neighbours dwelling. However in this respect due to the unusual staggered layout of the dwellings in this area this rule is already breached by a considerable degree, by the side garage and the two-storey house. The single storey extension proposed alongside the boundary of no. 22 would be 2.75m tall (flat-roofed, c. 0.19m taller than the existing garage). Presently, the view of this area is well-screened from no. 22 by large shrubbery in no. 22's garden (see Photo 2). The two-storey dwelling is 3.8m off the boundary with no. 22, and would extend the property by 3m to the rear. Given the distance from the rear windows of no. 22, I consider the proposal meets the 45 Degree Code (which accounts for distance). As such, I consider the effect on the amenities of no.22 would be within reasonable bounds.
- 6.4. Impact on the amenity of neighbours at No 26 – Due to the staggered layout the proposed extension would not impact on the outlook from the rear windows of No 26 as it would still be approximately 3m short of the rear elevation. The proposed extension would have an impact on the side facing window and door to the kitchen at No 26 (Photos 3 and 5), leading to a reduction of light and outlook. However consideration must be given to an additional, good-sized kitchen window located to the rear elevation of No. 26 which serves the kitchen, provides an additional source of light to this room, and looks down the back garden (Photo 6). Given its location this window would be unaffected by the proposal. Therefore on balance I do not consider the impact on the neighbouring occupiers in terms of loss of light and outlook would be sufficient to warrant refusal of this application on this aspect alone. I note the neighbours claim to right to light however this is a civil matter not directly addressed by planning legislation.
- 6.5. Impact on the amenity of neighbours to the rear – Whilst the rear extension would reduce the separation between the rear elevations of the properties and the rear boundary these distances would still conform to policy, which seeks a minimum of

21.5m between elevations, and 10m overlooking distance from a first floor window to a neighbour's garden. 31m and a minimum of 11.5m are shown respectively.

7. Conclusion

- 7.1. I consider that the proposed development complies with the objectives of the policies outlined above. As such the development should be approved.

8. Recommendation

- 8.1. Approve subject to conditions

-
- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires that the materials used match the main building |
| 3 | Implement within 3 years (Full) |
-

Case Officer: John Richardson

Photo(s)



Photo 1. Front of No 24 (on left) & 26



Photo 2. Side of 24 from 22



Photo 3. Side window / door of No26



Photo 4. Rear of No 24 from No 26



Photo 5. Side of No26 & No24 (to right)



Photo 6. Rear Kitchen window to No 26

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Committee Date:	25/10/2018	Application Number:	2017/10775/PA
Accepted:	22/12/2017	Application Type:	Full Planning
Target Date:	31/10/2018		
Ward:	Northfield		

Land at Longbridge West, North of Bristol Road South, Longbridge, Birmingham

Reprofiling of levels, river (including new floodplain) works, vehicular bridge, highways, pedestrian / cycle and associated infrastructure.

Applicant:	St Modwen Developments Ltd c/o agent
Agent:	Planning Prospects Ltd 4 Mill Pool, Nash Lane, Belbroughton, DY9 9AF, United Kingdom

Recommendation

Approve subject to Conditions

1. Proposal

1.1. Planning permission is sought for site infrastructure works to facilitate the development of the allocated Regional Investment Site (RIS) at Longbridge West. The proposed works to the River Rea form part of the long term plan for the River Rea corridor that has already been de-culverted through the Longbridge North site and within the new Rea Park. The proposed works comprise the following main components:

- Changing of levels in order to create development platforms;
- Ground remediation works;
- Rechanneling and re-alignment of the River Rea to create a new river corridor through the site;
- Creation of a temporary channel for the river whilst works are undertaken;
- Creation of new additional flood plain to allow for the containment of river flows at peak flood times;
- New vehicular and pedestrian bridge over the river to gain access into Longbridge West from the new highway access under construction on the A38;
- New footpath and cycleway along the river corridor;
- Creation of principal highway access spine road through the Longbridge West site;
- New drainage infrastructure including surface water attenuation feature; and
- Landscape planting and main structural planting elements.

1.2. The proposals seek to re-instate a more naturalised (1:3 slope) bank, with landscaping, removing the existing hard engineered structures and widen the channel bed to a minimum width of 3m for the River Rea and the widening of the Callow Brook channel to a minimum of 2.5m. The existing temporary flood storage pond would be removed and replaced by an 'attenuation park' incorporating a two-

stage channel ensuring that dry, weather flow and low water period events are contained in an identifiable channel. River protection measures may be utilised to ensure bank stability and prevent erosion. These measures may include rock revetment, dense planting and coir rolls. The new channel would run within/just to the north of the existing channel. It would be complemented with a new 4m wide and lit, riverside cycle-walkway running alongside the Rea's northern bank, approximately 20m to the north of the river. The path would connect to that already provided as part of the Royal College for Defence Medicine development (to the south of the application site), which in turn; links under the A38, to Austin Park. A 4m wide, bridge connecting the southern to northern river bank is also already provided to allow cycle and pedestrian access to the A38 and RCDM site, with a short pathway spur leading up from the river to the A38.

- 1.3. In order to construct new river banks, a temporary (circa one year) diversion of the River alignment into Longbridge West directly to the north is required. This would carry river flows whilst works within the former channel are undertaken.
- 1.4. The site infrastructure works proposed include re-profiling to provide development platforms for future buildings. The existing site ranges from 181.00 AOD and 191.00 AOD (Above Ordnance Datum) on the north and north western boundary, 179.00 AOD in the middle of the site and 170.50 in the south eastern corner. The site would be re-profiled using cut and fill across the site which would see a cut of approximately 1m to a maximum 4m in places across the site with fill being a general 1 to 2m across the site with a maximum of approximately 5m fill where the current temporary storage pond would be filled.
- 1.5. The proposed access road would connect to the A38 at the existing signal controlled junction with Longbridge Lane, utilising the existing access to the former temporary car park (now closed) and would run in a western direction for approximately 327m. This junction provides inward movements from both directions on the A38 and from Longbridge Lane, and a left only egress to the A38. After 294m the road would turn in a south direction for 370m where it would connect to the A38 Bristol Road South, approximately 250m to the west of the Lickey Road roundabout. This would be an all movement signal controlled junction.
- 1.6. The road would be 15.5m in width and comprise a 1m verge, 2m footpath, 1.5m cycle lane, 6.5m vehicular carriageway, 1.5m cycle lane, 2m footpath and a 1m verge. Approximately 107m into the south to north road, a bridge would be required in order to cross the River Rea. The bridge would have a bank width of 15m and a deck width of 14.4m with a beam length of 20m and a span length of 18m.
- 1.7. The works will require the removal of a number of trees. The Category U trees to be removed are 6 Crack Willow, 1 Oak, 3 Common Alder, 1 Sycamore, 1 Hawthorn and 1 Willow. Also to be removed are 4 groups of Category B trees; 5 Oak in Categories A, B and C; 1 Category C Ash; 1 Category c Sycamore and 2 Category B and C Willow trees.
- 1.8. The application is supported by a Planning and Design Statement; Transport Note; Flood Risk Assessment; Drainage Strategy; Sustainable Drainage Assessment; Hydraulic Modelling Report; Geomorphological Considerations Technical Note; Land Contamination Assessment; Planting Proposals and Ecological Appraisal (including badger report) and a Minerals Statement.
- 1.9. The application has been screened regarding the requirement for an Environmental Impact Assessment and the LPA determines that one is not required.

1.10. Site area: 29.73 hectares.

1.11. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site is located to the north and west of the A38 Bristol Road South opposite Longbridge Technology Park and Longbridge Lane. The site comprises of 29.73 hectares of vacant, formerly housing a car manufacturing plant, which has been cleared of buildings and in the main reprofiled and remediated in line with previous planning permissions, which is allocated as a Regional Investment Site (RIS). Part of the site has been previously used for temporary car parking however this use has now ceased. To the east, (and within walking distance of the application site), is the former Longbridge North Works; which now forms the Longbridge District Centre and includes Bournville College, Austin Park, Premier Inn, Sainsbury's and Marks and Spencer. The Royal College of Defence Medicine Personnel Accommodation is located to the south of the application site and is located on the RIS plan allocation.

2.2. The River Rea runs along the Longbridge West Site (to the south and west of the application site and flows in a west to east direction. It enters the application site at Rubery Lane in an open channel and continues eastwards where it enters a culvert beneath the A38 Bristol Road South. To the south of the river is the Royal College for Defence Medicine Accommodation and other commercial uses. To the north is existing housing whilst to the west is further vacant undeveloped land forming part of the wider Longbridge West site. Beyond this lies employment and housing development at Great Park.

2.3. The site is located in close proximity of Junction 4 of the M5 and is located on Bristol Road South linking the M5 to the City Centre. Several main bus routes and Longbridge rail station also serve the area and are within close walking distance of the application site. The rail line forms part of the main Midlands-SouthWest line and is an important cross city commuter route.

2.4. [Site Location Map](#)

3. Planning History

3.1. The application site has extensive history relating to its former use as a car manufacturing plant. The planning history reported below relates to development following the closure of the car plant.

Relevant applications

3.2. 13 September 2018. 2018/02549/PA. Detailed planning permission granted for the erection of 4 employment units (Uses Classes B1b, B1c and/or B2), parking, access, drainage and other associated infrastructure and landscaping.

3.3. 7 August 2018. 2017/03370/PA. Planning permission refused for the erection of Use Class A1 food retail store with associated parking and landscaping. Refused on the following grounds:

- 1) The application is located on an allocated Regional Investment Site and is a Departure from the adopted Birmingham Development Plan. The proposed Use Class A1 Food Retail Store is not a use supported by the Development Plan for the site nor is it considered to be a supporting use to the overall RIS allocation. The proposed development is therefore considered to undermine the proposed economic growth associated with the RIS, which remains an important component of the City's employment and economic growth strategy. As such, the proposed development is contrary to Policies GA10 and TP18 of the Birmingham Development Plan; Proposal RIS 1 of the Longbridge Area Action Plan and Paragraphs 11, 80, 120 and 121 of the National Planning Policy Framework 2018.
 - 2) The application site is located out of centre. An in-centre site that could meet the requirements for convenience floor space is available, suitable and viable and located nearby at Phase 3 of the Longbridge District Centre. As such, the proposed development would fail to satisfy the requirements of the Sequential Test and is therefore contrary to Policies GA10, TP21 and TP22 of the Birmingham Development Plan and Paragraphs 11, 86, 87 and 90 of the National Planning Policy Framework 2018.
- 3.4. 4 August 2015. 2015/03064/PA. Planning permission granted for the erection of secure serviced residential accommodation (Use Class C2A) for defence medicine personnel, access, parking, landscaping and associated infrastructure.
 - 3.5. 9 July 2015. 2015/03066/PA. Planning permission granted for river infrastructure works, re-profiling of river banks, footpath/cycleway including bridge and landscaping (including temporary river realignment).
 - 3.6. 14 September 2010. Planning permission granted for the variation of planning conditions to allow phased implementation for the construction of new highway, associated service infrastructure, drainage, bridge over river culverts, foot and cycle ways, crossing facilities, access points and landscaping following part closure of existing highway.
 - 3.7. 13 May 2010. 2010/00125/PA. Temporary planning permission granted until 13 May 2015 for the change of use to car park in connection with Bournville College, and erection of 1.8m high fencing and 8m high lighting columns.
 - 3.8. 8 January 2010. 2008/02787/PA. Planning permission granted for construction of new highway, associated service infrastructure, drainage, bridge over river, culverts, foot and cycle ways, crossing facilities, access points and landscaping following part closure of existing highway.
 - 3.9. 26 May 2009. 2009/00966/PA. Planning permission granted for the creation of interim flood storage pond and associated drainage infrastructure works at Bristol Road South part of River Rea & part Longbridge West.
 - 3.10. 26 May 2009. 2009/00967/PA. Planning permission granted for site remodelling, remediation and works to, and re-alignment of River Rea at Bristol Road South Longbridge North Works, West Works and part of River Rea corridor.
 - 3.11. 1 February 2008. 2007/06357/PA. Planning permission granted for site re-modelling and re-profiling at Bristol Road South former MG Rover West Works.
 4. Consultation/PP Responses

- 4.1. Local residents, Ward Councillors for the former Longbridge Ward, MP and Resident Associations notified. Site and press notice posted. Two letters of comments received from local residents stating that the cycleway should be completed as soon as possible and that the main concern is traffic noise.
- 4.2. Environment Agency – no objection subject to a safeguarding conditions relating to the development being undertaken in accordance with the Flood Risk Assessment, the proposed bridge soffit level and ground contamination.
- 4.3. LLFA – no objection subject to a sustainable drainage safeguarding condition.
- 4.4. Regulatory Services – no objection.
- 4.5. Canal and River Trust – no comments to make as outside statutory remit.
- 4.6. Severn Trent Water – no objection.
- 4.7. Natural England – no comments to make.
- 4.8. Transportation – no objection.
5. Policy Context
- 5.1. Birmingham Development Plan (BDP); NPPF, NPPG, Longbridge Area Action Plan (AAP) (2009), Saved Policies of the Birmingham UDP (2005), Nature Conservation Strategy for Birmingham, Flood Zones 2 and 3, Archaeological Sites: Longbridge Enclosure, Farm and House.

6. Planning Considerations

Policy and Principle of Proposed Development

- 6.1. The development plan for Birmingham comprises the BDP, the saved policies of the Birmingham Unitary Development Plan (UDP) and the Longbridge Area Action Plan (the AAP), adopted in April 2009. Policy GA10 of the BDP relates to Longbridge and identifies that an AAP is in place to secure comprehensive redevelopment over a 15-20 year period. The policy identifies the level of development that the AAP sought including one Regional Investment Site.
- 6.2. The application site sits within the Longbridge Area Action Plan (AAP) framework, which forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community, leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

- 6.3. The application site sits within the Regional Investment Site allocation on the former MG West Works site covered under Policy RIS1. The river corridor is covered under Policy OS2a – Linear Open Space Walkway which states *“Development of two major linear open space walkways and cycleways through the site – opening up the River Rea and River Arrow, with associated enhancements to wildlife habitats, landscaping and the provision of cycle and pedestrian routes along the walkways and good quality links to the wider area. Proposals should create a recreational resource; contribute positively to biodiversity and recognise the historic and archaeological value.”*
- 6.4. The policy then deals with each river corridor in turn and specifically for the River Rea states *“enhancement of the open channel including improvements to the profile and beds. The River Rea through West Works will also continue to be protected and enhanced as a Site of Local Importance for Nature Conservation.....Good quality attractive and safe landscaped/open space walkways and cycle routes to be provided alongside the whole length of the river including the link across the A38 to the local centre.”*
- 6.5. I consider that the proposed development to remediate, reprofile and provide a road access through the site would support the plan allocation and allow further progress to occur on bringing the Regional Investment Site forward and in turn, job creation. The proposed works to the River Rea and its banks along with works to provide improved ecological benefits and a pedestrian footpath/cycleway are in accordance with both national and local policy.

Flood Risk and Drainage Strategy

- 6.6. Policy TP6 of the BDP covers management of flood risk and water resources and identifies that developments of this nature require the submission of a site specific flood risk assessment and a sustainable drainage assessment. The policy also identifies that works to watercourses should take opportunities to benefit rivers by reinstating natural channels and culverted watercourses should be opened up where possible. Opportunities should also be taken to increase the wildlife, amenity and sporting value of natural water features.
- 6.7. Paragraph 163 of the NPPF states that development should only be allowed in areas at risk of flooding where it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk; the development is flood resistant and resilient; sustainable drainage is incorporated and a safe access and escape route is included if required.
- 6.8. A Flood Risk Assessment; Drainage Strategy; Sustainable Drainage Assessment and Hydraulic Modelling Report are submitted in support of the planning application. Extensive further modelling work has been undertaken in order to satisfy the Environment Agency and the LLFA following their initial objection to the proposed development.
- 6.9. The assessments identify that management of extreme flood risk can be achieved through ensuring that any proposed buildings on the RIS are set at a minimum of 150mm above adjacent roads and open space levels in areas where designated overland flood routes are identified. The proposed drainage strategy aims to mimic the behaviour of the site pre-development through limiting the peak discharge rate to greenfield, with an indicative site wide cumulative discharge rate of 110.2 litres per second. In order to manage surface water runoff from the proposed road, the

strategy proposes to utilise a combination of attenuation basins, filter drains and underground storage. The assessments also identify that safe access and egress would be available for events up to and including the 1 in 100 year plus climate change (40%) rainfall events

- 6.10. The flood risk assessment also identifies that the works proposed to the river corridor in order to restore it from an engineered channel to a natural channel would represent an environmental enhancement and betterment in line with the requirements of the BDP, NPPF and the Water Framework Directive. The assessment concludes that the proposals would continue the wildlife corridor throughout the wider Longbridge site, enhancing the ecological value of the site and providing access to the public and that the wider benefits of the river works outweigh any short term adverse impacts involved as part of wider site developments.
- 6.11. The Environment Agency and the LLFA, following further extensive river modelling, raise no objections to the proposed river and sustainable drainage works subject to safeguarding conditions. I concur with their view and relevant safeguarding conditions are recommended below.

Transportation Matters

- 6.12. The proposed access road would connect to the A38 at the existing signal controlled junction with Longbridge Lane, utilising the existing access to the former temporary car park (now closed) and would run in a western direction for approximately 327m. This junction provides inward movements from both directions on the A38 and from Longbridge Lane, and a left only egress to the A38. After 294m the road would turn in a south direction for 370m where it would connect to the A38 Bristol Road South, approximately 250m to the west of the Lickey Road roundabout. This would be an all movement signal controlled junction.
- 6.13. The road would be 15.5m in width and comprise a 1m verge, 2m footpath, 1.5m cycle lane, 6.5m vehicular carriageway, 1.5m cycle lane, 2m footpath and a 1m verge. Approximately 107m into the south to north road, a bridge would be required in order to cross the River Rea. The bridge would have a bank width of 15m and a deck width of 14.4m with a beam length of 20m and a span length of 18m.
- 6.14. A Transport Note is submitted in support of the application and this has been reviewed by Transportation. They advise that the plans show the provision of the new link road that connects the two sections of the A38; Bristol Road and Bristol Road South. The junction on Bristol Road is already in place having provided an access to surface car parking whilst the Longbridge town centre has been constructed, and the junction on Bristol Road South is being constructed by BCC as part of the Longbridge Connectivity project. The plans show a road with a carriageway 9.5m wide which has a defined 1.5m cycle lane included on each side, and 2m footways on each side. Seven priority side road junctions are shown in suitable locations along this road with suitable vehicle visibility splays. I note the provision of a shared pedestrian and cycle zebra crossing which has now been formally agreed in national guidance and a measure shown in the West Midlands cycle design guide. A pedestrian and cycle shared footpath is shown parallel to the River Rea route which connects with the cycling provision in the Town Centre via the route under the A38.

- 6.15. No details are provided on the potential development mix but the junctions and local highway network have been assessed on a range of development types and included in a Transport VISSIM model which operates suitably.
- 6.16. The plans are consistent with the Longbridge Area Action Plan and do not preclude the provision of a bus connection through to the west of the site as was indicated in the AAP.
- 6.17. Transportation has raised no objection to the proposed access road and its connections and has not sought any safeguarding conditions. Your Committee will recall that planning permission was recently granted for the erection of 4 employment units forming Phase 1 of the RIS development. Safeguarding conditions were attached to that approval that sought the implementation of the access road to serve the four units prior to their occupation. On this basis, I concur with Transportation and consider that safeguarding conditions relating to the road are not required.

Contaminated Land

- 6.18. The supporting Geo-Environmental Report identifies that historically the buildings previously located on site comprised the body assembly tool room, service centre and security control gates along with the former New West building; body assembly energy area and lorry wash facility. Ground investigation undertaken prior to remediation found the site to be underlain by Made Ground, localised superficial deposits overlying bedrock strata. Remediation of the site was undertaken in early 2008. The remediation involved the removal of product from the underlying groundwater through a total fluids recovery operation and a site wide turnover. The report identifies that the western region and extreme north of the site is located in a Radon Affected Area, where between 5% and 10% of properties are above the Action Level. As such, Radon Protection measures would be required.
- 6.19. Contamination is identified on site although no widespread contamination across the site has been recorded. Exceedances have been recorded in isolated hotspots including Benzo(a)pyrene to the south-west of the former New West building; heavy metal contaminants within soil along the green corridor and soil bound petroleum hydrocarbons in the ground beneath the New West Works site. The assessment identifies that further assessment in relation to ground gas is likely to be required in order to reduce the gas protection measures needed on site.
- 6.20. Regulatory Services have raised no objection to the proposed development subject to contaminated land conditions being attached to any approval. I concur with their view and the relevant conditions are recommended below.

Ecology, Landscaping and Trees

- 6.21. Policy TP8 of the BDP identifies that all development should support the enhancement of Birmingham's natural environment. Paragraph 170 of the NPPF identifies that the planning system should contribute to and enhance the natural and local environment by
- *“minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
 - *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land stability. Development*

should where possible, help to improve local environmental conditions such as air and water quality; and

- *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

- 6.22. An ecological appraisal is submitted in support of the planning application following field surveys which took place between July 2016 and April 2017. The surveys included bat activity surveys, a preliminary roost assessment and winter hibernation survey, great crested newt, otter, water vole and white clawed crayfish in addition to badger surveys and sett monitoring. The application site forms part of the wider Rea valley Site of Local importance for Nature Conservation (SLINC) and is situated less than 100m from Balaam's Woods Local Nature Reserve (LNR), to which is connected by the River Rea via a culvert beneath Rubery Lane. The River Rea is designated as a Wildlife Corridor.
- 6.23. The site comprises an area of semi-natural broadleaved woodland along the western boundary of the site; semi-improved grassland in the north-east area of the site; a still water pool dominated by rushes; bare ground and the River Rea. Areas of non-native invasive plants of Japanese Knotweed and Himalayan Balsam were also recorded. The river comprises the following:
- 1.5-2m in width channel, widening to 4m near culverts;
 - Reinforced banks for all of the northern bank;
 - River bed comprises mud with stones, although less silted areas with a stony substrate are present in the north west of the site;
 - Heavily shaded channel with dense bankside vegetation dominated by bramble, hogweed and nettle.
- 6.24. In relation to fauna, the surveys found that there was no evidence for the presence of Great Crested Newts and the underground structure surveyed was deemed not to be currently in use by either roosting or hibernating bats. The bat activity surveys found that the River Rea, the adjacent disused road and the surrounding broadleaved woodland and overhanging trees are used by widespread species of bats and the site is to be of value for both commuting and foraging bats. No evidence of water voles, otters or white clawed crayfish was identified. Badger activity was recorded within the site.
- 6.25. The appraisal specifies measures for impact avoidance and mitigation in relation to bats including, the retention, where possible of key habitat features, replacement woodland planting and sensitive lighting. Measures for addressing the non-native invasive species are also identified. In relation to badgers, three setts were recorded on site: one main, one outlier and one annex sett. Both the main sett and the annex sett were found to be active at the time of survey. All setts and associated foraging habitat would be impacted by the proposed ground works. As such, a licence from Natural England (NE) is required in order to close the setts. Given the window for a NE licence, an artificial sett may be required and it is recommended to be installed six months prior to closure of the setts – subject to NE agreement. This issue is covered by the NE licence and does not require safeguarding conditions from the LPA. Further to this, the badger report recommends a number of mitigation and compensation measures including avoiding working at night on site, avoid leaving open excavations and avoid storage of plant/materials on areas of potential foraging habitat.
- 6.26. Mitigation and enhancement measures identified in the report comprise:
- Additional planting of trees using native species;

- Planting of a mix of native fruit trees and the creation/retention of short grassland areas;
- Planting extending from the River Rea corridor, south-eastwards along the river and any new attenuation pond would increase commuting routes and foraging opportunities for bats;
- Planting of native wetland plants along the new river channel;
- Planting of a mix of native flowering plants and shrubs;
- Installation of bat boxes and/or bat tubes;
- New culverts to be oversized, with ledges featuring step like structures to provide access;
- Restoration of water channels as part of the planned re-profiling; with deepening or alteration of bank profile where appropriate; and
- Site clearance/tree works should be undertaken outside of bird breeding season (March to August).

6.27. The City Ecologist identifies that the River Rea at this point, due to its location within the former Rover factory site, was previously out of view for much of its length and is contained within a modified channel, some sections having concrete walls. The brook course is also heavily shaded in places. The combination of these factors will have reduced the ecological value of this section and limited the connectivity between nature conservation sites both up and downstream. However there is a good opportunity to improve and enhance this section to provide a greater connectivity between these more natural sections, upstream at Rubery Great Park and downstream at Daffodil Park. Overall the proposed work would improve the ecological value of the river channel and would improve the water quality and the ecological value.

6.28. I note the comments made by the City Ecologist and I consider that the proposals would have a significant benefit on the ecology and biodiversity of the River Rea channel in this area and would improve connectivity along the River from Rubery Great Park through the former West Works site and into the new town centre park. I also note that the City Ecologist has not suggested conditions relating to the badgers however, I consider that a condition securing a badger protection plan/method statement should be attached in order to secure their protection.

6.29. A tree survey has been undertaken of the trees falling within the boundary of the proposed river works. 103 individual trees and 27 groups were surveyed. The individual trees comprise English Oak, Willow, Ash, Common Alder, Sycamore, Norway Maple, Hawthorn, Poplar, Corsican Pine and Crack Willow. The 30 groups included Sycamore, Elder, Grey Willow, Hawthorn, Ash, Cherry, Goat Willow, Crack Willow, Bay Willow, Holly, Norway Maple, Rowan, Alder, Hazel, Apple and Elm. Of the 103 individual trees, 1 fell within 'A' category, 49 within 'B' category, 40 within 'C' category and 13 within 'U' category. Of the 27 groups surveyed 17 fell within the 'B' category and 10 within the 'C' category. The works will require the removal of a number of trees. The Category U trees to be removed are 6 Crack Willow, 1 Oak, 3 Common Alder, 1 Sycamore, 1 Hawthorn and 1 Willow. Also to be removed are 4 groups of Category B trees; 5 Oak in Categories A, B and C; 1 Category C Ash; 1 Category c Sycamore and 2 Category B and C Willow trees.

6.30. My Arboricultural Officer has raised no objection to the loss of the trees identified and notes that the proposed works are a long term ecological improvement and the replanting of specimen trees and lower vegetation would more than mitigate the removals. A safeguarding condition relating to an arboricultural method statement is requested. I concur with this view and the relevant condition is recommended

below. My landscape officer also considers that the proposed works will significantly improve the river channel and its environs and any impact from the works would be short term for a long term gain.

Other Issues

- 6.31. The application site has a documented archaeological interest. The site has previously been remediated and levels re-profiled in both 2007 and 2009 and these were subject to conditions relating to archaeological investigation. These conditions were complied with and my Conservation Officer considers that no further archaeological investigative work is required due to the reprofiling that has already occurred. I concur with this view.
- 6.32. The proposed development does not attract a CIL contribution.
- 6.33. Policy TP16, of the BDP, was added by the Development Plan Inspector as a modification to the Plan. This requires that for any site over 5 hectares, an investigation should be undertaken into the existence of mineral deposits on the site and any viably workable minerals should be extracted. The applicants have undertaken an assessment and this concludes that the site has two potential mineral resources in the Glacial Sand and Gravel and the Chester Formation, although their quality and economic value is not known. The applicant's geologist concludes that their acceptability, for mineral extraction, is likely to be low or negative and would have the potential to significantly disrupt and delay the programme of development. Furthermore, they state that due to the local high population density and the suburban setting, the impact of potential sand and gravel extraction would likely meet with strong and vociferous opposition due to the potential impacts of noise, dust, visual impact and heavy goods vehicle traffic. This site is therefore considered to be of low extraction value.

7. Conclusion

- 7.1. Part of the application site is located within the AAP linear open space walkway. As such, the proposed development is acceptable in principle and accords with the land use allocation policies of the Longbridge AAP. The proposal would see changes to the existing river banks to establish a natural bank that would have significant ecological benefits to the corridor for both flora and fauna. The creation of a pedestrian and cycle link along the river would link to the existing upgraded river channel to the rear of the Defence Medicine accommodation and then under the A38 into Longbridge North and the town centre park and up onto the A38 itself. This would improve connectivity both into and through the wide Longbridge site and to the wider river corridor to the north and south of Longbridge. Cycling and walking access would provide for existing and future residents and employees in the area, and I consider the design and landscaping to be appropriate. On this basis, I consider the proposal to be in accordance with both national and local policies relating to protection and enhancement of the natural environment.
- 7.2. The proposal is located within the Regional Investment Site and permission is sought for the remediation and reprofiling of the site to enable phase one of employment development in four units for uses falling within the B1b, B1c and B2 Use Classes (research and development, light industrial and general industry), as previously granted approval by Your Committee to commence. As such, the proposed works would meet the policy expectations outlined in the BDP and Longbridge AAP.

7.3. I note that the key principle in the NPPF is the presumption in favour of sustainable development. As the proposal would continue to support the wider site redevelopment with its associated significant economic and social benefits, support the provision of further local employment on the allocated RIS site on West Works and would have a positive and significant environmental benefit, I consider the proposal to be sustainable development and on this basis, should be approved.

8. Recommendation

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

-
- | | |
|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of a contamination remediation scheme |
| 3 | Requires the submission of a contaminated land verification report |
| 4 | Requires the implementation of the Flood Risk Assessment |
| 5 | Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 6 | Requires the submission of details of bird/bat boxes |
| 7 | Requires submission of a badger method statement |
| 8 | Requires a further badger survey if work not commenced by January 2019 |
| 9 | Requires the submission of hard and/or soft landscape details |
| 10 | Requires the submission of hard surfacing materials |
| 11 | Requires the submission of a landscape management plan |
| 12 | Requires the submission of a lighting scheme |
| 13 | Requires the prior submission of a construction method statement/management plan |
| 14 | Requires the submission of bridge details |
| 15 | Arboricultural Method Statement - Submission Required |
| 16 | Implement within 3 years (Full) |
-

Case Officer: Pam Brennan

Photo(s)



Photograph 1: View looking west into site and access road



Photograph 2: Application site looking south west



Photograph 3: View from access road looking south

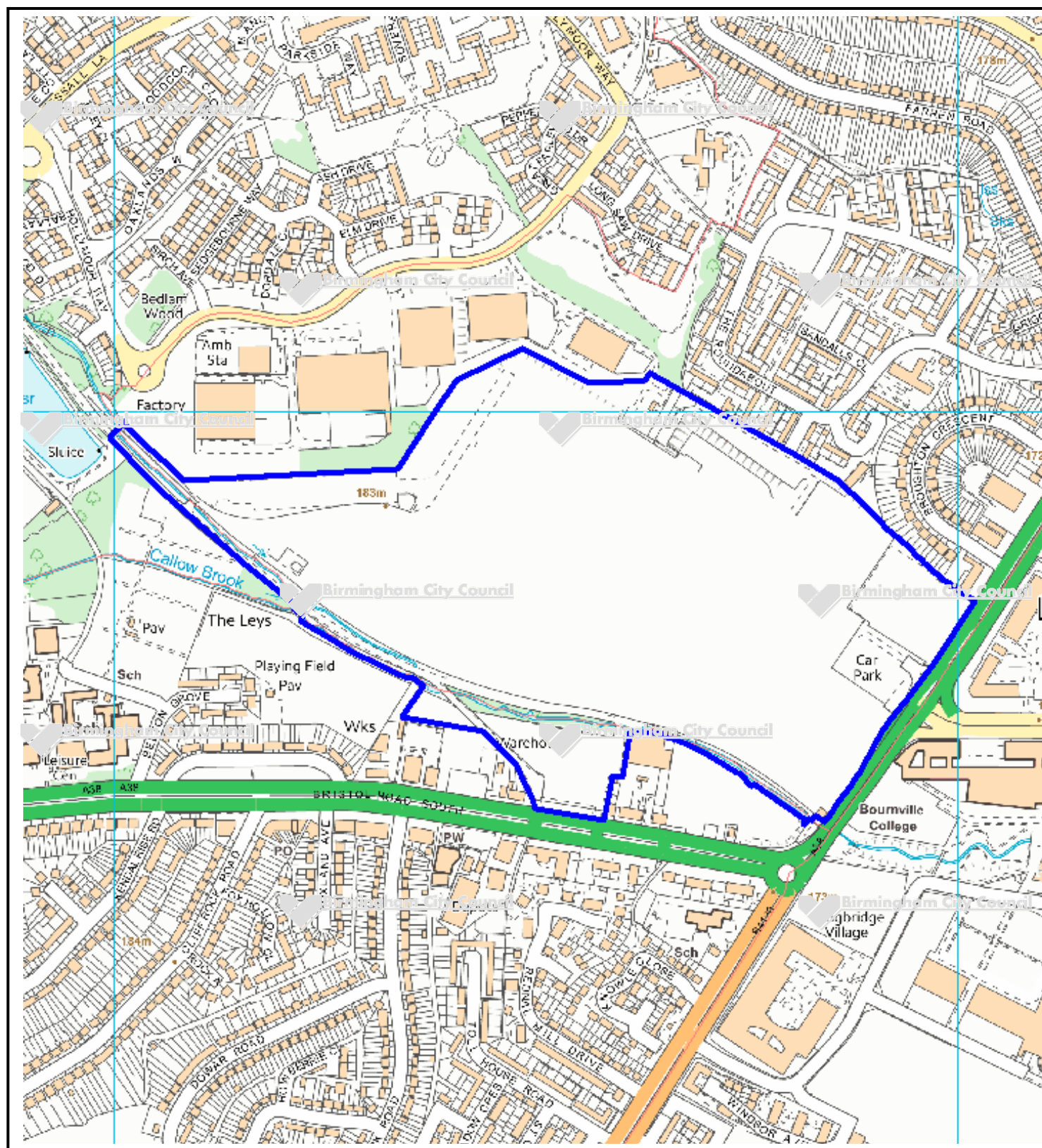


Photograph 4: Location of southern access road on Bristol Road South



Photograph 5: Existing river channel

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Committee Date:	25/10/2018	Application Number:	2018/00766/PA
Accepted:	08/05/2018	Application Type:	Full Planning
Target Date:	31/10/2018		
Ward:	Longbridge & West Heath		

Existing Park and Ride site, Longbridge Lane, Longbridge, Birmingham

Construction of a 6 level decked car park providing 630 spaces for a park and ride facility and associated access and landscaping

Applicant:	West Midlands Combined Authority 16 Summer Lane, Birmingham, B19 3SD
Agent:	AECOM The Colmore Building, Colmore Circus Queensway, Birmingham, B4 6AT

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the construction of a 5 storey, 6 level decked park and ride facility with associated access and landscaping on a site currently used as a surface level park and ride. The proposed facility would provide 630 car park spaces comprising 115 spaces on the ground floor (including 13 mobility spaces), 103 spaces on the first to fourth floors and a further 103 spaces on the roof deck.
- 1.2. The park and ride facility would be 15.75m in height, 66m in width and 47.5m in depth. Stairwells would be located at both the east and west ends of the facility with the access ramp being located within the centre of the multi-storey levels and a lift located adjacent to the western stairwell. The structure would have a galvanised finish that would be clad in a cladding that would create a purple ombre effect from east to west and north to south running from white to purple as per the adjacent youth centre building.
- 1.3. The facility has been designed in accordance with the West Midlands Combined Authority (WMCA) Car Park Design guide to ensure that consistency is provided across all of the Park and ride facilities across the West Midlands. The facility has a design form that would match its function.
- 1.4. The facility would be accessed via the existing privately owned road leading from Devon Way to the car park. Access to the facility would be restricted by height barriers at 2.2m to restrict un-authorised/high vehicles being able to access the facility. The existing pedestrian walk route to the station from the park and ride facility would remain and is covered by CCTV monitored by the WMCA 24 hour network control centre.
- 1.5. It is not intended to barrier control the car park at present. The parking management and enforcement is intended to be outsourced and would include collecting payment. The site access and egress would be covered by Advanced Number Plate

Recognition (ANPR). Two pay stations would be located within the facility that would collect payment for use by means of cash, chip and pin, contactless and Swift alongside Pay by Phone, SMS, Web, App and Autopay. The existing park and ride is barrier controlled via a valid rail ticket however, the new facility would be open to any user subject to payment.

- 1.6. The application is accompanied by a Design and Access Statement; Planning Statement; Preliminary Ecological Appraisal; Operation and Management Statement; Transport Assessment; Flood Risk Assessment and Drainage Strategy and Air Quality Assessment.
- 1.7. The application has been screened regarding the requirement for an Environmental Impact Assessment and the LPA determines that one is not required.
- 1.8. Site area: 0.37 Ha.
- 1.9. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located off Longbridge Lane with direct access gained via Devon Way, and in close proximity to the junction with Bristol Road South (A38). This road is a principal route linking Birmingham with the M5 Motorway at Junction 4, which is located within 5 miles of the application site. The site is fully connected to the City's public transport network with regular links serving Birmingham City Centre, Selly Oak, Northfield, Rubery, Edgbaston, Bromsgrove, Redditch and Worcester. There are also services providing direct links to Solihull.
- 2.2. Longbridge Station is located on the Cross-City South line that links Birmingham New Street to Bristol via Bromsgrove, and to Redditch via a branch line at Barnt Green.
- 2.3. To the west of the application site are Buildings 1 and 2 of Longbridge Technology Park. Directly to the north-west is Busy Bees Day Nursery, to the immediate west is 'The Factory' youth centre with the Austin Sports and Social Club and its playing pitches to the north. Longbridge Train Station is located in close proximity to the east.
- 2.4. The site is located opposite the new District Centre, located on the former MG Rover North Works, which includes Bournville College; Sainsbury's; Premier Inn and Beefeater; M&S; a new park and offices.

[Site Location Plan](#)

3. Planning History

- 3.1. The wider Longbridge site has extensive planning history, including the District Centre, Extra-Care Facility, new residential development and the Royal College for Defence Medicine accommodation. The adjacent Technology Park has planning permission for a further office building on Plot 3.
- 3.2. 3 May 2013. 2012/08394/PA. Planning permission granted for the development of a 102 space park and ride facility to serve Longbridge Station.

3.3. 8 December 2011. 2011/03955/PA. Planning permission granted for the demolition of 82 and 84 Longbridge Lane, development of site as a park and ride for Longbridge Rail Station and erection of bat wall measuring 3 metres in height and 5 metres in length.

3.4. 30 December 2010. 2010/06815/PA. No prior approval required for the demolition of dwellings at 78-80 and 86-92 Longbridge Lane.

4. Consultation/PP Responses

4.1. Local residents, Ward Councillors for Northfield and Longbridge and West Heath Wards, MP and resident associations notified. Site and press notice posted. Two letters of support/comment received from a user of the existing park and ride and a local resident in Lannacombe Road. Both letters supported the scheme although one letter also commented on the poor 1950's design of the car park.

4.2. Transportation – no objection subject to a car parking management plan.

4.3. Highways England – no objection.

4.4. Environment Agency – no objection.

4.5. Network Rail – no objection.

4.6. West Midlands Fire Service – no objection. Issues of fire mains and riser inlets will be covered under Building Regulations.

4.7. Severn Trent Water – no objection subject to a drainage condition.

4.8. Lead Local Flood Authority – no objection subject to sustainable drainage conditions.

4.9. West Midlands Police – no objection subject to hours of use, CCTV and lighting conditions.

4.10. Regulatory Services – no objection subject to conditions relating to contaminated land, noise levels for plant and machinery and vehicle charging points.

5. Policy Context

5.1. Birmingham Development Plan; Longbridge Area Action Plan; NPPF; Places for All SPD; Car Parking Guidelines SPD.

6. Planning Considerations

Policy and Principle of Proposed Development

6.1. The development plan for Birmingham comprises the BDP, the saved policies of the Birmingham Unitary Development Plan (UDP) and the Longbridge Area Action Plan (the AAP), adopted in April 2009. Policy GA10 of the BDP relates to Longbridge and identifies that an AAP is in place to secure comprehensive redevelopment over a 15-20 year period.

- 6.2. The application site sits within the Longbridge Area Action Plan (AAP) framework, which forms part of the Development Plan for the purposes of determining planning applications. The AAP contains a shared vision for Longbridge:

"Longbridge will undergo major transformational change redeveloping the former car plant and surrounding area into an exemplar sustainable, employment led mixed use development for the benefit of the local community, Birmingham, Bromsgrove, the region and beyond. It will deliver new jobs, houses, community, leisure and educational facilities as well as providing an identifiable and accessible new heart for the area. All development will embody the principles of sustainability, sustainable communities and inclusiveness. At the heart of the vision is a commitment to high quality design that can create a real sense of place with a strong identity and distinctive character. All of this will make it a place where people will want to live, work, visit and invest and which provides a secure and positive future for local people."

- 6.3. The AAP identifies and designates the application site as part of a Strategic Park and Ride under Proposal T7. Proposal T7 identifies that the facility will be of at least 1000 spaces for Park and Ride users only and provide an attractive, direct, safe pedestrian link to the station and access to the public transport interchange.
- 6.4. Planning permission was previously granted by Your Committee in 2013 for a 102 space Park and Ride facility, which has been in operation for a number of years and monitoring has indicated that demand for the facility significantly exceeds supply. As the site is currently in use as a Park and Ride and is allocated for a facility of this nature, albeit a much larger facility, I consider the proposal is acceptable and in accordance with policy. The proposed development would not preclude future expansion to provide the longer term strategic facility envisaged by the AAP.

Highway Issues

- 6.5. The site currently has 102 spaces and seeks to increase this by 528 spaces up to 630 spaces. The proposal is in accordance with national and local policy to reduce impacts of car travel on the highway network, and in line with the Longbridge Area Action plan that sought a facility of at least 1000 parking spaces.
- 6.6. The proposed Park and Ride would be accessed via the existing privately owned road leading from Devon Way to the car park. Access to the facility would be restricted by height barriers at 2.2m to restrict un-authorised/high vehicles. The existing pedestrian walk route to the station from the park and ride facility would remain and is covered by CCTV. The application is supported by a transport assessment and an air quality assessment.
- 6.7. The impact of increased vehicle trips has been assessed in the transport assessment based on data sourced from other stations. Transport for West Midlands (TfWM) provided alighting data from both Four Oaks and Kings Norton as proxies for similar Park & Ride schemes on the Cross City line and was used as a comparison to the Longbridge alighting data. This data was used to provide the 20% arrival figure assessed during the hour of 0700-0800 and the assessment shows modest impacts within the PM peak period, notably at the Devon Way arm of the signal junction where all park and ride trips have to exit the site

- 6.8. Longbridge user surveys were also used to determine the diversion of trips from other Park & Ride services such as Northfield, Barnt Green and Kings Norton, along with the number of users who would potentially be diverted away from existing parking locations within Longbridge.
- 6.9. Transportation has reviewed the submission and considers that the new facility would reduce the impacts of train passengers who park on the local highway network which has been a growing problem over recent years. It may also reduce trips by drivers who currently drive to other stations on the southern section of the cross city line, such as Kings Norton and Northfield. They have advised that the local highway infrastructure network was designed around the potential for 1000 spaces, and more recent Longbridge Connectivity work has provided additional improvements, as such, Transportation and Highways England raise no objection to the proposed development. I concur with their view.
- 6.10. An air quality assessment was also submitted in support of the application as the proposed development has the potential to affect local air quality during both its construction and operation. During construction, the assessment concludes that the risk of dust impacts is medium and following best practice mitigation measures during construction, the impacts from the construction phase would not be significant. In relation to the operational impact of the proposed development, the local air quality was assessed at existing receptor locations along the road network that would be impacted. Overall, the assessment concludes that the proposed operational development is predicted to have a negligible impact at existing receptors and as such, the impact is not considered to be significant. Both Transportation and Regulatory Services have raised no objection to the proposed development in relation to air quality and I concur with their view.

Design

- 6.11. The proposed car park structure would have a galvanised finish that would be clad in a cladding that would create a purple ombre effect from east to west and north to south running from white to purple as per the adjacent youth centre building. The facility has been designed in accordance with the West Midlands Combined Authority (WMCA) Car Park Design guide to ensure that consistency is provided across all of the Park and ride facilities across the West Midlands.
- 6.12. I consider that the design of the proposal fits its function as a multi-storey car park. Significant pre-application advice has been provided over a number of years regarding the design and finish of the proposed park and ride facility to ensure that its final design would complement the buildings it surrounds rather than compete with them. While I appreciate that a more visual focal point may be the objective if the structure was in its own setting and was to act as a focal point, in this instance, the opposite was sought. Its location on Longbridge Lane and within walking distance of modern and unique buildings such as Bournville College clad in a multitude of colours has ensured that other buildings are the visual focal points for the area and the design has sought to blend with the existing buildings rather than become a unique building of its own design and stature. The height of the proposed structure sits above that of the neighbouring youth centre and Western Power sub-station and whilst would be noticeably taller in stature, given its location opposite Longbridge District Centre, I consider that the proposed size of structure is suitable for its context.

Ecology

- 6.13. The supporting preliminary ecological appraisal submitted in support of the application identifies that the consent for the previous park and ride facility required the construction of a bat wall prior to demolition of the houses previously located on site. The bat wall has been located in the north eastern corner of the site since 2013 and is monitored annually. The wall has not been used as a bat roost but has the potential to support summer roosting bats. The appraisal also identifies that no trees on site have potential to support roosting bats but do support commuting and foraging bats. The bat wall would not be affected by the proposed development. The assessment concludes that no further survey work is required.
- 6.14. The development would have required the removal of trees located on the northern boundary however, these were removed prior to the application submission and bird nesting season, and as such the trees have not been detailed as part of the application. The proposed landscaping scheme details new trees including Maple, Cherry and Lime and new ornamental shrub planting.
- 6.15. The City Ecologist has commented that the proposed planting does not fully reflect the recommendations in the ecology report, for native species of trees and grassland and diverse seed mixes that will enhance the value of the site for birds, bats and invertebrates. The existing trees along the northern boundary provide useful foraging and commuting habitat for bats. A mature willow outside the site but immediately adjacent to the bat wall will be retained, providing some habitat connectivity to off-site foraging habitat. Although replacement tree planting is proposed, I am not convinced that it will provide an adequate habitat corridor of vegetation to the bat wall, as recommended in the ecology report. As such, I recommend that a landscaping condition is attached to secure an appropriate mix of new trees and shrubs that accord with the ecology requirements of the site.
- 6.16. In regards to the bat assessment, the City Ecologist notes that although the bat wall will be retained, poorly designed lighting, removal of trees providing commuting routes from the wall to off-site foraging habitat along the railway corridor / River Rea corridor and increased shading of the west side of the wall as a result of the MSCP construction have the potential to reduce the value of the wall to roosting bats and to cause disturbance to bats using the wall for roosting. The wall was designed to replace a cool, north-east facing roost, which would only have been warmed by the sun during the early morning. Despite the MSCP casting shade on the wall during the afternoon, the reduced internal temperature is likely to be similar to that in the roost which it replaced. Therefore, the proposals are not considered to have a significant effect on the bats for which the wall was designed to support.
- 6.17. New or upgraded lighting has the potential to cause adverse impacts on bats – by increasing light levels around the bat wall and increasing light spill onto adjacent foraging and commuting habitat. The ecology report includes a series of recommendations to guide the design of new or upgraded lighting in order to mitigate adverse impacts on bats. The Operation and Management Statement provides details of proposed lighting, indicating use of LED lanterns, with motion controlled sensors, dipping and dimming facilities and timed programmes of operation to reduce unnecessary lighting when the car park is not in use. Inclusion of such features should, in principle, reduce the potential for disturbance to bats, however further details, including lux levels drawings, are required to demonstrate that the extent and intensity of light spillage in the vicinity of the bat wall and adjacent boundary vegetation will be minimised.

- 6.18. I concur with the view of the City Ecologist and the relevant safeguarding conditions relating to landscaping and lighting are recommended below.

Flood Risk and Drainage

- 6.19. The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy which identifies that the site is located within Flood Zone 2 and is at low risk from surface water flooding. The proposed development would comprise low vulnerability development within Flood Zone 2 in accordance with the NPPF criteria; the existing surface water discharge rates can be maintained and the development can provide an increase in surface water storage to account for the impact of climate change.
- 6.20. Based on the conclusions drawn within the FRA, the Environment Agency acknowledge that the site is located in Flood Zone 2 and that the 100 year plus climate change flood level is contained within the River Rea channel carried out by modifications to the River Rea channel as part of the redevelopment in this area. They also note that the land at this location is currently a park and ride car park and given that this is located within Flood Zone 2 and there is no additional increase in flood risk vulnerability, they consider that the development is appropriate. As such, the Environment Agency has raised no objections to the proposed development.
- 6.21. The Lead Local Flood Authority and Severn Trent Water have also raised no objections to the proposed development subject to safeguarding conditions relating to drainage. I concur with their view and the relevant drainage conditions are recommended below.

Other Issues

- 6.22. The proposed development does not attract a CIL contribution.

7. Conclusion

- 7.1. The AAP identifies and designates the application site as part of a Strategic Park and Ride under Proposal T7. Planning permission was previously granted by Your Committee in 2013 for a 102 space Park and Ride facility, which has been in operation for a number of years and monitoring has indicated that demand for the facility significantly exceeds supply. As the site is currently in use as a Park and Ride and is allocated for a facility of this nature, albeit a much larger facility, I consider the proposal is acceptable and in accordance with policy. The proposed development would not preclude future expansion to provide the longer term strategic facility envisaged by the AAP.
- 7.2. The design of the proposal is considered acceptable and the benefits of the development are considered to exceed the negligible impacts that would occur from the development.
- 7.3. I note that the key principle in the NPPF is the presumption in favour of sustainable development. As the proposal would continue to support the wider site redevelopment with its associated significant economic and social benefits, support and assist modal shift and reduce the number of vehicles parked on local roads and would have a positive and significant environmental benefit, I consider the proposal to be sustainable development and on this basis, should be approved.

8. Recommendation

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

-
- | | |
|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of a contamination remediation scheme |
| 3 | Requires the submission of a contaminated land verification report |
| 4 | Limits the hours of operation to 0530 to 0000 |
| 5 | Requires the prior submission of a sustainable drainage scheme |
| 6 | Requires the prior submission of a drainage scheme |
| 7 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 8 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures |
| 9 | Development in accordance with the Preliminary Ecological Appraisal |
| 10 | Limits the noise levels for Plant and Machinery |
| 11 | Requires the submission of hard and/or soft landscape details |
| 12 | Requires the submission of a lighting scheme |
| 13 | Requires the submission of sample materials |
| 14 | Requires the submission of a CCTV scheme |
| 15 | Requires the submission of a parking management strategy |
| 16 | Requires the provision of vehicle charging points |
| 17 | Implement within 3 years (Full) |
-

Case Officer: Pam Brennan

Photo(s)

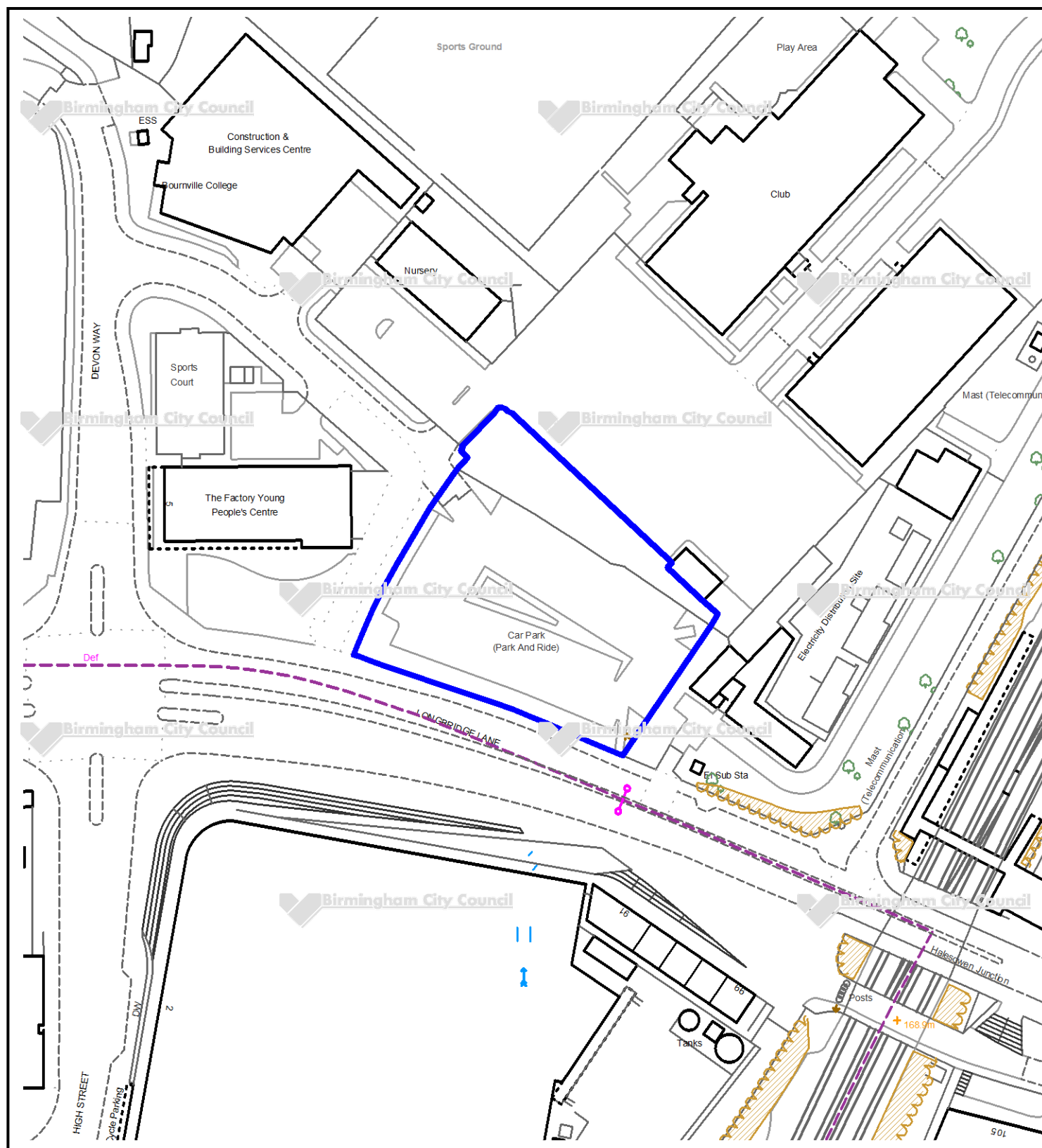


Photograph 1: Entrance to Park and Ride looking north



Photograph 2: Existing Park and Ride site looking west and north-west

Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010

Birmingham City Council
Planning Committee 25 October 2018

Appeal Decisions Received from the Planning Inspectorate in September 2018

<u>CATEGORY</u>	<u>ADDRESS</u>	<u>USE</u>	<u>DECISION</u>	<u>TYPE</u>	<u>PROCEDURE</u>
Householder	35 Arkle Croft, Bromford	Erection of single storey rear extension. 2018/00351/PA	Dismissed	Delegated	Written Representations
Householder	22 Raddlebarn Road, Bournville	Demolition of existing garage and erection of two storey side and rear extension. 2017/10710/PA	Dismissed	Delegated	Written Representations
Advertisement	Unit 1, Expressway Industrial Estate, Bracebridge Street	Display of 1 digital LED media screen and 1 internally illuminated logo box on a new steel frame (together with a ground level communications box) 2017/09828/PA	Dismissed	Delegated	Written Representations
Advertisement	Former Dental Hospital and School, St Chad's Queensway	Display of 3 externally illuminated PVC banner sign. 2017/08981/PA	Dismissed	Delegated	Written Representations
Advertisement	Rear of Unit 1, Motorway Trading Estate, Mill Street	Display of 1 externally illuminated advertisement banner. 2018/03197/PA	Dismissed	Delegated	Written Representations
Advertisement	Land off New Town Row	Display of one 48 sheet (3M x 6M) digital advertisement panel. 2017/09231/PA	Allowed (see note 1 attached)	Delegated	Written Representations

Total - 6 Decisions: 5 Dismissed (83%), 1 Allowed

Cumulative total from 1 April 2018 - 53 Decisions: 40 Dismissed (75%), 13 Allowed

Notes relating to appeal decisions received in September 2018

Note 1: (Land off New Town Row)

Application refused because the proposed digital advertisement by reason of its design and illumination would result in an obtrusive structure and have an adverse visual impact on the surrounding area.

Appeal allowed because the Inspector concluded that the proposal would not significantly harm visual amenity to a degree that would justify withholding permission.