

Birmingham City Council

Planning Committee

13 September 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	2018/04411/PA 7 Calthorpe Road Land at rear Handsworth Birmingham B20 3LZ Demolition of existing garages and erection of 5no. dwellings with associated garages, landscaping and access road
Approve – Conditions	10	2018/04041/PA One Stop Shopping Centre Walsall Road Perry Barr Birmingham B42 1AA Flexible change of use to allow occupation of part of One Stop Shopping Centre for Use Classes A1 (retail), A2 (financial and professional services) and A3 (cafe and restaurant) use
Approve – Conditions	11	2018/05757/PA 335 Birmingham Road Sutton Coldfield Birmingham B72 1DL Erection of a children's day nursery (Use Class D1), formation of 16 car parking spaces and a roundabout for vehicular movement on site

Approve – Temporary Until 14.09.2022	12	2018/04758/PA New Hall Hotel Walmley Road Walmley Sutton Coldfield Birmingham B76 1QX Continued use of existing marquee for weddings and functions within the grounds of hotel
Approve – Conditions	13	2018/05210/PA 76-78 Boldmere Road Waterloo House Sutton Coldfield Birmingham B73 5TJ Installation of former GPO red telephone box containing a defibrillator unit fronting 76-78 Boldmere Road (Age Concern premises).

Committee Date:	13/09/2018	Application Number:	2018/04411/PA
Accepted:	05/06/2018	Application Type:	Full Planning
Target Date:	31/07/2018		
Ward:	Birchfield		

7 Calthorpe Road, Land at rear, Handsworth, Birmingham, B20 3LZ

Demolition of existing garages and erection of 5no. dwellings with associated garages, landscaping and access road

Applicant:	True Pearl Ltd The Mill House, 108-110 Coppermill Road, Wraysbury, Middlesex, TW19 5NS
Agent:	PJ Planning Regent House, 156-7 Lower High Street, Stourbridge, DY8 1TS

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Consent is sought for the demolition of a number of derelict garages and for the erection of 5 dwellings with associated garages, landscaping and access road at Land rear of 7 Calthorpe Road, Handsworth.
- 1.2. Plots 1, 2, and 3 would be detached and plots 4 and 5 would be linked detached properties.
- 1.3. The internal arrangement for plots 1 & 2:
 - The proposed dwellings would consist of a kitchen / dining space, living room and WC/cloaks on the ground floor and 3 bedrooms one with en-suite and a bathroom at first floor level. Bedroom sizes range between 6.7sqm and 12.7sqm and the gross internal floor areas would be 101sqm. Plot 1 would have a detached garage and plot 2 would have a linked detached garage.
- 1.4. The internal layout of plots 3, 4 and 5:
 - The proposed dwellings would consist of a kitchen, living room / dining space and WC/cloaks on the ground floor and 2 bedrooms one with en-suite and a bathroom at first floor level of the main house. There would be a one and half storey side garage with a bedroom above with a pitched roof dormer window. Bedroom sizes range between 8.4sqm and 15.1sqm and the gross internal floor areas would be 98sqm (excluding garage).
- 1.5. The access road would be off Calthorpe Road and would run east to west along the southern boundary of the site. The access would measure 4.8m wide for the first 18m, narrowing to some 4m wide and the remaining access would have indented sections which increases the width to approximately 6m wide.

- 1.6. The dwellings would be arranged in a linear pattern facing onto the access road.
- 1.7. The dwellings would be two storey in height with a traditional appearance to reflect the interwar design of dwellings in Calthorpe Road. Elevations are generally asymmetrical with brick, render and detailing around the windows and under the eaves.
- 1.8. The private amenity space created per dwelling would be approximately 94.8sqm.
- 1.9. All of the dwellings would benefit from a garage and at least one external car parking space (200%).
- 1.10. The application as submitted follows a previous planning approval 2014/05781/PA which lapsed on 02/10/2017 for a similar scheme.
- 1.11. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises an irregular shaped and overgrown and derelict site located within a predominantly residential area. There are a number of derelict garages located within the centre of the site and along the western boundary. The application site benefits from a vehicular access off Calthorpe Road (which is currently gated) located in between Nos. 7 and 11 Calthorpe Road.
- 2.2. The site is surrounded by residential properties which back onto the site but front onto Calthorpe Road, Grosvenor Road and Westminster Road.
- 2.3. Mature trees are located around the perimeter of the site, 6 of which appear to be outside of the application site.
- 2.4. Calthorpe Road is characterised by interwar semi-detached properties with design features facing brickwork, render and bay columns.
- 2.5. [Site Location](#)

3. Planning History

- 3.1. 02/10/2014 - 2014/05781/PA - Demolition of existing garages and erection of 5 dwellings with associated garages, landscaping and access road – Approved with conditions.
- 3.2. 24/06/2014 – 2014/02988/PA - Demolition of existing garages and erection of 5 no. dwellings with associated garages – Refused on the grounds of overlooking and a loss of privacy. Approved with conditions at appeal.

4. Consultation/PP Responses

- 4.1. Site Notice displayed and local residents, resident associations, local Councillors and Khalid Mahmood MP notified – 5 letters and a petition comprising 43 signatures submitted by Birchfield Neighbourhood Forum has been received. Objections received express the following concerns:
 - Loss of privacy/overlooking;

- Loss of light/outlook;
 - Noise and disturbance; particularly during building works
 - Anti-social behaviour;
 - Impact on trees;
 - Loss of wildlife;
 - Flooding and impact on existing sewer/culvert on site;
 - Inadequate access;
 - Increased traffic and parking issues;
 - Over development of the site; and
 - Development would not be in keeping with the character of the area;
 - Devaluation of property.
- 4.2. Perry Barr District Service also objects to the proposal as it is too extensive for the size of the plot and is not in keeping with the character of the area and a community use would be preferable.
- 4.3. One letter of support has been submitted and recommendation for additional parking spaces to be provided for existing residents to help reduce on-street parking demand and congestion.
- 4.4. Regulatory Services – No objections, subject to conditions for land remediation scheme and verification report and for the provision of a vehicle charging point.
- 4.5. Transportation Development – No objections, subject to conditions relating to visibility splay and highway works.
- 4.6. Severn Trent Water – No objections, subject to condition relating to surface and foul water drainage.
- 4.7. West Midlands Fire Service – Object as it is unclear if there is provision for pump appliance.
- 4.8. West Midlands Police – Recommend that all gates and associated boundary treatments are relocated to be flush with the front building lines and access into private drive should be controlled by a vehicle and pedestrian gate.
5. Policy Context
- 5.1. The following local policies are applicable:
- Birmingham Development Plan (2017).
 - Birmingham UDP (saved policies) (2005).
 - Places For Living (Adopted Supplementary Planning Guidance 2001).
 - Specific Needs Residential Uses SPG.
- 5.2. The following national policy is applicable:
- NPPF – National Planning Policy Framework (2018).
6. Planning Considerations
- 6.1. The proposal should be assessed against the objectives of the policy context set out above.
- 6.2. The National Planning Policy Framework seeks a presumption in favour of sustainable development. Among the core planning principles are ensuring the

provision of sustainable development, of good quality, in appropriate locations and it sets out principles for developing sustainable communities. It promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brownfield sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF also seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

- 6.1. Policies TP27 & TP28 of the Birmingham Development Plan states that the location of new housing should be on previously developed land, be accessible to jobs, shops and services by other modes of transport, be sympathetic to natural assets and not conflict with other policies in relation to employment land, green belt and open space. It also states that new housing should offer a choice of type, size and tenure to create more balanced and sustainable communities.
- 6.2. The main considerations in the determination of this planning application are the principle of the proposal in this location, the effect upon visual amenity and residential amenity and highway safety.

Principle

- 6.3. The principle of residential development within this location has been previously established under planning reference: 2014/02988/PA and 2014/05781/PA. The application site is a derelict brownfield site that would provide a suitable place to live for future occupiers located within an existing residential area. The site is accessible to local services and amenities. I therefore consider that the proposed development would make efficient use of land and is acceptable in principle, in line with the Birmingham Development Plan and the NPPF which seeks to deliver new homes in suitable locations.

Impact on Character

- 6.4. The layout of the dwellings within this constrained site would provide a coherent building line and a sense of enclosure around the access road. There would be glimpses of the proposed dwellings from Calthorpe Road which would help to create a visual connection with the houses on Calthorpe Road to ensure the development does not appear isolated and unrelated from the residential development on Calthorpe Road. A satisfactory gap between each dwelling would be provided to ensure an appropriate spatial separation.
- 6.5. I consider that the proposed development is acceptable and would reflect an appropriate design response to the site's constraints and existing local housing context. The design of the dwellings would reflect the character of dwellings in the local area and would not undermine or harm the positive characteristics of the local area, in accordance with local and national planning policy.

Residential Amenity

- 6.6. The proposed development would comprise 5 dwelling houses and the proposed gross internal layout created would comply with the Nationally Described Space Standards for a 3-bed, 5 person, two storey dwelling.

- 6.7. Each dwelling would comprise 3 bedrooms ranging between 6.4sqm and 15.1sqm, which would largely comply with the required standards as set out within the Nationally Described Space Standards. Although plot 1 and 2 would have one bedroom at 6.4sqm which is below the standard of 7.5sqm. I am satisfied that the proposal would create satisfactory living conditions for future occupiers and would contribute to the much needed residential accommodation within the City.
- 6.8. 'Places for Living' advocates a minimum garden space provision of 70sqm for family dwellings and all of the private amenity areas would exceed minimum guidelines.
- 6.9. The proposed development would comply with the 45 Degree Code. A condition to remove permitted development rights for extensions and additional windows has been attached to ensure that the proposed development would not have an adverse impact on outlook, overlooking or loss of light/privacy.
- 6.10. Places for Living states that there should be a minimum set back of 5m per storey where proposed habitable room windows would face existing private amenity space. The current proposal meets this guideline (10m for 2-storey houses), which represents an improvement on previously approved schemes that had some shortfalls but was still considered acceptable in terms of impact on neighbour amenity. However it is considered appropriate to remove permitted development rights in relation to new windows and extensions.
- 6.11. Regulatory Services raise no objections, subject to conditions relating to contaminated remediation scheme and contamination verification report and for the provision of a vehicle charging point. The recommended condition to secure electric vehicle charging points for the use of the development would be unnecessary as the proposed houses would benefit from off-street, dedicated parking to the front of the premise. I consider that provisions would be in place for electric vehicles to be charged via the mains electricity source from the dwellings. The appropriate conditions for contaminated land verification report and contamination remediation scheme are attached.

Highway Issues

- 6.12 The car parking provision (200%) would comply with the maximum guidance outlined in Car Parking Guidelines SPD. I consider that the additional traffic generated by the proposal would not adversely affect highway safety and free flow of traffic on Calthorpe Road or surrounding roads. Notwithstanding residents' concerns the access road would be appropriate for the development proposed.

Trees & Ecology

- 6.13. The Tree Officer raises no objections, subject to a condition requiring the submission of an Arboricultural Method Statement. The existing trees to the northwest boundary would remain with the exception of 1x Poplar, which is dead and needs to be removed. A Sycamore to the south east boundary would be either removed or significantly pollarded due to its poor condition. 11 trees would be retained around the perimeter of the site and the proposal would also include new tree planting.
- 6.14. My Ecologist raises no objections to the application, subject to conditions relating to the submission of a biodiversity method statement and details of bird/bat boxes. I concur with this view and do not consider that the proposed development would significantly affect wildlife in the local area.

Other Issues

- 6.15. I note the comments received in relation to a sewer/culvert extending across the site. Severn Trent Water raises no objection to the proposal subject to a condition for surface and foul water drainage. It does not appear that the existence of this sewer would inhibit development of the site for residential purposes.
- 6.16. I note that West Midlands Fire Service object to the proposal as it is unclear if there is provision for pump appliance turning. I also note that the previous approval proposed to install domestic sprinklers in accordance with BS 9251; however no details have been provided with this current application. I therefore consider it reasonable to reattach the condition relating to details of domestic sprinkler systems. I note that the access would achieve the minimum width required for West Midlands Fire Service.
- 6.17. I note the comments received with regard to anti-social behaviour. West Midlands Police raise no objection to the application and I do not consider that the proposal would result in further anti-social behaviour or result in an environment that would lead to crime or the fear of crime. In addition, their comment in relation to access into the private drive being controlled by a vehicle and pedestrian gate is not considered appropriate. Such a measure would in essence create a 'gated development' and is generally avoided and can raise the fear of crime and prevent natural surveillance and security. As such it is recommended that permitted development rights are removed in relation to the provision of a means of enclosure across the private drive.

7. Conclusion

- 7.1. The proposed development would provide 5 new dwellings within an existing residential area close to local amenities and services including public transport services. The development in terms of design, layout, access point and density would be acceptable. The proposed development would not have an unacceptable impact on the amenities of adjoining occupiers, highway safety, trees or wildlife.

8. Recommendation

- 8.1. Approve subject to the following conditions:

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| 1 | Requires the prior submission of a contamination remediation scheme |
| 2 | Requires the prior submission of a contaminated land verification report |
| 3 | Requires the prior submission of an Arboricultural Method Statement |
| 4 | Requires the prior submission of details of bird/bat boxes |
| 5 | Requires the prior submission of a scheme for biodiversity method statement |
| 6 | Requires the prior submission and completion of works for the S278/TRO Agreement |
| 7 | Requires the prior submission of hard and/or soft landscape details |
| 8 | Requires the prior submission of level details |
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- 9 Requires the prior submission of hard surfacing materials
 - 10 Requires the prior submission of boundary treatment details
 - 11 Requires the prior submission of a lighting scheme
 - 12 Requires the prior submission of a drainage scheme for the disposal of foul and surface water flows
 - 13 Requires the prior submission of sample materials
 - 14 Requires the prior submission of domestic sprinkler system for each house
 - 15 Removes PD rights for new windows
 - 16 Removes PD rights for extensions
 - 17 Removes PD rights for means of enclosure across the shared private drive
 - 18 Requires pedestrian visibility splays to be provided
 - 19 Requires the scheme to be in accordance with the listed approved plans
 - 20 Implement within 3 years (Full)
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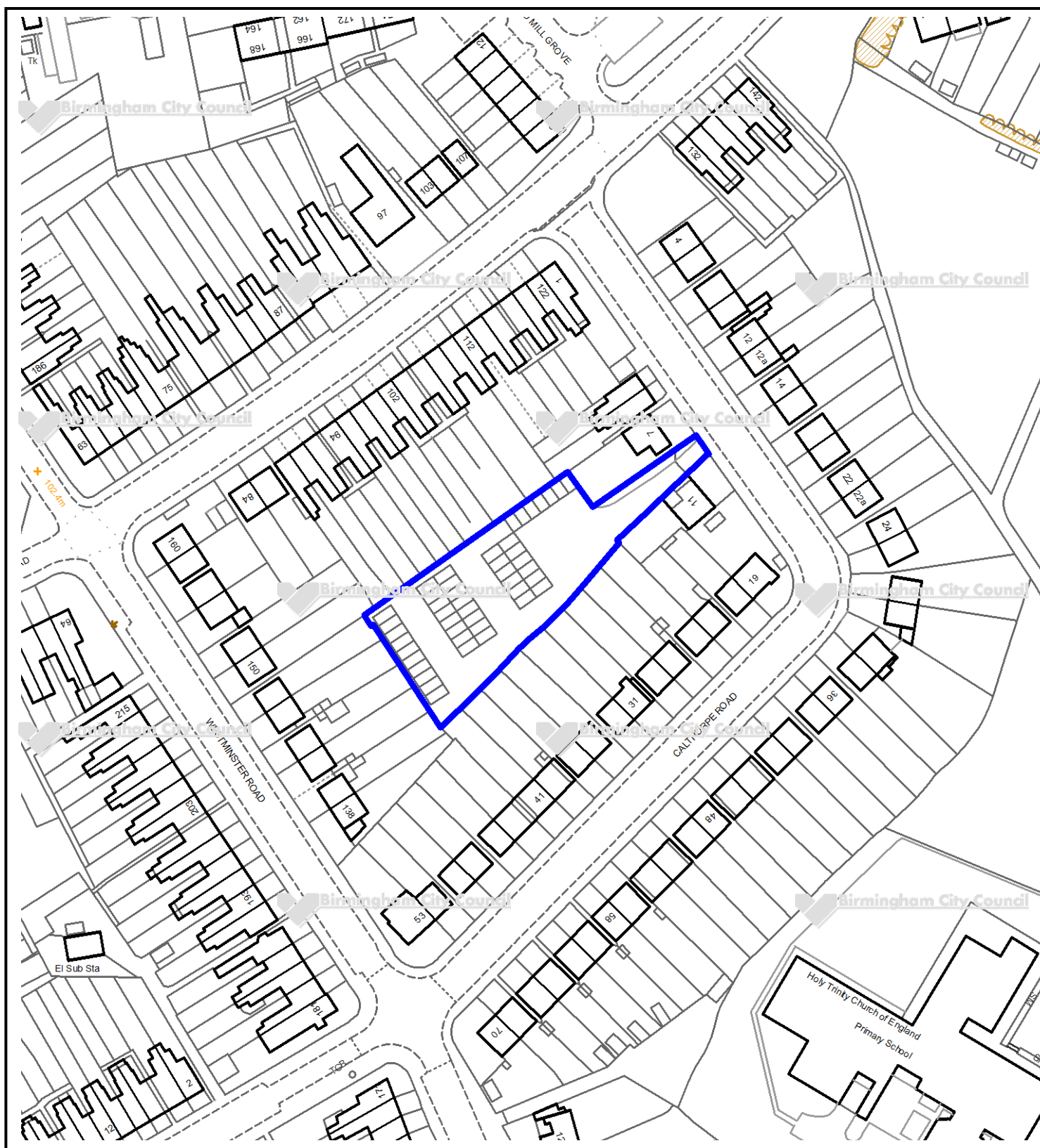
Case Officer: Chantel Blair

Photo(s)



Photograph 1 – Site Access

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/04041/PA
Accepted:	23/05/2018	Application Type:	Full Planning
Target Date:	22/08/2018		
Ward:	Perry Barr		

One Stop Shopping Centre, Walsall Road, Perry Barr, Birmingham, B42 1AA

Flexible change of use to allow occupation of part of One Stop Shopping Centre for Use Classes A1 (retail), A2 (financial and professional services) and A3 (cafe and restaurant) use

Applicant:	Perry Barr SARL c/o Agent
Agent:	Cushman & Wakefield 1 Colmore Square, Birmingham, B4 6AJ

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. The applicant seeks a flexible planning permission for a number of planning units set within particular area of One Stop Shopping centre in order to allow them to be used for either Use Class A1 (retail), A2 (financial and professional services) and or A3 (café and or restaurant) uses without the need for future occupiers of those units, if this application is approved, to thereafter apply for planning permission to use those units for those purposes.
- 1.2. More specifically, in order to provide a degree of reassurance that there would still remain the opportunity for other units within Perry Barr local centre to be converted to non A1 uses without breaching the 55% limit for non A1 uses in primary frontages within centres set by adopted SPD Shopping and Local Centres the applicant has confirmed that they are happy for a condition to be applied, if the application is approved, that would prevent at any one time no more than 20 of the units within the application site being used for any purpose other than Class A1 retail use.
- 1.3. The application site encompasses 45 units on the ground floor of the shopping centre (level with the rear car park) and 6 units on the first floor (level with the surface entrance to the centre facing the bus interchange).
- 1.4. The applicant has provided a site plan, Planning Statement and plans that set out the current names of the occupiers of the units that are the subject of this application as well.
- 1.5. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site contains 51 fixed units (excluding 3 kiosks) forms part of One Stop Shopping centre. The site is also located in Perry Barr district centre.

2.2. [Location map](#)

3. Planning History

3.1. There are various planning applications related to the units within the application boundary over a number of years since the establishment of the One Stop Shopping centre.

3.2. 10.05.2018- 2018/00825/PA- Flexible change of use to allow occupation of part of One Stop Shopping Centre for either retail (Use Class A1), financial and professional services (Use Class A2) and cafe and restaurant use (Use Class A3)- Refused on the grounds that the proposal would allow for the overall percentage of use class A1 units within Perry Barr District Centre, to fall to a level below 55% to the detriment of its vitality and viability and also have the potential to result in an over concentration and/or clustering of non retail uses to the detriment of the vitality and viability of the centre.

4. Consultation/PP Responses

4.1. Local community groups, local councillors and local MP notified as well as site and press notices displayed- no response received.

4.2. Regulatory Services- No objections subject to conditions to secure details of sound insulation for plant/machinery; extraction and odour control details and also noise levels for plant and machinery.

4.3. Transportation Development- No objection

4.4. West Midlands Police- Request that if the application were to be approved, any work be carried out is to the standards within the Secured by Design 'Commercial 2015' guide. Also state they are slightly nervous of the potential impact and therefore seek advice around what conditions could be applied to any approval to support the applicant in the intention to avoid the clustering of the non-A1 uses, and also to limit the number of A3 uses as an overall percentage.

4.5. Environment Agency- The proposal falls in Flood Zone 2 as low environmental risk and therefore they refer local authorities to their Flood Risk Standing Advice (FRSA) to determine the application.

5. Policy Context

5.1. BDP (2017), SPD Shopping and Local Centres, SPD Car Parking Guidelines and the NPPF.

6. Planning Considerations

- 6.1. The proposal gives rise to a number of issues which are considered below:-
- 6.2. Policy – The application site is situated within Perry Barr district centre as identified in the BDP and Shopping and Local Centres SPD. The NPPF (2018) sets out in paragraph 7 that “The purpose of the planning system is to contribute to the achievement of sustainable development” and that at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
- 6.3. Paragraph 85 of the NPPF continues by stating “Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation”.
- 6.4. On the basis of the above the broad principle of the proposal accords with the aforementioned policy objectives.
- 6.5. Members are however reminded that more specific policy advice related to modifications in the overall level of A1 provision within Primary Shopping Areas (PSA), such as which the application site falls within, and also the need to try and prevent dead frontages in runs of parades is provided in adopted SPD Shopping and Local Centres. Therefore the proposal to allow for a flexible planning permission for the units set in the application site boundary to be used for purposes other than Class A1, potentially gives rise to a conflict with a number of policies in adopted SPD Shopping and Local Centres. An evaluation to determine if the proposal would comply with them is set out below.
- 6.6. Policy 1 of SPD Shopping and Local Centres sets out that within Primary Shopping Areas (PSA) at least 55% of all ground floor units in district centre should be retained in Class A1 use and that applications that may lead to this threshold being exceeded, unless exceptional circumstances can be demonstrated in line with Policy 3 of that SPD, will normally be refused.
- 6.7. In seeking to evaluate if the proposal would comply with Policy 1 above, the City Councils latest survey of uses in local centres (which includes the district centre the site is located in) identifies that as of April 2018 Perry Barr local centre contained 144 units. Of these, 103 (71.53%) were A1 units (including vacant A1 units). On the basis the applicant has offered to accept a condition that would limit no more than 20 of the units within the application site being used for non A1 retail purposes, I note that there are currently 8 identifiable units that operate as non A1 units in the site. There are a further 2 units which are currently vacant, the use class of which is not clear. Therefore, if these 2 units are A1 units then the applicant could convert a further 12 units in the application site to either A2 or A3 units without further consent (as part of the 20 unit non A1 limit the applicant seeks to limit their flexible use permission to).
- 6.8. If the above were to occur, on the basis of current data for this district centre, would mean a further 8.33% of the total number of units in the overall district centre would be non A1. This would result in an overall non A1 retail percentage for the centre of 36.8%. This would still allow the ability to convert another 12 units within the wider PSA of the district centre before the 55% threshold is breached. This would still allow the ability to convert more than one in every 4 of the outstanding A1 units (after the full utilisation of the 20 unit limit sought by the applicant) in the PSA to non A1 units before hitting the 55% limit. I consider this represents an acceptable degree of spare capacity for other units within the PSA to still allow them thereafter to pursue applications to apply for a change use from A1 before with reasonable

prospect of securing such (subject to adherence will all other relevant planning tests) before the 55% threshold is reached.

- 6.9. In terms of seeking to ensure that the overall number of non A1 units in the application site would not exceed 20, it is recommended a condition is applied to secure such in the event this application is approved.
- 6.10. Policy 2 of SPD Shopping and Local Centres sets out that in considering applications for change of use from retail uses in Primary Shopping Areas, regard will also be had to the following factors:-
- 6.11. * The need to avoid an over concentration of clustering of non retail uses such as to create a dead frontage.
- 6.12. * The type and characteristics of other uses in proximity to the application site.
- 6.13. * The size and type of unit. For example, the retention of larger retail units will be encouraged.
- 6.14. * The impact of the proposal on the character and function of the centre including; opening hours, window displays and footfall generated.
- 6.15. In response to the above matters that need to be assessed as part of Policy 2, the applicant has provided written communication that sets out their view with respect to such matters. Having reviewed their submission I consider that the development would:-
- 6.16. * not lead to an over concentration of non retail uses such as to have create dead frontages as these are more likely to be created by A5 units that are less likely to be open during the morning times. Furthermore, as argued by the applicant, given that the shopping centre is in single ownership, the creation of lengths of dead frontages is not likely to be a desired outcome of the centre owner in their aim to create a shopping experience and also to help sustain existing occupiers through maintaining the centre as a destination.
- 6.17. * complement the existing range of other outlets in the centre that are in proximity to the application site, including those that are situated within the centre and outside it.
- 6.18. * in the main relate to the ability to convert smaller units without consent whilst it is recognised the largest of the retail units in the shopping centre, the Asda store, would not be covered by the application therefore the centres anchor store will still need consent to move from A1 use and therefore still act as main attraction for customers to the centre, which will help sustain other units in terms of generating passing trade.
- 6.19. * not adversely impact of the character and function of the centre as the uses that would be able to be utilised by the units covered by the consent allow for normal shopping opening hours (with extension into evenings for restaurant use), would expect unit operators in the use classes to have window displays of varying degrees (thereby reducing the risk of dead frontages) and finally sustain and or increase footfall to the centre if implemented in a considered manner.
- 6.20. On the basis of the above assessment of the development impact against the requirements of Policies 1 and 2 of the adopted SPD Shopping and Local Centres, I have not been able to identify any conflict with them subject to appropriate

safeguarding conditions which includes a restriction on no more than 20 units in the application site boundary being used for non A1 retail uses and as such the applicant is not required to demonstrate compliance exceptional circumstances as Policy 3 of the SPD would have required if the development did not meet the requirements of Policies 1 and 2. My Strategic Planning advisor concurs with this view.

- 6.21. Noise and disturbance- Regulatory Services set out that whilst they have no objections to make in principle, it is necessary to ensure that any individual unit change of use considers the potential noise and vibration impact of any plant and equipment (such as air conditioning, refrigeration, waste treatment etc.) and in the case of uses involving cooking or preparation of food the extraction plant in respect of odour and noise and recommend conditions to control such. I concur with this view. The proposal to allow the use of the premises in particularly for A3 purposes potentially gives rise to concerns about the issues raised by Regulatory Services and I consider their suggested conditions should allow us to control such matters to ensure the impact of such is controlled to satisfactory degree.
- 6.22. In terms of the noise associated with the general coming and goings from the units, these are not expected to be harmful to the nearest residential occupiers during normal shopping hours but the potential exists that later evening and very early openings may undermine the amenity of the nearest residential occupiers.
- 6.23. Flood risk- The Environment Agency state that the proposal falls in Flood Zone 2 and is classified as low environmental risk. Therefore, they refer local authorities to their Flood Risk Standing Advice (FRSA).
- 6.24. I have reviewed the proposal against EA standing advice and identify that the site is:-
- 6.25. * in flood zone 2;
- 6.26. * it is not within 20 metres of a main river (the river Tame is set approximately 49 metres away from the site).
- 6.27. * it is classed as less vulnerable.
- 6.28. * though it is classified as a major development (due to the floorspace involved) the sequential and exceptions for flood risk do not need to be applied in this case as such are not applicable for change of use applications;
- 6.29. * the EA's flood risk vulnerability classification chart provides a tick for less vulnerable development in flood zone 2 i.e. in this case the proposal is appropriate in this location based on this classification system.
- 6.30. With respect to surface water management, though the application is classified as a major application, it does not involve any external changes and hence impact on the surface water drainage. Furthermore, the FRA sets out in part 3.1 that the EA surface water flood map (in appendix B of the FRA) identifies a low to medium risk of surface water flooding at the site. Furthermore, it sets out that Birmingham City Councils SFRA has not recorded any surface water flooding event in Perry Barr occurring and therefore there are no mitigation measures required to address surface water drainage issues. I concur with that view.

- 6.31. With respect to flood risk access and evacuation matters, the applicant sets out in their FRA that the operator will make themselves aware of the flood warning codes and associated advice with respect to such provided by the Environment Agency. I therefore consider this addresses the matter of ensuring safe access and evacuation at times of flood risk.
- 6.32. Standing advice requires of FRA's to provide details of both the average ground level of the building and finished floor level of the lowest habitable room in the building. In response, the proposed end uses would not have habitable rooms so the second part of the levels requirements is not applicable in his case. Furthermore, though no floor level details have been provided in respect of the average ground level of the building given that the development does not entail the raising of lowering of the ground levels of the units, the NPPG's standing advice is that it is possible to carry out minor development in Flood Zone 2 as long as the floor levels within the proposed development will be set no lower than existing levels and flood proofing has been incorporated where appropriate. In response to this though the development is categorised as major development, due to no changes in the floor levels are proposed and no external changes are proposed I do not consider that the development will increase flood risk on site or elsewhere. Members are also reminded that the applicant has already confirmed that they will make themselves aware of Environment Agencies flood warnings to receive alerts about flooding and thus prepare accordingly and that the wider centre already has a surface water management plan that seeks to reduce flood risk to the centre through various undertakings (appendix E to the FRA).
- 6.33. I therefore conclude that the submitted FRA demonstrates the principle of establishing the development in this location is acceptable from a flood risk perspective and that the proposed mitigation measures such as signing up to the EA's flood warning regime as well as the flood risk measures already undertaken by the One Stop Shopping Centre are satisfactory from the perspective of reducing the potential exposure to flooding the development may face to an acceptable degree. I therefore do not raise any objection to the scheme on flood risk grounds.
- 6.34. Parking- Transportation Development raise no objection to the scheme. I concur with this view. The applicant has provided a Transport Statement (TS) with this application. That TS sets out that according to a parking survey at the centre, spare capacity was observed within the car-park during the busiest period for the centre i.e. period of highest demand for parking. As per the submitted details, the proposal would unlikely to have significant impact with regards to highway / transportation related matters. The proposal would be unlikely to increase the traffic and parking demand significantly due to possibility of linked trips to the centre. The site also has a good level of accessibility to public transport. The applicant is not proposing any changes to the access arrangement, servicing arrangement or parking provision. No increase in floor area is proposed. On this basis, no adverse impact with respect to parking or on the nearby highway is expected.

7. Conclusion

- 7.1. The proposed development complies with national and local planning policy and no adverse impact is expected to arise from the development subject to safeguarding conditions.

8. Recommendation

8.1. That the application is approved subject to conditions.

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| 1 | Requires the prior submission of details of the sound insulation for plant/machinery |
| 2 | Requires the prior submission of extraction and odour control details related to the cooking and preparation of food |
| 3 | Limits the noise levels for Plant and Machinery |
| 4 | Requires the scheme to be in accordance with the listed approved plans |
| 5 | Limits the number of non A1 units in the application site at any one time to no more than 20 |
| 6 | Prevents the units from changing to another Use Class |
| 7 | Limits the hours of use to between 0800-2330 hours Mondays to Saturdays and to between 0900- 2230 hours on Sundays. |
| 8 | Implement within 3 years (Full) |
-

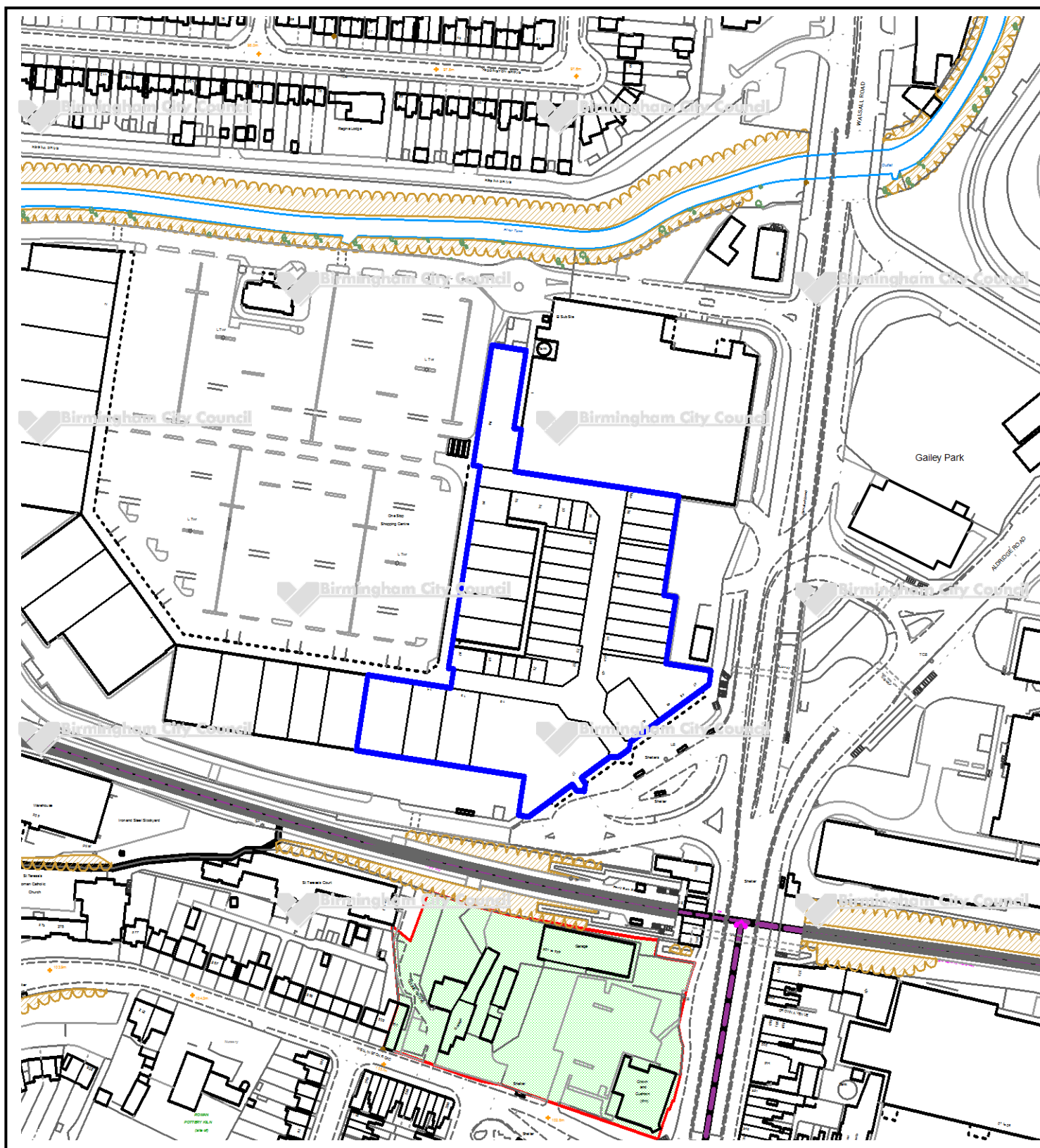
Case Officer: Wahid Gul

Photo(s)



Entrance to the site

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/05757/PA
Accepted:	23/07/2018	Application Type:	Full Planning
Target Date:	17/09/2018		
Ward:	Sutton Wylde Green		

335 Birmingham Road, Sutton Coldfield, Birmingham, B72 1DL

Erection of a children's day nursery (Use Class D1), formation of 16 car parking spaces and a roundabout for vehicular movement on site

Applicant:	Little Ripley Day Nurseries Ltd 42 Warwick Road, Sutton Coldfield, Birmingham, B73 6SX
Agent:	S A Spence Ltd 11 Four Oaks Road, Sutton Coldfield, Birmingham, B74 2XP

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the construction of a new children's day nursery, accommodating 70 children. Two outdoor play areas would be provided to either side of the building on the eastern side of the site, with a 16-space car park and vehicle turning area provided to the western side of the site.
- 1.2. The nursery building would be primarily single storey; with six childrens play rooms, toilets, staff rooms and a kitchen arranged either side of the entrance foyer at ground floor. A small first floor would provide ancillary offices, located within the western 'wing' to the left hand side of the entrance when viewed from the front. The floorspace of the building would be approximately 575sqm. It would have a width of around 35 metres and depth of around 32 metres, with a pitched roof varying in height between 6.5 metres and 8.6 metres. The external finish of the building is proposed to primarily be buff coloured bricks; with areas of white, yellow, orange and red render around the front entrance and rear play area.

1.3. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is positioned around 60 metres east of Birmingham Road, behind the Hawthorns Surgery with which it shares an access. This access route has parking serving the Surgery located along it, but it is understood to be in public ownership. On all other sides the site is surrounded by the rear gardens of residential properties – those on Greenhill Road to the north, Boulton Road to the east and Birmingham Road to the south and west. The closest houses are 6 and 8 Greenhill Road to the north, at a distance of around 35 metres. There are no notable changes in ground levels relative to those adjacent properties.
- 2.2. The site is currently vacant, and was previously occupied by the Norman Laud Association which operated it as a children's short break and day care centre. The

Association continues to operate from several other buildings a short distance away on Emscote Drive. In response to a request from the site's owner, the Council has confirmed that prior approval is not required for the demolition of existing buildings on the site. Those existing buildings had an approximate internal building floorspace of 850sqm, with a typical 1960s rectilinear form to which later pitched roof additions have been added.

- 2.3. At the time of the case officer's site visit in early August 2018 the site was fenced off, but demolition had not yet commenced.

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

3. Planning History

- 3.1. 25 June 2017 – 2017/07438/PA, Change of use from a residential and special care centre (Use Class C2) to a children's day nursery (Use Class D1) and the provision of 11 additional car parking spaces – refused because of highway safety concerns, but allowed on appeal.
- 3.2. 7 August 2018 – 2018/05650/PA, Application for prior notification for the proposed demolition of existing single and two storey care centre – prior approval not required.

4. Consultation/PP Responses

- 4.1. **Transportation Development** – No objection in light of previous appeal decision; subject to conditions restricting the number of children accommodated within the proposal, requiring the marking out of car parking prior to development and use solely for that purpose, and requiring the provision of suitable cycle parking provision. It is also suggested to require a contribution from the applicant towards potential Traffic Regulation Orders in the vicinity of the site.
- 4.2. **Regulatory Services** – No objections subject to conditions controlling the number of children within the nursery and the hours of use of the site, and requiring the submission of details of the extraction equipment to be used and a contamination remediation scheme.
- 4.3. Local ward councillors, residents associations and occupiers of neighbouring properties have been consulted. A site notice has also been posted at the end of the access driveway adjacent to Birmingham Road. Seven objections have been received – six from local residents, and one from the Wylde Green Residents Association. The issues raised can be summarised as follows:
- Traffic levels on the access driveway from Birmingham Road into the site will be increased as a result of the proposal, leading to queues onto Birmingham Road;
 - The proposal does not include sufficient car parking provision – most will be required for nursery staff, with no provision left for parents dropping-off children;
 - It would be unacceptable to remove the existing parking bays alongside the access driveway as part of this proposal, as they serve the adjacent surgery;
 - Access for the adjacent surgery, including for emergency vehicles, has to take priority over this proposal;
 - The access driveway does not have a proper pavement, and is unsafe for pedestrians;

- The issues above will result in parking demand being displaced onto nearby roads, which would be dangerous on Birmingham Road and a nuisance to nearby residents on Greenhill Road;
- There are already two other childrens nurseries within the immediate surroundings of the application site;
- The proposals will block access to existing outward-opening gates serving the rear extremity of the garden of 337 Birmingham Road;
- The proposed external finishes for the building will be out of character with the surrounding area, which does not have any striking buildings.

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 (2001)
- 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 the proposed childrens nursery use on the site, the impacts on the character of the local area, the impacts on the amenity of neighbouring residents, and issues around parking and highway safety.

6.2. **The principle of development** – Policy TP21 of the Birmingham Development Plan indicates that designated centres should be the preferred location for community facilities (such as health centres, education and social services, and religious buildings). This reflects the existing provision of facilities that those centres have, and their general ease of access by more sustainable modes of transport. The application site is not within a designated centre.

6.3. However, the application site has previously been in a community use, indeed one which provided facilities for children. Whilst the current proposal will not incorporate the same type of short break and day care as that associated with the previous use, it has many similarities. Moreover, planning permission has previously been granted on appeal for the change of use of the site to a children's day nursery. Accordingly, the principle of development is acceptable.

6.4. **Impacts on the character of the local area:** The building form envisaged by this proposal is considered to be relatively conventional in its appearance. It is predominantly single storey with a small two storey section, meaning that the building is unlikely to have significant prominence within its surroundings, and has an entirely pitched roof. It would also be somewhat smaller than the previous Norman Laud Centre buildings, with an overall width of 35 metres compared to the previous 40 metres and total ground coverage of around 500sqm compared to the previous 700sqm.

6.5. The proposal primarily envisages the use of buff coloured bricks. Whilst distinct from the red brick finish of the existing building on the site, this would be in-keeping with the bricks on the adjacent Hawthorn Surgery. It is also proposed to use some

coloured render around the front entrance to the building, and the rear play spaces. This would appear somewhat distinct relative to surrounding buildings, but would be limited to specific areas of the building and help to define the child-orientated nature of the development. As such there is not considered to be any issue with the principle of these material choices, but a condition is proposed to allow subsequent control over materials in any case.

- 6.6. Just under half of the development site would be taken up by car parking, vehicle and pedestrian access routes and public circulation spaces. As a result of this prominence and importance, it will be necessary to apply a condition to any permission requiring the submission of landscaping details. The proposed car park will also necessitate the removal of two medium-sized trees immediately beyond the end of the rear garden of 337 and 339 Birmingham Road, but these are not protected and not considered to be of any significant amenity value. The principle of their removal has also already been established through the application previously allowed on appeal on the site.
- 6.7. **Impacts on neighbour amenity** – Local residents have queried the need for another children's day nursery within the local area, and noise from children playing outside. Whilst there are other day nurseries nearby, the issue of need is not a planning consideration in this instance.
- 6.8. The site has previously been used by children, and has external play areas which are fitted with children's play equipment. Although the play areas back on to adjoining houses, these houses also have long rear gardens and are positioned at some distance. The new building proposed on the site will mean that the resultant play areas are of a slightly different size, but they would be positioned on the same broad parts of the application site – the north-eastern and south-eastern corners. The play spaces would provide adequate external space for the number of children intended to be accommodated in the nursery, and a similar condition to that previously imposed by the appeal Inspector is proposed to be attached to any permission to limit the number of children playing outside at any one time.
- 6.9. The hours of opening (07:00 to 18:00 Monday to Friday) for the proposed nursery can also be controlled through condition, again in a similar manner to that previously adopted by the appeal Inspector. In combination with the other controls proposed, this will ensure that the amenities of adjoining residents are unlikely to be adversely affected by noise and disturbance from children attending the nursery.
- 6.10. The proposal has been designed to ensure that overlooking to neighbouring residential properties does not occur. The northern and eastern extremities of the building are the only elevations which immediately adjoin boundaries, with the northern elevation having obscure-glazed ground floor and only high-level first floor windows. The eastern elevation has no windows at all. Furthermore, both of the boundaries adjoining those elevations have extensive tree cover which also limits the possibility of overlooking.
- 6.11. This proposal includes a relatively large kitchen, which would prepare meals for the 70 children. It would therefore be used relatively intensively, with the potential need for specialist cooking equipment to be used. In order to ensure that there are no adverse impacts on neighbouring residents from noise, vibrations or odour, a condition has been proposed by Regulatory Services to require the submission of details of the cooking equipment to be used. Such a condition is considered to be reasonable and necessary.

- 6.12. 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 total redevelopment of the site taking place.
- 6.13. **Highways and parking** – The sole reason for refusal of the previous application on the site was related to perceived inadequacies in the means of access to the site and resultant highway safety issues. Whilst the appeal Inspector acknowledged that parts of the access into the site are too narrow to allow vehicles to pass, they ultimately judged that there was a sufficient length of two-way road to allow safe traffic flow – and that traffic would be unlikely to queue out onto Birmingham Road. Whilst the strength of local feeling about this matter is still evident from consultation responses, the refusal of this application on the same grounds as previously could not be sustained in light of the appeal decision.
- 6.14. This application is also considered to constitute a betterment on the scheme previously allowed on appeal, with the incorporation of a ‘roundabout’ feature. This would not only allow the easy and safe turning of vehicles within the site boundary, but will also act as a clear drop-off ‘target’ for parents, able to accommodate around 5 vehicles simultaneously without blocking traffic flow into and out of the site or into the main car park. This should help to alleviate a number of the previous concerns about the inappropriate use by parents of the car parking spaces intended for the Hawthorn Surgery, and potential vehicular and pedestrian conflict.
- 6.15. The Council's current parking guidelines specify maximum parking provision of 1 space per 8 children for day nurseries. Therefore, the specified maximum parking provision for the proposed 70 children would be 9 spaces. The applicant is proposing 15 parking spaces, in addition to a service vehicle parking bay which the applicant has indicated a willingness to use as disabled parking provision (resulting in 16 parking spaces in total). Accordingly, the application proposes on-site parking provision which exceeds the Council's standards. A cycle parking area is also proposed, details for which can be sought through condition. On the basis that the proposal would exceed the Council's parking standards, the condition proposed by Transportation to require a contribution towards potential Traffic Regulation Orders in the vicinity of the site is not considered to be reasonable.
- 6.16. Regulatory Services have recommended a condition requiring the provision of an electric vehicle charging point within the site. It is considered that this would be beneficial for staff and longer visitors to the site, and in order to encourage sustainable travel such a condition is considered to be appropriate.
- 6.17. In order to ensure that highway impacts are acceptably managed, a condition is proposed to require the car park to be laid out in advance of the nursery opening to the public. However, in all other terms the proposal's highway and parking impacts are considered to be acceptable.

7. Conclusion

- 7.1. Planning permission has been granted on appeal, allowing the use of this site as a nursery for 70 children. In terms of the principle of development, this application only differs by proposing to accommodate that development within a brand new building. That building will be smaller than the current building, and has been considered to have an acceptable impact on local character subject to appropriate conditions. Similarly, impacts on neighbour amenity can be acceptably mitigated.

7.2. Transport and highways concerns have resulted in the previous refusal of planning permission for a children's nursery use on the site. However, those issues were found to be acceptable on appeal. This application is also considered to represent an improvement on what was previously found to be acceptable on appeal.

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 | Prevents the use from changing within the use class |
| 3 | Limits the hours of use (07:00 to 18:00 Monday to Friday) |
| 4 | Limits the number of children able to attend the day nursery to 70 |
| 5 | Limits the number of children using the external play areas to 20 (larger area) and 12 (smaller area) |
| 6 | Requires the prior submission of sample materials |
| 7 | Requires the prior submission of hard and/or soft landscape details |
| 8 | Requires the parking area to be laid out prior to use |
| 9 | Requires the prior submission of cycle storage details |
| 10 | Requires the provision of a vehicle charging point |
| 11 | Requires the prior submission of extraction and odour control details |
| 12 | Requires the prior submission of a contamination remediation scheme |
| 13 | Requires the prior submission of a contaminated land verification report |
| 14 | Implement within 3 years (Full) |
-

Case Officer: Robert Webster

Photo(s)

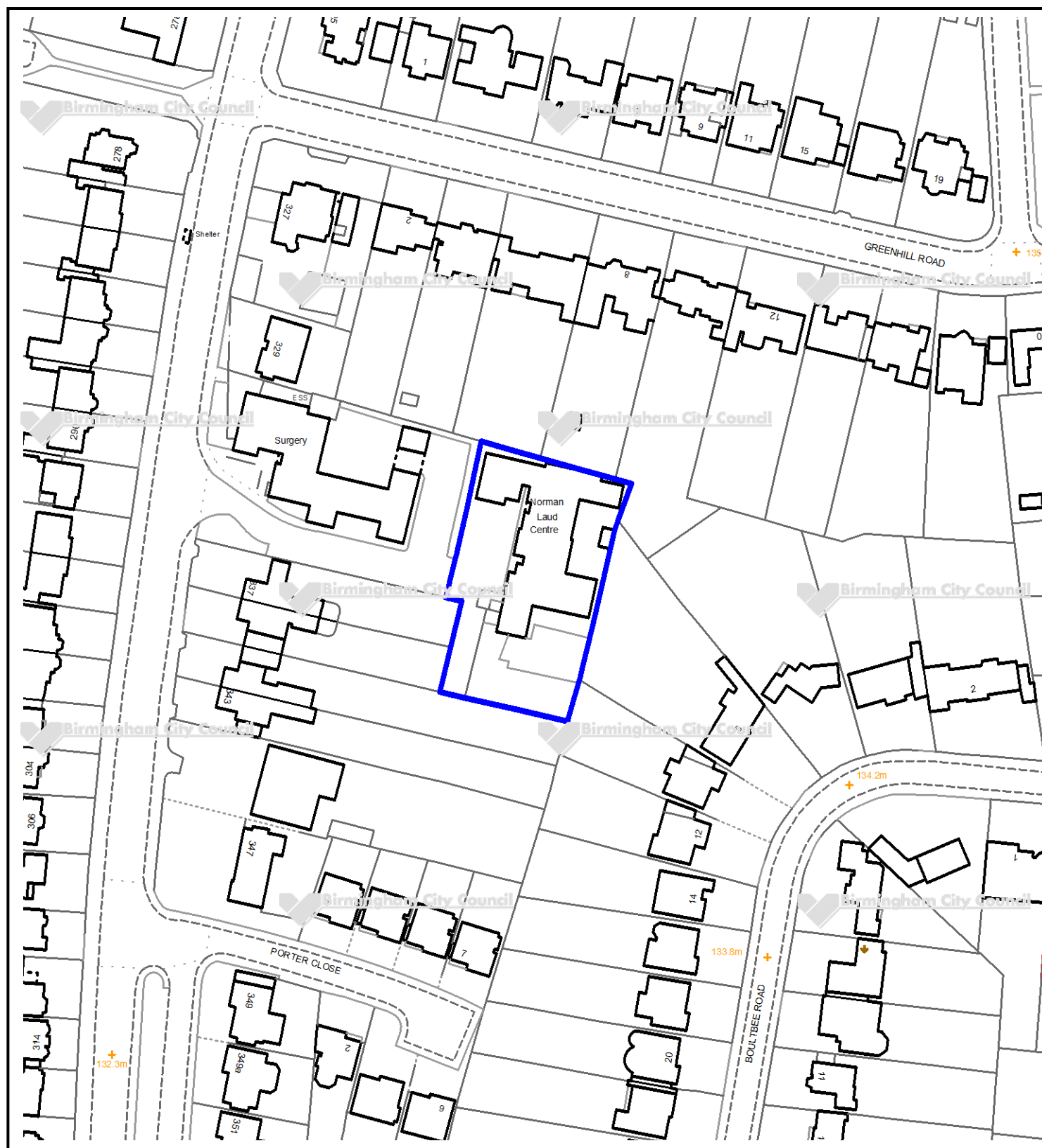


Figure 1 – View from Birmingham Road to site (distant, right) alongside Hawthorn Surgery (left)



Figure 2 – Existing play area within site, looking east towards properties on Boulton Road

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/04758/PA
Accepted:	18/06/2018	Application Type:	Full Planning
Target Date:	14/09/2018		
Ward:	Sutton Walmley & Minworth		

New Hall Hotel, Walmley Road, Walmley, Sutton Coldfield, Birmingham, B76 1QX

Continued use of existing marquee for weddings and functions within the grounds of hotel

Applicant: Hand Picked Hotels Ltd
c/o agent
Agent: Turley
9 Colmore Row, City Centre, Birmingham, B3 2BJ

Recommendation
Approve Temporary

1. Proposal

- 1.1. This application is for retention of the existing marquee, used for weddings and functions, for a further five years beyond the current permission. Therefore up to 7th May 2025. The previous consent permitted music to be played inside the marquee from 9am until midnight and on New Year's Eve from 9am to 1am. The current application does not propose to alter these hours.
- 1.2. The marquee is associated with New Hall Hotel, Walmley. It has been in situ since 2004 with a number of consents permitting its retention, as detailed in section 3 below. The structure measures 13 metres x 31 metres and is 7 metres high to the top of the pitched roof and includes double glazed windows and doors, a projecting porch and covered walkway, two containers to the rear housing the generators, toilets, acoustic internal insulation with plastic hard boarding to outer wall areas and sound system.
- 1.3. The application has been submitted with a Planning Statement, including sequential site assessment, and a Heritage Statement. Additional information was also received during the consideration of the application.

1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The marquee is located within the grounds of New Hall Hotel, a Grade I Listed building, which is owned and managed by Hand Picked Hotels Limited. The 10.5 hectare New Hall Hotel site is accessed along a long driveway from Walmley Road to the east and contains ancillary buildings, a large garden, tennis courts and a golf course. The site forms part of New Hall Valley, which is an established Green Wedge, and part of Sutton Coldfield Green Belt. New Hall Valley Country Park lies

approximately 100 metres to the northwest of the marquee, and is recognised as a Site of Importance for Nature Conservation (SINC).

- 2.2. The listing description advises that the Grade I Listed Building was built as a 13th century or 14th century medieval house that was extended in the late 16th century and early 17th century. The building was restored, Gothicised and enlarged in 1869 however the interior retains medieval hall; late 16th century banqueting hall, panelled and with ornate ceiling. It has been used as a single dwelling and as a college until 1988 when it was converted into a hotel. It was extended in 1992 with a large bedroom wing and the separate spa building. The grounds around the building were originally open fields, developed as gardens by 1887 and altered again as part of the conversion to a hotel.
- 2.3. The surrounding area is predominantly residential in character. The nearest residential properties are located 265 metres to the east of the marquee in Aspen Close, Ash Walk and Sycamore Close.
- 2.4. [Site location](#)
3. [Planning History](#)
 - 3.1. 2015/02526/PA - Erection of two storey extension to western elevation to provide 10 additional bedrooms, and alterations to parking to provide 7 additional spaces. Approved 16.12.15
 - 3.2. 2015/01811/PA – 5 year temporary planning permission for retention of marquee for functions, as renewal of planning permission 2010/01932/PA, with music to be played inside the marquee from 9am until midnight and on New Year's Eve only from 9am to 1am. Approved 07.05.15
 - 3.3. 2010/01932/PA - 5 year temporary planning permission for renewal of application 2008/01621/PA, with music to be played inside the marquee from 9am until midnight and on New Year's Eve only from 9am until 1am, subject to conditions. Approved 09.06.10
 - 3.4. 2008/01621/PA - 2 year temporary planning permission for renewal of application 2007/03881/PA, with extension of time for music to be played inside the marquee from 9am until 11pm to 9am until midnight, subject to conditions. Approved 26.06.08
 - 3.5. 2007/03881/PA - 6 month temporary planning permission for retention of marquee for function use, subject to conditions. Approved 01.11.07
 - 3.6. 2005/04223/PA - 2 year temporary planning permission for renewal of planning application to allow retention of marquee for a temporary period catering for weddings, subject to conditions. Approved 08.08.05
 - 3.7. 2004/03000/PA - 1 year temporary planning permission for the erection of marquee in revised position, subject to conditions. Approved 02.07.04
 - 3.8. 2004/00487/PA - 5 year temporary planning permission for the erection of a marquee for wedding receptions, subject to conditions. Approved 23.03.04
4. [Consultation/PP Responses](#)

- 4.1. Local Ward Councillors, MP, Residents Associations and adjoining occupiers were notified; a Site Notice displayed outside site and a press notice published. One representation has been received raising concerns about the impact of noise from music on local residents and that a permanent structure should be required.
- 4.2. Historic England – Object. Consider that the marquee causes harm to the setting and significance of the Grade I listed building and that an alternative location should be sought for it.

The proposal is to retain the existing marquee for functions by renewing planning permission 2015/01811/PA. This is the eighth permission sought for a temporary marquee since 2004. We commented on the last application, which was to renew planning permission 2010/01932/PA, in letters dated 2 April and 7 May 2015, in which we said, upon the receipt of further information, that we considered that the marquee had a significant impact on the setting of the Grade I listed building, in agreement with the historic landscape report, and that an alternative location should be sought for it. We did not object to that application in order to give the applicant time to do this. We stated we would not support another renewal.

The Turley reports fail to take account of the previous historic landscape analysis which stated that the contribution of the gardens to the setting of the Grade I listed house is very high (3.2). We agreed with this assessment at the time and this is still our opinion. We suggested the site might have been an archery ground but the Turley report dismisses this on flimsy grounds - such grounds were often lined by trees and the proximity of the road would not matter to it. Leaving this matter aside, the previous report stated that the marquee had an impact on the gardens, and that the impact was limited principally to the Yew Avenue and the areas adjacent to it. The yew tree avenue was dated to the mid-19th century, was linked to an important phase in the site's history, and was considered to be an unusual and striking configuration of Irish yew trees. The use of Irish yew trees in particular was a fashionable motif of garden design at this time and this is a relatively early use of them. Thus it contributes to the special historic interest of the heritage asset. The previous report confirmed that the impact on the yew tree avenue was material and that the avenue was a feature which should be dealt with sensitively in its own right, because of its contribution to the setting of the listed building.

We welcome the inclusion of an options appraisal of alternative sites, as we previously recommended, however it is rather superficial. It is not the role of Historic England to suggest alternative locations, as these might not be suitable for the workings of the hotel. We are particularly not clear on the disadvantages of site 3.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Under the NPPF, paragraph 132, 'when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets' conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of an asset or development within its setting.' Under paragraph 137 new development within the setting of a heritage asset should enhance or better reveal the significance of the asset. Here the asset is of the greatest importance, the marquee causes harm to it and it does not enhance or better reveal its significance.

We recognise the need of the hotel to have a wedding venue and to protect its business, which benefits the Grade I listed building. We understand the Green Belt issues but they should not be treated as more important than the requirements to protect the significance of the listed building. We consider that the temporary marquee has a negative impact on the Grade I listed building as confirmed by the previous historic landscape report, therefore we do not support this temporary marquee in this location. We consider that a different location should be sought for this marquee which would have less impact on the significance of the heritage asset, or for a more permanent structure.

Following receipt of the additional information from the agent advised that their position has not changed and remains an objection. This further justification is noted and Historic England maintains that the marquee causes some harm to the significance of the hall through development in its setting. This should be defined as less-than-substantial harm and therefore weighed against the public benefits.

- 4.3. Conservation – No objection. Whilst it is regrettable that the hotel have failed again to resolve this matter and not built a proper wedding/ function venue attached to the main building itself, the retention of the structure and its continued use can be tolerated for the requisite time sought through this application.

5. Policy Context

- 5.1. The following policies are applicable:

- Birmingham Development Plan (2017);
- Unitary Development Plan (2005) (saved policies 3.14-3.14D & Chapter 8);
- Regeneration Through Conservation SPG
- Nature Conservation Strategy for Birmingham SPG; and
- National Planning Policy Framework (2018).

6. Planning Considerations

Policy Context and background

- 6.1. The main considerations are whether the retention of the marquee would have a detrimental impact on the significance of the heritage asset and upon the green belt and whether the continued use of the marquee would result in an unacceptable impact on the amenities of nearby residents.
- 6.2. A Planning Statement has been submitted with the application which comments that the marquee is needed for holding weddings and functions as there is no space large enough within the main hotel building to hold these events. The Planning Statement also includes a sequential site assessment which is considered in detail in the following section of the report.
- 6.3. New hall hotel employs 79 full time staff and 48 part time staff of which approximately 15-20 are employed in association with the functions held in the marquee. Hand Picked hotels advise that they are receiving enquiries for weddings and functions which would be after the expiry of the current consent. This application is therefore seeking a further extension of the temporary consent to provide certainty and enable bookings to be accepted.

Impact on the significant of a designated heritage asset

- 6.4. As referred to by Historic England, under section 66(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 the Council has a duty to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The NPPF provides detailed advice on considering applications for works to listed buildings and within the setting of listed buildings.
- 6.5. In considering the previous application English Heritage, now Historic England, accepted a further temporary consent but noted that the installation of UPVC windows and doors, the erection of sections of fencing and the construction of the porch and walkway have resulted in the loss of some of the temporary nature of the structure. English Heritage advised at that time that a temporary consent could be granted but that alternative locations within the grounds of the hotel should be considered and that they would not support a further temporary consent.
- 6.6. The sequential site assessment included within the submitted Planning Statement for the current application seeks to provide the information requested by English Heritage on the previous application. Four sites, including the current site, have been considered. All of the sites are of sufficient size to accommodate the marquee and within the grounds of the Hall.
- 6.7. Site 1 is adjacent to the existing site, on the edge of the golf course. The assessment suggests that this site would 'flip' the marquee 180 degrees and therefore the service end would be closest to the hotel which would be unacceptable in terms of visual appearance from the hotel. However, the assessment does not confirm why 'flipping' the structure is the only option for this site. It is not clear why the structure could not be located on site 1 in the same orientation as existing, with the visitor entrance closest to the hotel and the service end adjacent to the golf club. However, the assessment also notes that site 1 would be closer to the SLINC and neighbouring properties and that there is less screening of site 1 which may have a greater impact on the openness of the Green Belt.
- 6.8. Site 2 is adjacent to the lake which the assessment considers is unacceptable due to the open nature of this site, the lack of screening and the potential impact on the Spa facilities adjacent. Site 3 is the existing tennis courts which also have less screening from the spa and hotel grounds, would result in the loss of the tennis courts and are less accessible from the hotel and car park. The use of site 3 would require additional paths to be created through established landscaping.
- 6.9. Site 4 is the current application site which the assessment considers is the most appropriate site for the structure with limited impact on the listed building or the Green Belt.
- 6.10. The additional information submitted during the consideration of the current application has added to the sequential site assessment in advising that all other sites, except the four detailed above, were discounted due to size. However, the additional information splits all of the hotel land into 6 areas and provides details as to why there are no other sites within the hotel grounds. This additional information was submitted in response to the objection from Historic England. Further comments have since been received from Historic England which maintain their objection.
- 6.11. The green area is woodland, an area of local importance for nature conservation and within the Green Belt. Siting the marquee in this area would result in the loss of trees, loss of openness and increase visibility of the marquee from New Hall and

neighbouring residential properties. It is also further from the hotel and would therefore be less practical to service and manage; reduce the connections with the hotel facilities; and increase noise for neighbouring properties.

- 6.12. The blue area is currently golf course and in the Green Belt. Relocating the marquee to this area would impact on the hotel business through loss of part of the golf course and also impact on the openness of the green belt. As with the green area it would be more difficult to service/ manage; be disconnected from the hotel; and have a greater impact on neighbours amenity.
- 6.13. The red area is part of the 18th century garden to New Hall and would be highly visible from the listed building and moat and result in the loss of large mature trees and the existing garden area itself. Part of this area is also sloped and would therefore require re-profiling. The orange area is the walled garden which is not large enough to contain the marquee and would also be more visible from the hotel and may impact on other hotel guests.
- 6.14. The purple area is the current overspill car park at the front of New Hall. Siting the marquee on this land would result in substantial negative visual impact to the listed building and the Green Belt and also result in the loss of the overspill car park. The yellow area is between the hotel and spa facilities and was discounted due to insufficient space due to trees and the pond. Siting a marquee in this area would also create noise and overlooking to hotel and spa guests and neighbouring residential properties.



- 6.15. As noted above Historic England have maintained their objection noting the further information but they remain of the opinion that the marquee causes some harm to the significance of the hall through development in its setting. This should be defined as less-than-substantial harm and therefore weighed against the public benefits.

- 6.16. It is therefore a matter for the decision maker to make a balanced judgement based on all of the information available. It is worth noting that although Historic England object the Council Conservation Officer does not. The Conservation Officer, at pre-application advice stage, supported a further temporary consent and saw no reason to relocate the marquee.
- 6.17. In response to Historic England's criticism of the agent ignoring the previously submitted historic landscape analysis the agent has stated that, they consider, the previous analysis did not carry out a robust impact assessment in the context of the relevant heritage legislation, the NPPF or Historic England guidance. The previous assessment focused on the landscape and did not consider the significance of the Grade I listed building, New Hall.
- 6.18. The submitted Heritage Statement provides a detailed assessment of New Hall, a Grade I listed building, which is an early medieval moated house (around 1200); its setting; the experience of the asset; and the impact of other alterations and development within the grounds. The statement comments that the lower ground level of the marquee from the hotel and the existing trees reduce the visibility of the marquee from the hotel. The hotel itself is set in a valley and the statement advises that it was not designed to be experienced from long distance views. The statement goes on to provide an opinion on the significance of New Hall and the contribution of the application site to the significance. The statement also advises that there is no space adequate within the main hotel for weddings and functions and approximately 25% of the hotel income is from these events.
- 6.19. The siting of the marquee is adjacent to the Yew tree walk which the heritage statement suggests is part of the 19th century landscaping and therefore a later alteration to the hall. The layout and position of the walk does not frame any views of the hall and the hall does not have any direct views down the walk. The heritage statement dismisses Historic England's view that the Yew tree walk may have been an archery lawn due to the close proximity of New Hall Drive and because historic maps show trees within this site. It is also noted that the marquee and hotel are not visible in the same views. There is only one position, at the end of the yew tree walk, where both the marquee and hotel can be seen from the same place but this is by turning. All other views are screened by the existing yew trees and other landscaping. Furthermore the marquee does not affect any views of the hall itself.
- 6.20. Reference is made to Historic England guidance "Temporary Structures in Historic Places" (2010) which states '*there should not be a presumption against temporary structures simply because they are visible in the historic environment*'.
- 6.21. In conclusion the heritage statement advises that the retention of the marquee in its current location will not harm the significance of New Hall; the connections between New Hall and the historic landscape or the ability to appreciate the specific features within the landscape such as a the Yew tree walk.
- 6.22. Officers also accept that the marquee is no longer a fabric structure as the windows are now UPVC double glazing, the walls have been clad with plastic hard boarding and acoustic lining has been installed to the walls and roof (as required by the 2008 consent for noise reduction measures). Although these changes reduce the temporary nature of the structure as it would be harder to dismantle and move and, furthermore it has not been moved for the last 14 years, it still appears as a temporary structure.

- 6.23. The local representation has quoted from the officer report in 2015 which states that “the site should ultimately be developed by the erection of suitable permanent buildings”. This is also reflected in the Conservation Officer comments and touched on in the Historic England comments. The case officer requested additional information from the applicant on this issue as it was not clear from the submitted information what consideration had been made to a permanent building. The agent has advised that the hotel operator are looking into providing a permanent structure for weddings and functions and that a permanent structure could be complete by the expiration of the current application (2025). The information is still considered to be limited in detail and does not provide any detail as to what is meant by “looking into”.
- 6.24. It is therefore officer’s opinion that the proposed five years, on top of the existing permission, is unnecessary and excessive. The consent has been extended several times since the first permission in March 2004 and it is not reasonable or appropriate to continually to extend the permission. A shorter consent, of four years from the date of this permission, is recommended to restrict the length of the consent and encourage the applicant to submit the application for a permanent building. The applicant should also be aware that a further temporary consent is unlikely to be granted unless there is an application for a permanent building being considered by the Council.

Impact on the Green Belt

- 6.25. The submitted Planning Statement also provides the agent’s view on the impact of the structure on the Green Belt. The statement quotes from the officer report on the previous application which stated *“the application site relates to an established hotel site and the retention of the marquee would not introduce a new use within the green belt. The marquee is not an unexpected or unusual structure that you would normally see in a hotel garden, it also provides an additional income for the hotel and assists in the maintenance of the grade I listed hotel building. Furthermore, the marquee is located in an enclosed garden setting and does not detract from the openness of the green belt or the character of the area. On balance, I am of the view that these factors amount to very special circumstances.”*
- 6.26. The agent also refers to the sequential site assessment and comments that the other sites considered would have a greater impact on the openness of the green belt.
- 6.27. The site forms part of New Hall Valley and part of Sutton Coldfield Green Belt. The marquee is used for wedding receptions and functions and represents inappropriate development in the Green Belt and does not fall within one of the exceptions outlined in paragraphs 145 and 146 of the NPPF. Paragraph 143 of the NPPF 2018 advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.28. The application site relates to an established hotel site and the retention of the marquee would not introduce a new use within the Green Belt. The marquee is not an unexpected or unusual structure within a hotel garden. It also provides a venue for outdoor wedding receptions and functions which helps to provide an additional income for the hotel and assist in the maintenance of the grade I listed hotel building. Furthermore, the marquee is located in an enclosed garden setting and does not significantly detract from the openness of the Green Belt or the character of the area.

- 6.29. The previous temporary consents for the marquee have been accepted by the Council on the basis that the above factors amount to very special circumstances when considered against paragraph 144 of the NPPF.

Impact on residential amenity

- 6.30. Notwithstanding the comments from the local resident the current application does not propose any changes to the hours of use, the entertainment hours, the acoustic measures or to the marquee structure. Regulatory Services raise no objection subject to the conditions attached to previous temporary consent 2015/01811/PA being implemented again. I concur with this view and have attached the conditions accordingly. I note the objection raised by one resident about noise during the evenings from the hotel. However I am of the view that the conditions attached would mitigate noise disturbance and are enforceable.

7. Conclusion

- 7.1. Noting the objection from Historic England, the additional information received from the agent and the no objection response from the Council Conservation Officer I consider that the retention of the marquee would amount to less than substantial harm to the setting of the grade I listed building however the impact is limited principally upon the Yew tree avenue and areas immediately adjacent to it and this harm is outweighed by the benefits the marquee brings to the preservation of the hotel site and by providing a valuable wedding and function facility. The marquee is a temporary structure and can be removed and the land restored in the future. Given these factors, I am of the view that the retention of the marquee until 2022 is acceptable. I also consider that there are is no significant harm on the openness or character of the Green Belt and subject to safeguarding conditions there would be no impact on the amenities of nearby residents. I therefore consider that the proposed scheme complies with the adopted BDP and the NPPF.

8. Recommendation

- 8.1. Approve, subject to the following conditions:

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|---|---|
| 1 | Requires the acoustic lining shall be maintained. |
| 2 | Limits the music noise levels to a specific level. |
| 3 | Prevents live music being played within or outside the marquee between the hours of midnight and 9 a.m. on any day, other than New Years Eve, when music shall not be played between the hours of 1 a.m. and 9 a.m. |
| 4 | Requires recorded music within the marquee to be played through the installed sound re-enforcement system. |
| 5 | Requires the amplification equipment shall be enclosed and secured to prevent by-passing of the compressor/limiter. |
| 6 | Prevents any other amplification system being used within the marquee. |
| 7 | Requires live music to consist of non-electric string instruments, with a maximum of 4 instruments playing at any one time. |
-

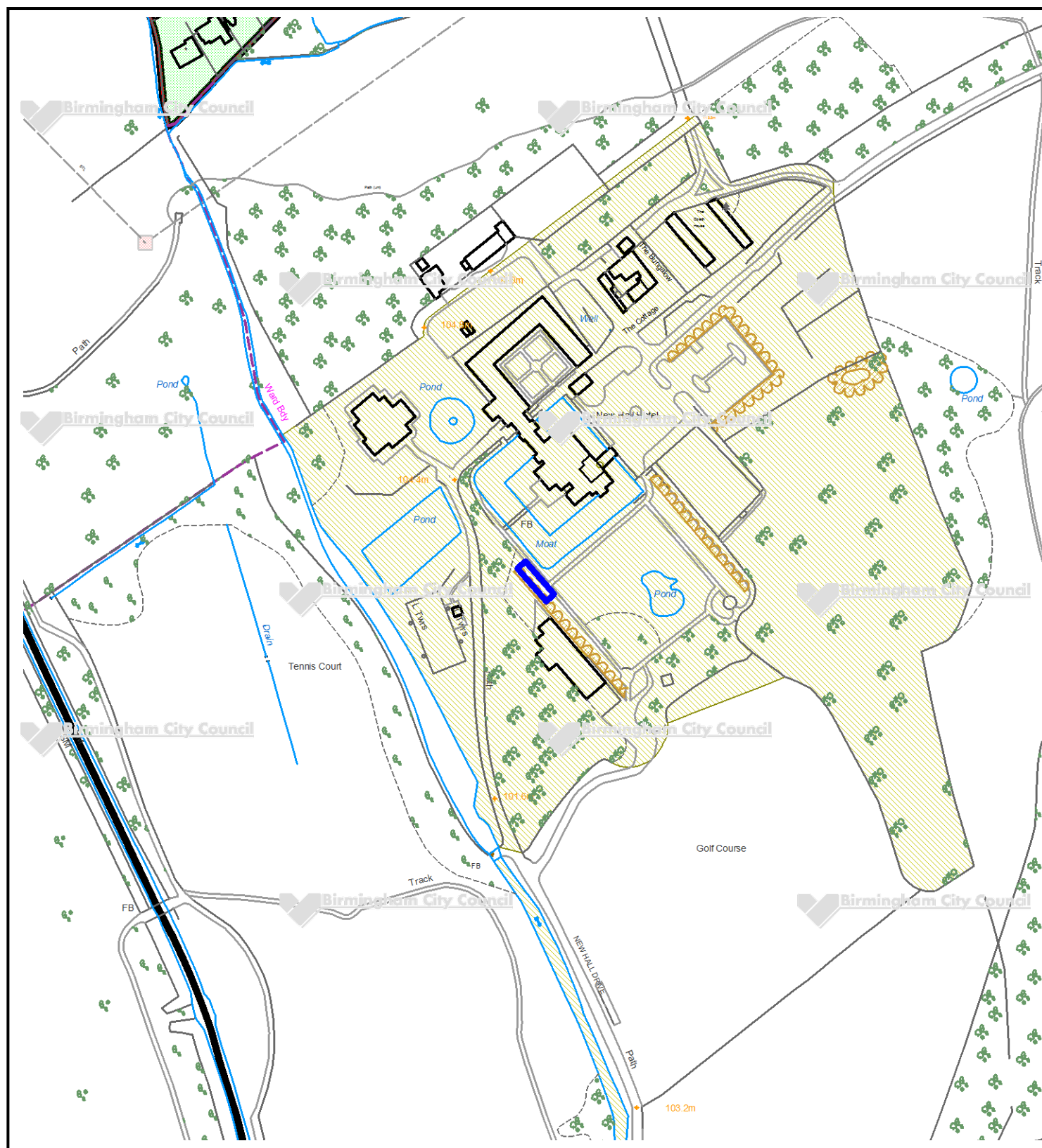
8 Requires the building to be removed by the 14 September 2022 and the land restored to its former condition.

Case Officer: Karen Townend

Photo(s)



Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/05210/PA
Accepted:	09/07/2018	Application Type:	Full Planning
Target Date:	03/09/2018		
Ward:	Sutton Vesey		

76-78 Boldmere Road, Waterloo House, Sutton Coldfield, Birmingham, B73 5TJ

Installation of former GPO red telephone box containing a defibrillator unit fronting 76-78 Boldmere Road (Age Concern premises).

Applicant: Mr Rob Pocock
23 Hawthorn Road, Sutton Coldfield, Birmingham, B72 1ES
Agent:

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Proposal is to install a former GPO traditional red telephone box containing a defibrillator unit on private land fronting 76-78 Boldmere Road (Age Concern premises).
- 1.2. The telephone defibrillator box would measure 2.2m in height and 0.9m in width and would be sited 1m in front of the building façade.
- 1.3. A supporting statement has been submitted which includes all of the required relevant information.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is situated within the Boldmere Shopping Centre which is a Neighbourhood Shopping Area. The surrounding area is predominantly commercial in character with some residential accommodation to the upper floors of the ground floor retail units.
- 2.2. There is an existing defibrillator on Boldmere Road which is attached to the Co-operative Funeral premises (30 Boldmere Road).

[Site Location](#)

3. Planning History

- 3.1. None.

4. Consultation/PP Responses

4.1. Transportation – No objections.

4.2. Regulatory Services – No objections.

4.3. Local ward councillors, residents associations and neighbouring properties have been consulted. A site notice has also been posted. 2 responses received from local residents in support on the grounds of: important addition to the street and agree with the reasons stated in the supporting statement.

5. Policy Context

5.1. The following local policies are applicable:

- Places for All (2001)
- Birmingham Development Plan (2017)
- Birmingham Unitary Development Plan (2005) – Saved policies

5.2. The following national policies are applicable:

- NPPF: National Planning Policy Framework (2018)

6. Planning Considerations

6.1. The main issues to consider with regards to this application are whether the siting, design and appearance of the telephone box to contain the defibrillator unit adversely impacts upon visual amenity or public safety.

6.1. Paragraph 124 of the NPPF states that planning should always seek to secure high quality design. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6.2. Policy PG3 of the Birmingham Development Plan states that new development should have a high design quality that contributes to the strong sense of place. It highlights that development should reinforce and create positive sense of place and local distinctiveness. Saved policies of the UDP – 3.14 – also address the importance of good design.

6.3. The siting of the proposed telephone box to house a defibrillator unit on this part of Boldmere Road is considered acceptable. The defibrillator unit would be located within the central part of the shopping area and would be widely accessible to a number of premises during the day/evening and to the general public. Transportation Development have no objections to the proposal in this location. The proposal would have no impact on pedestrian or highway safety. I concur with this view.

6.4. The design and appearance of the proposed telephone box is acceptable. The traditional red telephone box would not be out of character within this neighbourhood shopping area and would have no harmful impact upon the visual amenity of the street scene.

7. Conclusion

7.1. This application is recommended for approval as the proposed development complies with the objectives of the policies that have been set out above.

8. Recommendation

8.1. That planning permission is granted, subject to conditions.

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

2 Implement within 3 years (Full)

Case Officer: Ricky Chima

Photo(s)



Photo 1 – Front elevation



Photo 2 – Street Scene

Location Plan



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Birmingham City Council

Planning Committee

13 September 2018

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Conditions	14	2017/09088/PA Moseley Hall Hospital Alcester Road Moseley Birmingham B13 8JL Creation of additional car parking of up to 101 spaces with existing access onto Amesbury Road and Alcester Road and proposed re-route of public footpath
Approve - Conditions	15	2018/02549/PA Land at Longbridge West West of Bristol Road South Longbridge Birmingham B45 Erection of 4 employment units (Uses Classes B1b, B1c and/or B2), parking, access, drainage and other associated infrastructure and landscaping
Approve - Conditions	16	2018/03674/PA Land to the rear of 183 Lordswood Road Harborne Birmingham B17 9BP Erection of detached dwellinghouse with associated landscaping, access and parking.

Former Selly Oak Hospital
Raddlebarn Road
Birmingham
B29 6JD

Reserved matters application seeking
permission for appearance, landscaping,
layout and scale of 34 dwellings (Phase 5)
following outline approval 2012/02303/PA

Committee Date:	13/09/2018	Application Number:	2017/09088/PA
Accepted:	23/10/2017	Application Type:	Full Planning
Target Date:	18/12/2017		
Ward:	Moseley		

Moseley Hall Hospital, Alcester Road, Moseley, Birmingham, B13 8JL

Creation of additional car parking of up to 101 spaces with existing access onto Amesbury Road and Alcester Road and proposed re-route of public footpath

Applicant: Birmingham Community Healthcare NHS Foundation Trust
c/o Agent
Agent: GVA
3 Brindleyplace, Birmingham, B1 2JB

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Permission is sought to create 101 additional parking spaces within the grounds of Moseley Hall Hospital. The largest parking area (parcel B) consists of 92 spaces and is located on the south-eastern boundary in close proximity to the site entrance on the Alcester Road (A435). The car park will require the rerouting of a public right of way that links Amesbury Road to the Alcester Road. The route currently runs east to west through the northern part of the application site. The new route would be located further south adjacent to the rear boundary with properties on Reddings Road. The second parking area (parcel A) consists of 9 spaces and would be accessed via Amesbury Road, situated towards the western boundary of the wider hospital site. The parking proposals are one of a number of measures highlighted within the submitted Travel Plan to address parking and congestion on and around the hospital site.
- 1.2. A Tree Report, Planning Statement, Transport Statement, Travel Plan, Heritage Statement, and Statement of Community Involvement have been submitted in support of this application.
- 1.3. [Link to Documents](#)

2. Site & Surroundings

- 2.1. Moseley Hall is a community hospital offering general medical and sub-acute care for both inpatients and outpatients. The main access to the site is on the Alcester Road although a secondary access exists via Amesbury Road. The proposal is located in close proximity to the Neighbourhood Centre of Moseley where there are a range of Class A uses. The site is bounded by residential development to the south and west with the neighbourhood centre located to the east. The site falls

within the Moseley Conservation Area. The original Moseley Hall building within the heart of the site is Grade II listed and there are also 2 Grade II listed buildings on the south eastern boundary of the site, which are known as 'the Dovecote' and 'the building the north east of the Dovecote'. Moseley Centre is well-served by buses, and the former train station is due to re-open for passenger services in some two years' time.

3. Planning History

Extensive, including:

- 3.1. 23/12/2004 – 2004/06483/PA – Demolition of building and erection of new mental health hospital – Approved with conditions
- 3.2. 15/07/2005 – 2005/01376/PA – Construction of new chapel and multi-faith room – Approved with conditions
- 3.3. 27/09/2007 – 2006/05406/PA - Proposed overspill car park – granted on appeal
- 3.4. 31/07/2008 – 2008/03018/PA – Demolition of 2 ward blocks and erection of 54 bed older adult mental health facility – Approved with conditions
- 3.5. 20/08/2008 – 2008/03017/PA – Erection of 54 bed older adult mental health facility – Approved with conditions

4. Consultation/PP Responses

- 4.1. Transportation – no objections subject to conditions.
- 4.2. Regulatory Services – No objection subject to conditions.
- 4.3. Police – No objection
- 4.4. Georgian Group – Object as proposal is harmful to the historic landscape, conservation area and listed buildings. The proposal has not been fully justified.
- 4.5. Victorian Society – Object due to negative impact on the character and appearance of the Conservation Area. Concerns that approval would set a precedent for further parking
- 4.6. Ramblers City of Birmingham Group – Object due to insufficient evidence to justify proposals and access to relocated path is obscured.
- 4.7. Local occupiers, Ward Councillors, MP and resident associations were notified. Two site notices and a press notice have been displayed, with 18 letters of objection received. The following concerns have been raised:
 - Harm to Conservation Area and listed building;
 - Noise, light and air pollution adjacent to residents gardens;
 - Increased security risks for adjacent houses;
 - Insufficient evidence to confirm that extension is necessary;
 - Relocation of footpath is unsatisfactory;
 - Loss of green space;

- Unsatisfactory consultation by NHS Trust;
 - Contrary to BDP and Moseley SPD;
 - NHS is wasting public money with this application;
 - Increased congestion and highway safety concerns; and
 - Loss of trees
- 4.8. Two letters of support was received which indicated that increased on-site parking would reduce parking levels on local roads.
- 4.9. Responses have been received by 5 different local organisations, namely The Moseley Society, Russell Road Residents Association, Amesbury Residents Group, Moseley Regeneration Group and The Redding and Amesbury Road Residents Association. The following objections have been raised:
- No evidence to justify proposals;
 - Increased congestion and safety concerns;
 - Harmful to the Conservation Area; and
 - Unsustainable way to address parking issues
 - No need for additional parking;
 - Relocation of public right of way unacceptable; and
 - Loss of green space;
 - Unsustainable form of development; and
 - Approval would set precedent for further expansion; and
 - Insufficient community engagement by NHS Trust

5. Policy Context

- 5.1. The following local policies are applicable:
- Birmingham Development Plan (BDP) 2031
 - Birmingham Unitary Development Plan (UDP) Saved Policies 2005
 - Car Parking Guidelines SPD
 - Moseley SPD
- 5.2. The following national policies are applicable:
- National Planning Policy Framework 2018 (NPPF)

6. Planning Considerations

- 6.1. I consider the key planning issues to be considered are: the loss of open space, the impacts on traffic and highway safety; the impact upon a public right of way; the Impact upon designated heritage assets; the impact on residential amenity; and the impact on trees.
- 6.2. Loss of open space
- 6.3. BDP policy TP9 addresses open space matters. I would define the larger piece of land (car park B) as 'open space', given its size, position and natural features. Policy TP9 states that planning permission will not normally be granted for development on open space except where:
- "it can be shown by an up to date assessment of need that the open space is surplus taking account of a minimum standard of 2 ha per 1,000 population and the accessibility and quality of remaining public open spaces;

- The lost site will be replaced by a similar piece of open space, at least as accessible and of a similar quality and size;
 - Where an open space is under used as it has inherent problems; or
 - The development is for alternative sport or recreation provision, the benefits of which clearly outweigh the loss”
- 6.4. In this instance, 3 of the 4 criteria listed above do not apply to this application. However, the first criteria regarding whether there is a surplus of open is relevant. The ward of Moseley has 7.28ha of open per 1000 population which comfortably exceeds the minimum standards. With the ward including substantial areas of accessible and good quality open space such as Highbury Park, Moseley Park and Cannon Hill Park the loss of the application site would not unduly impact upon the access to good quality open space for local residents. The loss of approximately 2,600sqm of open space on the application site therefore accords with Policy TP9 of the BDP.
- 6.5. Impact on Traffic and Highway Safety
- 6.6. Policy TP38 of the BDP states that “The development of a sustainable, high quality, integrated transport system, where the most sustainable mode choices also offer the most convenient means of travel, will be supported.” One of the criteria listed in order to deliver a sustainable transport network is ensuring that that land use planning decisions support and promote sustainable travel. Policy TP44 of BDP is concerned with traffic and congestion management. It seeks to ensure amongst other things that the planning and location of new development supports the delivery of a sustainable transport network and development agenda.
- 6.7. A Travel Plan has been submitted with the planning application. The Survey work undertaken indicates that the current car parks at the hospital site are insufficient to meet the demand arising from both staff and visitors. This has led to increased use of local roads and instances of illegal parking. To address this matter the Travel Plan sets out a number of recommendations. In addition to the provision of additional car parking the NHS Trust are proposing the following measures:
- Charging for staff and visitor parking;
 - Improved signage for designated parking areas;
 - Improvement parking enforcement with barrier entry/exit introduced;
 - Staff car sharing scheme;
 - Promote public transport usage to staff;
 - Promote shower, lockers and changing facilities to staff;
 - Improve public transport information on website; and
 - Annual travel survey with staff to monitor progress
- 6.8. There are currently 294 formal parking spaces within the site. BCC Car Parking Standards SPD (February 2012) for hospital uses recommends 1 space per 2 staff and 1 space per 2 beds. With a stated 806 staff and 180 beds, up to 493 spaces is suggested. The proposed scheme would raise the total parking provision to 395 spaces. The level of on-site parking provision will therefore remain comfortably below the maximum level recommended by the SPD.
- 6.9. The larger proposed car park will require the re-routing of public right of way no. 2692 linking Alcester Road to Amesbury Road. This route was created on 19/01/2010 following a public inquiry. The order decision required the footpath to be 1.8m wide. The proposed diverted route will exceed this requirement with a 2m width constructed with Gridforce Geogrid seeded with grass. The intended new

footpath route would be located further south closer to the rear boundary of properties on Reddings Road.

- 6.10. The proposal does not include any intention to expand the hospital in terms of extensions or increased patient numbers within the existing buildings. Transportation Development consider that a clear demand for this increase in parking has been demonstrated and importantly they note that additional parking is only one of many measures proposed by the NHS to holistically address the parking problem in the long term. Consequently they do not object to either the car park extension or the relocated right of way, subject to conditions. Despite the concerns raised by some local residents, I concur with Transportation Development that the package of measures presented would help address current parking problems at the site.
- 6.11. Impact upon a Public Right of Way
- 6.12. As stated previously the proposal requires the diversion of public right of way no. 2692. The new and proposed route is clearly shown on Plan No. SK0024 Rev. 001. A number of objections have been raised regarding this matter however the new route ensures that a safe and accessible route is retained between the Alcester Road and Amesbury Road. Importantly Transportation Development do not object to the new route and I concur with this view.
- 6.13. To implement this permission the applicant will need to submit an application to the Department for Transport to formally divert the right of way under Section 247 of the Town and Country Planning Act 1990. Only after the diversion has been confirmed will the applicant be able to implement their permission.
- 6.14. In summary, no objection is raised to the diversion of a public right of way numbered 2692 and subject to the approval of this application the Department for Transport (DFT) will be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990.
- 6.15. Impact on the Historic Environment
- 6.16. The site is located within the designated Moseley Conservation Area. The original Moseley Hall building within the heart of the hospital site is grade II listed. It is understood that the land around the Hall was a landscaped parkland designed by Humphry Repton, although this land has no statutory designation beyond its Conservation Area status. There are also 2 grade II listed buildings adjacent to the site entrance on Alcester Road, which are known as 'the Dovecote' and 'the building to the north east of the Dovecote'.
- 6.17. Paragraph 193 of the NPPF indicates that when local planning authorities are considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Paragraph 196 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.18. The Conservation Officer acknowledges that the site has been the subject of significant changes over time. Firstly the urbanisation of Moseley has had a diminishing impact on the curtilage of the Hall, and secondly significant development of new buildings across the site has harmed the setting of the Hall.

- 6.19. In this instance the proposal would result in the loss of approximately 0.285 ha of undeveloped grassland within the hospital site. The Conservation Officer considers that the smaller area of parking accessed via Amesbury Road is sensitive and will cause limited harm to the Conservation Area. The Conservation Officer notes that the area accessed via the Alcester Road is somewhat more dominant although he acknowledges that there is limited intervisibility with public aspects to the road and the hall itself. Overall he considers the development of this area significantly diminishes the hospital's land. Although a condition has been attached requiring a detailed landscaping scheme which could deliver some enhancements. Taking into account paragraph 196 of the NPPF it is considered that the proposal causes 'less than substantial harm' to both the Conservation Area and listed Moseley Hall. It is therefore necessary to consider whether there are any public benefits to outweigh this less than substantial harm. Through the submitted Transport Statement and Travel Plan the applicant has demonstrated that there are insufficient levels of parking across the site when compared to the size of the hospital and the range of services offered. This is acknowledged by the Transportation Development Officer who notes that even with the proposed extension the size of the car park would fall well below the maximum level recommended within the Car Parking Standards SPD. The insufficient parking has led to instances of illegal parking and high levels of parking on local residential streets. Alongside the package of measures identified in the Travel Plan it is considered that the proposal can help to address these matters and consequently the improvements to parking in and around the hospital amount to the public benefits to outweigh the 'less than substantial harm' to the designated heritage assets, in my opinion.
- 6.20. Impact on Residential Amenity
- 6.21. The smaller car park of Amesbury Road would be enclosed between hospital buildings and trees and consequently has no discernible impact on local residents. Greater concerns have been raised over the larger car park which backs onto Reddings Road. No's 2-22 (evens) would have parking spaces within 4.4m of their rear boundary at the nearest point. The relocated footpath would be closer to the boundary with these residential properties, at a distance of 2.7m at the nearest point. Concerns have been raised over noise, light and air pollution as well as the potential for increased instances of crime. No lighting is proposed adjacent to the boundary and any noise is likely to occur during the daytime when the car park is likely to be used to its full capacity. Environment Protection Officers have been consulted and raise no objection to the scheme subject to the provision electric vehicle charging points in 10% of spaces. It is important to note that there are a number of mature trees along the boundary with Reddings Road which along with existing 1.8m fencing and trees and mature gardens provide a good level of screening from the car park. I also note the length of the Reddings Road gardens, with the houses sited in excess of 40m from the proposed car park. Importantly West Midlands Police raise no objection to the proposal. There is therefore no reason to suggest that an increase in crime or anti-social behaviour is likely if the scheme is approved particularly as the current boundaries and access to them would remain unchanged. In summary, I consider that the proposal will have no undue impact on the occupiers of adjacent properties.
- 6.22. Impact on Trees and Landscape
- 6.23. The scheme does not require the removal of any trees to facilitate the development and subject to the use of suitable construction methods the proposal would not unduly impact on any trees. The Tree Officer notes that the new route of the public right of way need not divert so sharply around tree T9 as long as suitable no dig

methods are used. Whilst there is an increased risk that users of the path will shortcut across the unsurfaced gap, it is not considered that walking underneath tree T9 would cause substantial damage to it. Consequently Tree and Landscape officers raise no objection to the scheme subject to conditions.

7. Conclusion

- 7.1. The proposed development would be in accordance with, and would meet policy objectives and criteria set out in, the BDP and the NPPF. The scheme would be acceptable in terms of its heritage, amenity, highways and landscape considerations. While providing more car parking, there would be a concurrent greater focus on public transport and support for cycling (Travel Plan, and changing facilities). Therefore, I consider the proposal would constitute sustainable development and it is recommended that planning permission is granted.

8. Recommendations

- 8.1. Approval subject to conditions

- 8.2. That no objection be raised to the diversion of a public right of way numbered 2692 and that the Department for Transport (DFT) be requested to make an Order in accordance with the provisions of Section 247 of the Town and Country Planning Act 1990

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- | | |
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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires compliance with submitted commercial travel plan |
| 3 | Requires the order to divert of the public right of way to be approved prior to commencement |
| 4 | Requires the provision of vehicle charging points |
| 5 | Arboricultural Method Statement - Submission Required |
| 6 | Requires the prior submission of hard and/or soft landscape details |
| 7 | Requires the prior submission of hard surfacing materials |
| 8 | Requires the prior submission of a lighting scheme (if proposed) |
| 9 | Requires the prior submission of cycle storage details |
| 10 | Implement within 3 years (Full) |
-

Case Officer: Andrew Fulford

Photo(s)

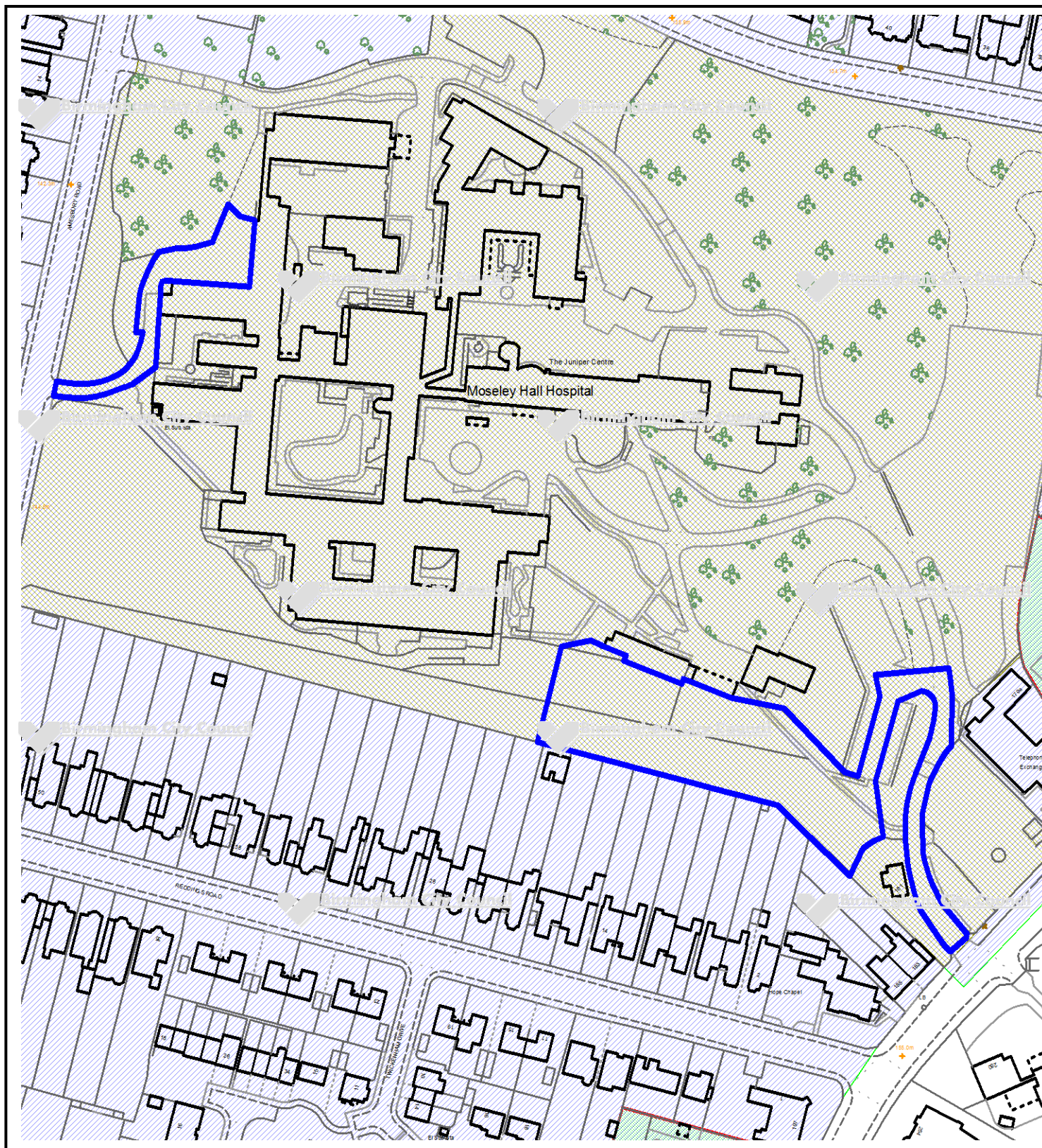


Photo 1: View South towards the area proposed for Car park A



Photo 2: View west towards the proposed car park B

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/02549/PA
Accepted:	03/04/2018	Application Type:	Full Planning
Target Date:	30/09/2018		
Ward:	Northfield		

Land at Longbridge West, West of Bristol Road South, Longbridge, Birmingham, B45

Erection of 4 employment units (Uses Classes B1b, B1c and/or B2), parking, access, drainage and other associated infrastructure and landscaping

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

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the erection of four, Use Class B1 (excluding offices) light industrial/research and development and/or B2 general industrial employment units, parking, access, drainage and other associated infrastructure and landscaping at Phase One of the Longbridge West Regional Investment Site development.
- 1.2. Unit 1 would be located at the front corner of the site adjacent to, and in alignment with, the retail units fronting Bristol Road South and backing onto the rear gardens of residential properties in Broughton Crescent. The unit would be 60.77m in depth, 63.8m in width and 10.7m in height. The unit would be accessed via the new estate road from Bristol Road South (also forming part of application 2017/10775/PA) direct into the units service yard and 56 car parking spaces (4 of which would be accessible and 3 electric charging points). 6 cycle spaces are also proposed to the front of the unit. The unit would 'front' the estate road with its main entrance being off the car park. 263sq.m of ancillary offices is proposed on the first floor providing an active frontage to Bristol Road South along with toilets, showers and locker areas on both floors. The unit would have a floor space of 4,268sq.m (gross internal) and 4,380sq.m (gross external). Its design would be of a modern industrial unit with horizontally and vertically laid cladding in a mixture of greys and white. The south east elevation fronting Bristol Road South would have a large windowed entrance on the corner, wrapping around onto the south west elevation, and windows running along the frontage at both ground and first floor. The north west elevation fronting the service yard would have six loading bay doors, 3 of which would be dock levellers.



Figure 1: Unit 1 and entrance to site

- 1.3. Unit 2 would be located opposite unit 1 on the other side of the estate road and would have a floor space of 3,180sq.m (gross internal) and 3,375sq.m (gross external). The unit would measure 59m in width, 49m in depth and would be 10.6m in height. The main entrance to the unit would be opposite unit 1's and would be located on the corner of the estate road and Bristol Road South. 39 parking spaces are proposed which would include 3 accessible spaces and 3 electric charging points. 6 cycle spaces are also proposed. The car park would be located fronting the estate road (from the Bristol Road South) and accessed, along with the service yard, off a spur road, off the main estate road. 164sq.m of ancillary office space is proposed at first floor fronting the Bristol Road South along with toilets, showers and locker areas on both floors. Its design would be of a modern industrial unit with horizontally and vertically laid cladding in a mixture of greys and white. The south east elevation fronting Bristol Road South would have a large windowed entrance on the corner and windows running along the frontage at both ground and first floor. The large windowed entrance would wrap around onto the north east elevation. The north west elevation fronting the service yard would have three loading bay doors, 2 of which would be dock levellers.



Figure 2: Units 3, 2 and 1 fronting Bristol Road South

- 1.4. Unit 3 would be sited adjacent to unit 2 fronting Bristol Road South with its service yard to the rear. The buildings are sited next to each other to allow for the joining of both units if an occupier required a larger unit size. As such, the service yards could also be combined. The car park would be located to the rear and accessed off an estate spur road, as per unit 2. 53 parking spaces are proposed including 3 accessible spaces and 3 electric charging spaces. 6 cycle spaces are also proposed. The unit would have a gross internal floor area of 4,435sq.m and a gross external floor area of 4,667sq.m. The unit would measure 82.3m in width, 49m in depth and 11.7m in height. 294sq.m of ancillary office space is proposed at first floor fronting the Bristol Road South along with toilets, showers and locker areas on both floors. Its design would be of a modern industrial unit with horizontally and vertically laid cladding in a mixture of greys and white. The south east elevation fronting Bristol Road South would have a large windowed entrance on the corner and windows running along the frontage at both ground and first floor. The large windowed entrance would wrap around onto the south west elevation. The north west elevation fronting the service yard would have six loading bay doors, three of which would be dock levellers. The entrance to unit 3 would be located adjacent to a proposed surface water collection pond.
- 1.5. Unit 4 would be sited adjacent to unit 1 and would be the largest of the four units proposed within phase one. The unit would be 74.3m in depth and 75m in width with a height of 10.7m. It would have a floor space of 6,132sq.m (gross internal) and 6,345sq.m (gross external). The service yard would be located to the west of the unit whilst the car park would be to the south, at the front of the proposed unit. The unit would be located to the rear of residential gardens in Broughton Crescent and residential flats and houses in The Roundabout. 60 car parking spaces including 4 accessible spaces and 3 electric charging spaces are proposed along with 6 cycle spaces. 428sq.m of ancillary office space is proposed at first floor fronting the estate road along with toilets, showers and locker areas on both floors. Its design would be of a modern industrial unit with horizontally and vertically laid cladding in a mixture of greys and white. The south east elevation fronting the estate road would have a large windowed entrance on the corner and windows running along the frontage at both ground and first floor. The large windowed entrance would wrap around onto the north east elevation. The south west elevation fronting the service yard would have seven loading bay doors, three of which would be dock levellers.
- 1.6. 2.4m high paladin fencing would secure the proposed service yards.
- 1.7. Significant landscaping areas are proposed fronting Bristol Road South and along the estate road frontages along with the landscaping of the proposed surface water collection ponds of which two are proposed running within the application site alongside the river corridor.
- 1.8. The units would operate 24 hours a day, 7 days a week.
- 1.9. The application is supported by a Design and Access Statement; Flood Risk Assessment; Sustainable Drainage Assessment; Noise Assessment; Planning Statement; Minerals Impact Assessment; Land Contamination Assessment; Transport Assessment and Draft Travel Plan.
- 1.10. Amended plans have been submitted during the course of the application that amend the position of units 2 and 3 to align them allowing for them to be combined at a future point, (if required by an occupier and subject to planning permission). An

amended flood risk assessment has also been received at the request of the Environment Agency that has provided more detailed modelling of the adjacent River Rea.

- 1.11. The planning application is screened regarding the requirement for an Environmental Impact Assessment and the Local Planning Authority determines that one is not required.
- 1.12. Site area: 9Ha.
- 1.13. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located to the west of the A38 Bristol Road South opposite Longbridge Technology Park and Longbridge Lane. The site comprises of 9 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). 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. Awaiting determination. 2017/10775/PA. Reprofiting of levels, river (including new floodplain) works, vehicular bridge, highways, pedestrian/cycle and associated infrastructure – Longbridge West – Regional Investment Site.

- 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 (site located south of application site). 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 former Northfield and Longbridge Wards, MP and resident associations notified. A site notice was posted and a press notice published to further advertise the application. 5 letters received from local residents and former Longbridge Councillor Carole Griffiths.
- 4.2. Former Councillor Carole Griffiths was in support of the application if the proposed development was for manufacturing purposes.
- 4.3. The other four responses were of comment/objection on the following grounds:
- Overlooking from new units into private gardens of properties in Broughton Crescent.
 - Positive about employment uses.
 - Concern over close proximity to residential properties of units 1 and 4.
 - Noise from units and deliveries.
 - Parking should be located away from residential boundaries.
 - Landscaping would dull noise levels and increase privacy.
 - The site is on a slope that already floods – this issue will be further exacerbated from this development.
 - Increase in traffic.
 - Buildings will be an eyesore – something more contemporary would be appropriate.
 - Air pollution and smell from the proposed units.
 - Overshadowing and loss of light.
 - Impact on the proposal under Article 8 of the Human Rights Act which states that a person has the substantive right to respect for their private and family life.
 - Residential gardens back onto the application site and it is quiet – would like to keep it this way.
 - Land would be better used as something for the community – an indoor play area, skate park, BMX track, basketball court and a park along with a community centre for people to socialise.
- 4.4. Transport for West Midlands – No objection
- 4.5. West Midlands Fire Service – suitable water supplies for fire-fighting should be provided in consultation with the Fire Service once a water scheme plan has been produced and approved by the water company. All vehicle access routes require a carrying capacity of 15 tonnes for fire appliances.
- 4.6. Highways England – no objection.
- 4.7. Regulatory Services – no objection subject to contaminated land condition.
- 4.8. Environment Agency – no objection.
- 4.9. Severn Trent Water – no objection subject to a drainage condition.
- 4.10. West Midlands Police – The location is set back from the busy Bristol Road South Road. The parking provision for the 4 units appears to be 203 spaces with an

additional 30 cycle spaces. Given the range of potential uses for this proposal it is difficult to determine whether this will be sufficient. All alarms installed should be to a police response alarm standard. CCTV should be installed to cover the outside of all the buildings, external views of all entrances /exits to the buildings, all parts of the car parks, all of the cycle storage areas, the vehicle entrances, the service yards and internal facial views of anyone entering the buildings through any access point. Any images should be of a evidential quality and should be held on an accessible system for a minimum of 31 days. I would recommend that any CCTV system installed be of a type that can be monitored off site.

Where proposed, the boundary treatment plan would appear to be appropriate for this site, i.e. the 2.4m high paladin fencing installed to secure the service yards. However I do note that the current plan will only provide additional layers of security to one side (out of the four) for all of the employment units, thus leaving three sides exposed to easy approach and access. Some of the sides of the buildings will be significantly more remote than the others, leaving those facades of the building more vulnerable to attack or criminal damage, such as graffiti. Recommend that consideration be given for the installation of perimeter treatments around all four sides of each of the four units. Further recommend that the site be the subject of an on-site security presence. If that is not possible the site should be covered by a CCTV monitoring facility with a clear first response option. Also recommend that any exposed flat surfaces of any of the four units be treated with an anti-graffiti product. This will assist in the long term maintenance of the site and reduce the payoff for offenders. A well maintained site will be more likely to be used appropriately.

- 4.11. Lead Local Flood Authority – no objection subject to sustainable drainage conditions.
- 4.12. Transportation - No objection. The application is for four B1/2 units on West works. The Longbridge AAP has previously considered a level of development across the whole redevelopment area and this application is supported by a TA. This includes modelling which is based on a 2016 update of the local area traffic model, including 2016 traffic count data and incorporating committed developments. This notes no significant issues on the local network which is also currently being improved with the Longbridge Connectivity works. A separate application submitted under 2017/10775/PA provides some of the highway infrastructure to support the redevelopment of West Works, and these are replicated in this application. The units have sufficient levels of car parking that meet the BCC adopted maximum parking guidelines. Request conditions are attached relating to covered cycle parking, construction management plan and access road in place prior to occupation.

5. Policy Context

- 5.1. Birmingham Development Plan (BDP); NPPF, NPPG, Longbridge Area Action Plan (AAP) (2009), Saved Policies of the Birmingham UDP (2005), 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. All elements of the development plan contain policies relevant to this application, so that the development plan is not 'absent' or

'silent'. The remaining issue, therefore, is whether the development plan is 'up to date'. As the BDP was only adopted in January 2017 and this included a number of saved policies from the Birmingham UDP, and the AAP was adopted in April 2009 and is in the process of being reviewed following the transference of a number of key policies from the AAP to the BDP, I consider that all relevant policies are 'up-to-date'.

- 6.2. 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.
- 6.3. Paragraph 5.115 identifies that the AAP *"seeks to respond to the closure of the former MG Rover plant by proposing an employment led approach to regeneration. It seeks to create jobs across a range of skills and types, protecting existing employment, creating new employment and securing the economic diversification of the area. The RIS will contribute around 4,500 jobs."* Paragraph 5.116 goes on to state that *"all the proposals in the AAP emerged from extensive consultation with the local community, stakeholders and other key partners."*
- 6.4. 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."

- 6.5. The application site is located on land allocated as a Regional Investment Site within the AAP and the BDP. The AAP states that the RIS will comprise the following:
- *"An area of 25ha gross.*
 - *A floor space and use class breakdown for new development of:*
 - *A technology park of at least 15ha to provide a minimum of 100,000sq.m of B1b (research and development)/B1c (light industry) and B2 (general industrial) and high quality high technology uses which support the objectives of the RIS.*
 - *A maximum of 25,000sq.m of B1a (office) for firms that support and complement the high technology sector and the objectives of the RIS.*
 - *A maximum total of 10,000sq.m of floor space for services and amenities primarily for use of staff and businesses and integrated into the development e.g. meeting and conference facilities, cafes, sandwich shops and newsagents, crèche, gym and hotel."*
- 6.6. Policy TP18 of the BDP covers Regional Investment Sites and states that they are *"large high quality sites attractive to national and international investors in the order of 25 to 50 hectares that are:*

- *Served or capable of being served by multi-modal facilities and broadband IT infrastructure.*
- *Possess good quality public transport links.*
- *Located within or close to the areas of greatest need and*
- *Accessible to effective education and training opportunities to ensure that the employment benefits are available to the local workforce.*

Development on these sites will be restricted to uses falling within Use Classes B1 and B2. Warehousing will only be permitted where it is ancillary to the main B1 or B2 use. Complementary facilities to the RIS such as leisure facilities, small-scale retail and conferencing facilities may be permitted but only at an appropriate scale and ancillary to the main B1/B2 use of the site. The potential for supporting facilities to be provided off site, through either new or existing facilities; will also be taken into account."

- 6.7. Planning permission is sought for the erection of four units, phase one of the wider regional investment site development on west works, for Use Classes B1b (research and development), B1c (light industrial) and B2 (general industrial). The proposed uses would comply with Policies TP18 of the BDP and RIS 1 of the Longbridge AAP. As such, I consider the principle of the development to be in accordance with development plan policy.

Design and Landscaping

- 6.8. Policy PG3 of the BDP states that *"All new development will be expected to demonstrate high design quality, contributing to a strong sense of place. New development should:*
- *Reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovation in design.*
 - *Create safe environments that design out crime and make provision for people with disabilities through carefully considered layouts, designing buildings and open spaces that promote positive social interaction and natural surveillance.*
 - *Provide attractive environments that encourage people to move around by cycling and walking.*
 - *Ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term.*
 - *Take opportunities to make sustainable design integral to development, such as green infrastructure, sustainable drainage and energy generating features.*
 - *Support the creation of sustainable neighbourhoods.*
 - *Make the best use of existing buildings and efficient use of land in support of the overall development strategy."*
- 6.9. Paragraph 31.4D of the Birmingham UDP (saved policies) refers to the same principle design guidelines as that of Policy PG3 of the BDP.
- 6.10. The proposed development seeks permission for four industrial units all of which would front either the A38 Bristol Road South or the proposed new internal estate road. The units have been designed to front the main frontages despite the entrances not necessarily being located on the main frontage. Car parking has been located adjacent to the proposed units with service yards adjacent. Both car parking and servicing for each unit would be accessed from the same unit access point reducing hard surfacing and access points where possible. The design of the units matches many traditional large industrial wide span units which are primarily steel

span and clad. The proposed cladding would be a mixture of greys and whites however, the materials approval would be required by condition agreement, as recommended below.

- 6.11. My City Design Advisor considers that in many ways the scheme works well in urban design terms. A coherent frontage would be presented to Bristol Road South, more or less following an established building line, with space in front for a considered landscape scheme including trees. The office elements are located to activate Bristol Road South and the new access roads. Entrances are located on key corners to provide maximum benefit and natural surveillance, and close to staff parking. Servicing areas are away from main routes as far as possible.
- 6.12. The scale of the proposed development is as expected and not out of keeping with other large format buildings nearby, such as the College and the Innovation Centre. In terms of materials, my City Design Advisor is concerned by the grey palette which is a bit uninspiring and lighter colours might lift the appearance. A brick base to the buildings would help to unify the range of materials and set the bar for a higher quality, however as identified above, final material use would be subject to agreement by condition.
- 6.13. Based on the proposed design and my City Design Advisor's comments, I consider that the proposed development would be acceptable in scale and design and would present a considered design to the provision of large scale/span buildings for the purposes of B1b, B1c and B2 as sought for the regional investment site.
- 6.14. In relation to landscaping, the submitted site plan and unit plans indicate that sufficient space would be made available for landscaping to all frontages of the proposed development. Two surface water collection ponds are also proposed alongside unit 3 and the River Rea corridor. No existing trees or vegetation are affected by the application proposals – the site is part tarmacked. Whilst detailed landscaping plans have been submitted as part of this application, details are still recommended to be sought via a condition below and my landscaping and ecology officers consider this an appropriate way forward to secure the correct landscaping scheme for the site and the adjacent surface water ponds proposed.

Residential Amenity

- 6.15. A number of objections have been received from residents in Broughton Crescent relating to the impact of the proposed development on privacy, light, noise, overshadowing and flooding. The issues of noise and flooding are covered later in this report.
- 6.16. The nearest residential unit would have its rear boundary approximately 7.6m from the proposed unit 1. However, the majority of rear boundaries would be in excess of 15m from the service yard/unit boundaries. The separation distances from the properties themselves to the units proposed would be a minimum of 31m at 109 Broughton Crescent, rising to 33m at 103 Broughton Crescent and increasing to over 40m for the rest of residential properties adjacent to the site. The flats located at 126 The Roundabout would not directly face onto the proposed units as all windows face east or west rather than south. These separation distances comply with the guidelines outlined in Places for Living which require a minimum separation of 15.5m for a three storey flank wall (of which the proposed 10.6m units are equivalent). Based on this separation distance, and whilst I understand the concerns raised as the residents have got used to living next to a vacant site, the proposed

development would not have an adverse impact, sufficient to warrant a refusal of planning permission, in relation to loss of light and overshadowing.

- 6.17. In relation to overlooking and loss of privacy, there are no windows in either unit 1 or 4 overlooking the properties in Broughton Crescent. As such, and given the existing 1.8/2m rear residential boundary, I consider that no loss of privacy or overlooking would occur from either the unit or their adjacent service yards. The relevant separation distances previously outlined, also reduce the risk of overlooking occurring.

Highways and Parking

- 6.18. The application is accompanied by a transport assessment and draft travel plan. The assessment identifies that a significant number of highway infrastructure improvements have been secured and undertaken under previous Longbridge planning permissions including Longbridge Lane widening and junction improvements to the A38, signalised junction with Lickey road and a new town centre access road. The site is located within 500m of Longbridge Railway Station connecting the site to the Cross City Line running from Lichfield to Redditch through Longbridge. Bus stops are located on the A38 Bristol Road South within walking distance from the site with a minimum of 10 bus routes serving the site with a frequency of at least 1 per hour to a maximum of 6 per hour. These services run not only into Birmingham but also to Worcester, Droitwich Spa and Solihull.
- 6.19. The proposed development would form the first phase of development on the RIS and would take access from a new spine road (currently awaiting determination) via the A38/Longbridge Lane signalised junction and a new signalised junction with the A38. The relevant section of the new spine road is mirrored in this application. 203 car parking spaces are proposed of which 16 would be for blue badge holders. Each unit would have 6 cycle stands providing parking for 12 cycles. The layout of the road and service yards have been assessed for delivery vehicle manoeuvres and details of the swept path analysis submitted.
- 6.20. Existing traffic flows, trip generation figures, linked trip analysis and junction capacity has been reviewed as part of the assessment. The assessment identifies the likely traffic demand generated by the development as 130 vehicles in the weekday AM peak with 77 departing and 65 arriving with 119 departing in the weekday PM peak. The assessment concludes that the development traffic effects would be acceptable, the existing junctions would operate within capacity and there are no highway safety issues that would have a negative impact on the proposed development.
- 6.21. Transportation has reviewed the proposal and the supporting transport assessment and travel plan. They conclude that the proposals would not impact on either the Longbridge Connectivity Project, currently underway, or the finished highway network. They note that the proposed parking provision is lower than the recommended maximum but considers that due to the location of the development, close to bus stops and Longbridge Railway Station, the parking provision proposed falls readily into those maximums.
- 6.22. Transportation agrees with the conclusions of the capacity assessments and trip generation rates and agrees that the proposal is unlikely to impact significantly on the highway network. As such, they raise no objection subject to conditions relating to construction management, cycle parking provision and that the access road is in place prior to occupation of the units. I concur with their view that the proposal is acceptable in relation to highway impact and parking.

Flood Risk and Drainage

- 6.23. The submitted Flood Risk Assessment identifies that the site sits within Flood Zones 1, 2 and 3 due to the proximity of the River Rea. However, the proposed employment development would be within the less vulnerable development category. Detailed fluvial river modelling has been undertaken for previous phases of development which show that the proposed development is located outside of the flood extents of the 1 in 100 year event, with a localised area to the south east identified to be at risk of flooding in the 1 in 1000 year event. Further detailed fluvial river modelling has been undertaken to support the infrastructure application (2017/10775/PA) which identifies the proposed development (sought under this application) to be located outside of the 1 in 100 year and 1 in 1000 year flood events.
- 6.24. The Environment Agency has raised no objection to the proposed development, following the submission of further river modelling, and I concur with their view. The proposed development would raise no objection in relation to flood risk.
- 6.25. The application is also supported by a surface water drainage strategy. At present, the River Rea runs south of the site and the site currently drains into it. The River Rea currently crosses into the application site in a temporary channel constructed to enable works to naturalise the river channel north of the defence medicine site. There are combined, foul and surface water Severn Trent sewers in the adjacent highways.
- 6.26. The drainage proposals would provide the required drainage to limit run off for all drainage events up to the 1 in 100 year; plus climate change to greenfield rates. The proposed development would see Unit 1 and its adjacent highway connect into the existing Severn Trent surface water sewer with Bristol Road South as the site topography and site levels do not allow a connection to be made into the River Rea. The remaining units and highway would discharge into the River Rea. The exact drainage strategy is still being designed and as such, sustainable drainage such as green roofs and filter strips are still being investigated. However, pervious surfaces, swales and infiltration basins have all been discounted due to space constraints, ground contamination and traffic loading weights. Two attenuation basins are proposed as part of this development (to be determined whether they feasibly hold some water all of the time) whilst geocellular storage is proposed for unit 1.
- 6.27. The LLFA has raised no objection as overall they are in acceptance of the principles within the FRA and Surface Water Drainage Strategy. The Environment Agency has also raised no objection. Severn Trent Water also raises no objections subject to conditions. Conditions are sought by all relevant drainage consultees relating to development in accordance with the FRA and sustainable drainage and these are recommended below.
- 6.28. I note the objection relating to existing flooding on the site due to existing topography however, I consider that the proposed development would improve this existing situation as any surface water that followed the topography of the site, downhill towards the A38, would now be captured within Units 1 and 4 and discharged in accordance with the surface water proposals, thereby reducing surface water flooding on site.

Noise

- 6.29. A noise assessment has been submitted in support of the application and the assessment undertook measurements at the nearest residential dwelling in The Roundabout (adjacent to proposed unit 4). This assessment measured the mean daytime ambient noise level at LAeq, 16hr 52.8dB. The typical lowest background noise level measured was LA90 (1 hour) 46dB during late evening and LA90 (15 min) 42dB during the night. These measurements clearly sit above the BS8233 levels of LAeq, 16 hour 35db to 40db between the hours of 0700 and 2300 and 30dB LAeq 8 hour between 2300 and 0700 hours. The assessment identifies that the background noise climate across the site is primarily determined by traffic flows at the Bristol Road South with additional noise from the road junction with Longbridge Lane. The calculations within the assessment indicate that all activities within the proposed development (including servicing) would provide a 'low impact' at the nearest dwellings during the day and that a 'low impact' could be achieved during the night time. The assessment concludes that a noise management policy should be adopted to include all vehicle engines to be switched off when parked; no use of vehicle radios whilst on site; all loading doors closed at night except during delivery access using dock levellers and no loading/unloading activities in service yards during night time other than through the dock levellers.
- 6.30. Regulatory Services have raised no objections in relation to noise and impact on adjacent dwellings. A number of safeguarding conditions relating to deliveries and plant noise are recommended below. I note a number of objections in relation to noise generated from the proposed development and as outlined above, the background noise levels are high from the existing road noise and as such, subject to conditions, the noise generated from the development would not add to the existing noise levels to the detriment of residential amenity in the locality.

Other Issues

- 6.31. The proposed development does not attract a CIL contribution.
- 6.32. 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.
- 6.33. The land contamination assessment identifies that historically the buildings previously located on site comprised the body assembly tool room, service centre and security control. 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 2018. The remediation involved the removal of product from the underlying groundwater through a total fluids recovery operation and a site wide turnover. 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.

7. Conclusion

7.1. The proposal is located within the Regional Investment Site and permission is sought for 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). The proposed development would meet the policy expectations outline in the BDP and Longbridge AAP.

7.2. The proposed development is considered acceptable in design and scale and would have minimal impact on residential amenity either through noise, loss of light or privacy.

7.3. I note that the key principle in the NPPF is the presumption in favour of sustainable development and this is identified as having three stems of economic, social and environmental. As the proposal would continue to provide significant economic benefits, would continue to provide further local employment and knock-on social benefits and would not have an environmental impact, 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.

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|----|--|
| 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 prior submission of a contaminated land verification report |
| 4 | Prevents vehicle repairs taking place |
| 5 | Prevents panel beating and other noisy operations |
| 6 | Requires the implementation of the Flood Risk Assessment |
| 7 | Requires the prior submission of a drainage scheme |
| 8 | Details of surface water drainage and SUDS to be submitted in a phased manner |
| 9 | Submission of a Sustainable Drainage Operation & Maintenance Plan |
| 10 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures |
| 11 | Requires the prior submission of details of bird/bat boxes |
| 12 | Limits the noise levels for Plant and Machinery |
| 13 | Requires the prior submission of a goods delivery strategy |
-

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- 14 Requires the prior submission of hard and/or soft landscape details
 - 15 Requires the prior submission of hard surfacing materials
 - 16 Requires the prior submission of earthworks details
 - 17 Requires the prior submission of boundary treatment details
 - 18 Requires the prior submission of a landscape management plan
 - 19 Requires the prior submission of a lighting scheme
 - 20 Requires the prior submission of a construction method statement/management plan
 - 21 Requires the prior submission of sample materials
 - 22 Requires the prior submission of a CCTV scheme
 - 23 Prevents occupation until the service road has been constructed
 - 24 Requires the prior submission of cycle storage details
 - 25 Limits delivery time of goods to or from the site
 - 26 Implement within 3 years (Full)
-

Case Officer: Pam Brennan

A photograph showing a paved road with double yellow lines leading to a closed gate. The gate is made of concrete blocks. On either side of the road are tall security fences and several streetlights. The sky is overcast.

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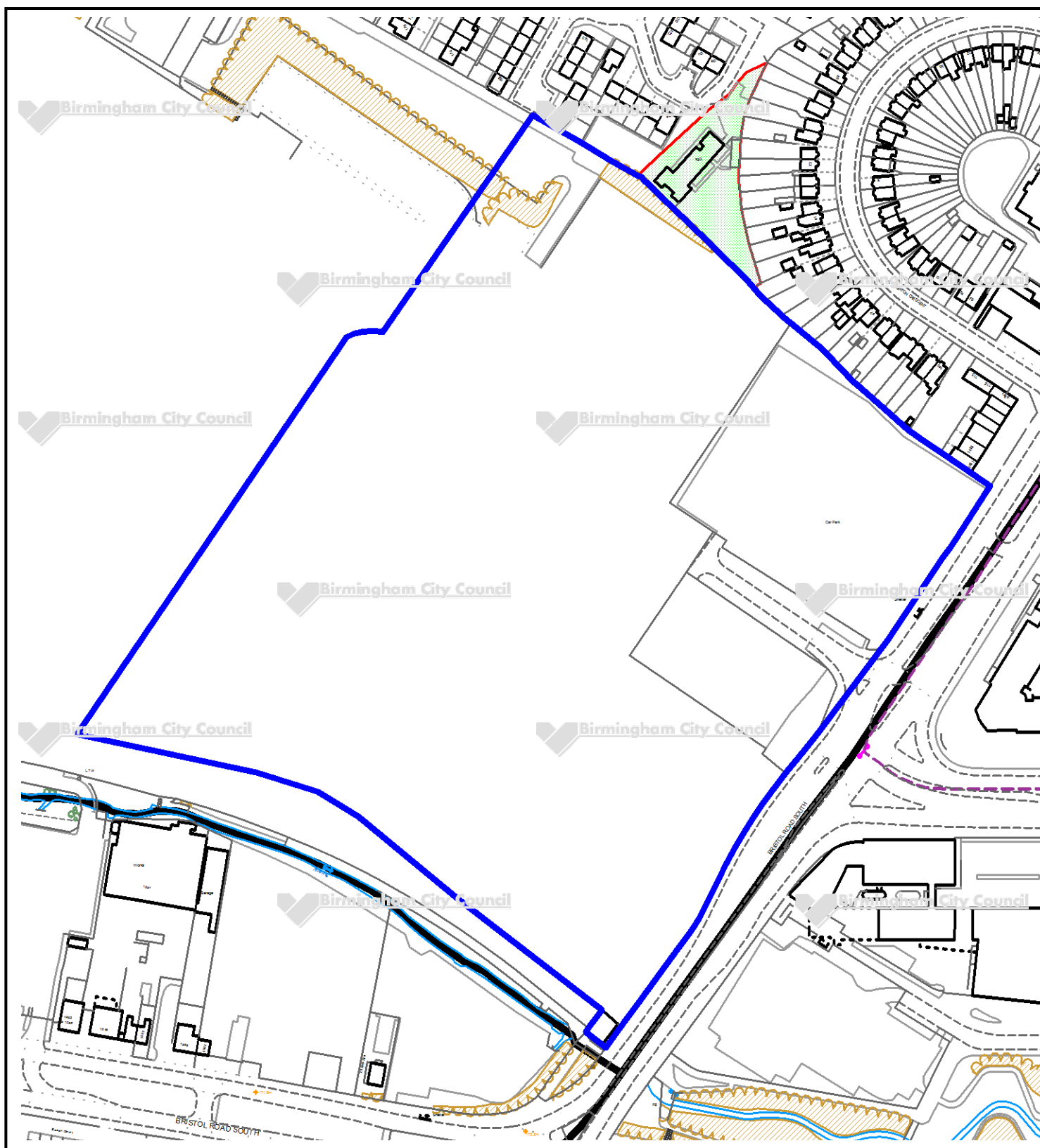


View east – looking towards Longbridge Lane/ Bristol Road South Junction and Longbridge Technology Park



View looking south – application site and beyond

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/03674/pa
Accepted:	10/05/2018	Application Type:	Full Planning
Target Date:	05/07/2018		
Ward:	Harborne		

Land to the rear of, 183 Lordswood Road, Harborne, Birmingham, B17 9BP

Erection of detached dwellinghouse with associated landscaping, access and parking.

Applicant:	Mrs F Naim
	183 Lordswood Road, Harborne, Birmingham, B17 9BP
Agent:	HG Design Limited
	Sutton House, 4 Coles Lane, Sutton Coldfield, Birmingham, B72 1NE

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning consent is sought for the erection of a detached dwelling with associated landscaping, access and parking to the rear of No.183 Lordswood Road, Harborne.
- 1.2. The dwelling would front on to Gilmorton Close. It would comprise of a kitchen/breakfast room, lounge, bathroom and hallway at ground floor level with a bedroom (floor area of 17.79 square metres) in the roofspace. The proposed property would have a total internal floor area of 68 square metres.
- 1.3. The main section of the property would be rectangular in shape with a width of 6.9m and a depth of 5m. The property would have a gable end roof design. There would be a forward projecting gable with a width of 5m giving the property an additional 1.7m in depth. This section of the building would have a ridge height of 5.7m and a maximum eaves height of 3m. The first floor accommodation providing a bedroom and landing space would be located within this section of the building.
- 1.4. To the northern side of the proposed building would be a single storey section which would be recessed from the location of the front door by 2.4m. This section of the building would have a width of 2.8m and a depth of 2.6m. This section of the building would also have a gable end roof design. The roof would have a ridge height of 5.2m and an eaves height of 2.4m.
- 1.5. It is proposed that the new dwelling would be constructed from brickwork to match the existing building on Lordswood Road with white UPVC windows and doors.
- 1.6. The most forward section of the building would be set back from the public highway by a minimum of 0.6m. A driveway would be provided to the front of the property giving provision for one parking space. The front boundary of the site would be

defined by a brick wall projecting across a 6m wide section of the frontage with a height of 0.37m.

- 1.7. A private garden area would be provided to the rear of the site with an area of 55 square metres. This area would be largely soft landscaped.

- 1.8. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a plot of land to the rear of No.183 Lordswood Road. The site would front on to Gilmorton Close which is situated to the east of the application site. The surrounding area is predominantly residential in nature. Lordswood Road comprises of generously sized properties set in spacious plots with variations in architectural styles. Gilmorton Close predominantly consists of bungalows with living accommodation in the roofspace.

- 2.2. [Site Location](#)

3. Planning History

- 3.1. None

4. Consultation/PP Responses

- 4.1. Transportation Development – no objections raised subject to conditions being attached for an appropriate pedestrian visibility splay to be incorporated.
- 4.2. Regulatory Services – no objections.
- 4.3. West Midlands Police – no objections. Recommendation made that the development is developed to enhanced security standards initiative 'Secured by Design'.
- 4.4. Severn Trent – no objections.
- 4.5. Neighbours, residents associations, local ward councillors and MP were consulted for the statutory period of 21 days. The application was also advertised through a site notice. 10 responses were received from local residents with objections being made on the following grounds:
 - Loss of privacy to neighbouring dwellings.
 - The proposed dwelling would be out of keeping with neighbouring properties in terms of its scale and design.
 - The new dwelling would be excessive in height in relation to other buildings within Gilmorton Close.
 - The new property would have two storeys whilst other dwellings within Gilmorton Close are only one storey bungalows.
 - The proposed dwelling would have an adverse visual impact upon the appearance of the street.
 - The proposed development would represent an over development of the plot.
 - The new dwelling would have a very small garden compared to neighbouring dwellings.
 - The proposed dwelling would be located too closely to the highway.

- Parking issues with regard to a lack of parking at the site and within the surrounding area in general.
- Highways issues and access problems.
- The property would be located on a 90 degree bend and would be dangerous to oncoming traffic.
- The proposed development would set a precedent in terms of re-developing garden areas.
- Recent drainage issues with regard to blocked waste pipes.
- Noise and disturbance created.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017.
- Birmingham Unitary Development Plan 2005 (Saved Policies).
- Places For Living 2001.
- Mature Suburbs SPD.
- 45 Degree Code SPD.

5.2. The following national policies are applicable:

- National Planning Policy Framework.

6. Planning Considerations

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

6.2. The National Planning Policy Framework (NPPF) seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brownfield sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF also seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

6.3. Policy TP27 of the Birmingham Development Plan also states that new housing in Birmingham is expected to contribute to making sustainable places. All new development will need to demonstrate that it is meeting the requirements of creating sustainable neighbourhoods. Policy TP28 of the plan sets out the proposed policy for housing location in the city, noting that proposals should be accessible to jobs, shops and services by modes of transport other than the car.

6.4. Saved Paragraphs 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles. In addition, 'Places for Living' and 'Mature Suburbs' SPG's encourages good quality accommodation in attractive environments. They contain a series of urban design principles and makes reference to minimum design and amenity guidance. Particular emphasis is given to assessing context and responding positively to local character.

- 6.5. The principle of redeveloping this site for residential purposes would be a positive step in line with national and local policy. The site is within an established, residential area, close to public transport links and with easy access to local services. The property is in relatively close walking distance to both Harborne High Street and Bearwood High Street. The proposed development would be in keeping with the residential character of the surrounding area.
- 6.6. I consider the proposed new dwelling to be appropriate in terms of its scale and design and an acceptable addition to the street scene. The City Design Team have advised that they have no objections to the proposed development and have stated that from the perspective of the streetscape, they consider a new dwelling in this location to be very beneficial. This section of Gilmorton Close directly from Gillhurst Road is completely blank and the proposed development would introduce an active frontage.
- 6.7. Although the new dwelling has been designed to be a two storey dwelling, it would only have a ridge height of 5.7m which would be largely in line with the ridge height of adjacent bungalows within Gilmorton Close. I do not consider that the proposed development would be out of keeping with the scale and appearance of existing properties within the street scene. The proposed development is of a size which would sit comfortably within the given site area. The design of the proposed dwelling with a gable end roof design and forward gable projection respects the architectural appearance of adjacent dwellings within Gilmorton Close. The proposed dwelling would integrate well with the current street scene and would not form a visually dominant building.
- 6.8. The national Technical Housing Standards are not adopted, however, they provide a useful guide in terms of sizes for new residences. The internal floor area of the property would be 68 square metres. This would exceed the recommended size of 58 square metres for a one bedroom two storey property providing 2 bed spaces. The bedroom is of an appropriate size with a floor area of 17.79 square metres. I consider the property to be acceptable in size and would provide a suitable level of accommodation.
- 6.9. The Council's 'Places for Living' SPG recommends a series of numerical standards to ensure existing and future occupiers privacy and outlook. The rooflights which would be installed within the rear elevation of the property would fall short of meeting the required 10m separation distance to the rear garden of No.183 Lordswood Road, however, these rooflights are to be conditioned to be fitted with obscure glazing and be non-opening in order to prevent any potential overlooking issues. Concerns have been raised regarding noise and disturbance. It is acknowledged that there is likely to be some disturbance during the construction phase however this is only temporary in nature.
- 6.10. In summary, I do not consider that the proposed development would have a harmful impact upon the amenity of neighbouring properties in terms of general disturbance, loss of light or loss of privacy.
- 6.11. The proposed plot would provide a private amenity area to the rear of the dwelling 55 square metres. This exceeds the minimum required garden space of 42 square metres as contained within 'Places For Living' and 'Extending Your Home'. I therefore consider that an appropriate level of amenity space would be provided for the future occupiers of this one bedroom dwelling.

- 6.12. The loss of this section of the rear garden of No.183 Lordswood Road would still leave a generously sized rear amenity space at this property well in excess of the minimum required 70 square metres for a family dwelling. I consider that the development of this plot would not compromise the enjoyment of the existing amenity space of No.183 Lordswood Road.
- 6.13. My Landscape Officer has raised no objections to the principle of the proposed development. Suitable conditions are attached for the further submission of details of soft and hard landscaping and boundary treatments.
- 6.14. Concerns have been raised by a number of objectors in relation to parking and highways related issues arising as a result of the proposed development. Transportation Development have stated that they do not object to the scheme. One off street parking space would be provided at the new property, however, as the new dwelling would only be a one bedroom property this is considered to be sufficient. It is noted that the area is served well by regular bus services. The No.11 service runs along Lordswood Road and the site is within walking distance to regular services in and out of the City Centre along Hagley Road and Harborne High Street. Due to the relatively small size of the new property it is unlikely that any significant levels of additional parking or traffic would be created within Gilmorton Close.
- 6.15. Objections have been raised in relation to highway safety issues with regard to access on the bend of the road. However, the access is on the right side of the bend where sufficient visibility would be available in both directions. I therefore do not consider that the proposed development would have a harmful impact in terms of parking or highways related matters.
- 6.16. Severn Trent advise that the proposal would have minimal impact on the public sewerage system and as such do not object and confirm a drainage condition is not required in this instance.

7. Conclusion

- 7.1. The proposal is recommended for approval as it would be within an existing residential environment in a sustainable location, provide a new house to help meet the city's housing need, and be of appropriate size, siting and design. The proposal would have an acceptable relationship to existing residential properties and have no significant adverse effect on the street scene. The proposal therefore accords with both local and national policy. The proposal constitutes sustainable development.

8. Recommendation

- 8.1. Approval subject to the following conditions:

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|---|---|
| 1 | Requires the prior submission details obscure glazing for specific areas of the approved building |
| 2 | Requires the prior submission of hard and/or soft landscape details |
| 3 | Requires the prior submission of boundary treatment details |
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- 4 Requires the prior submission of sample materials
 - 5 Requires the scheme to be in accordance with the listed approved plans
 - 6 Requires pedestrian visibility splays to be provided
 - 7 Removes PD rights for extensions
 - 8 Implement within 3 years (Full)
-

Case Officer: George Baker

Photo(s)

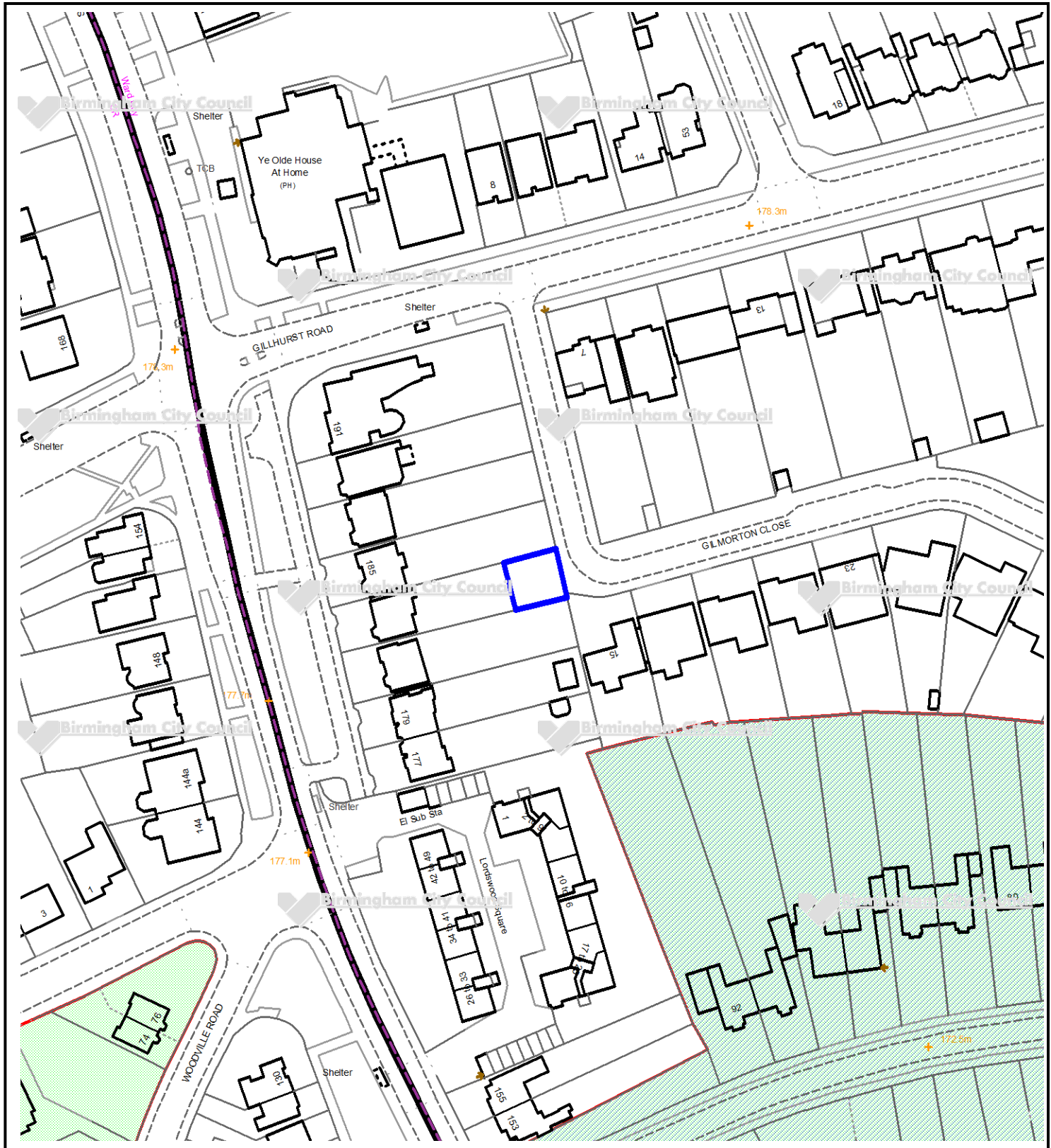


Figure 1 – Proposed location of new dwelling



Figure 2 – View of Gilmorton Close and access from Gillhurst Road.

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/01472/PA
Accepted:	26/02/2018	Application Type:	Reserved Matters Development
Target Date:	14/09/2018		
Ward:	Bournville & Cotteridge		

Former Selly Oak Hospital, Raddlebarn Road, Birmingham, B29 6JD

Reserved matters application seeking permission for appearance, landscaping, layout and scale of 34 dwellings (Phase 5) following outline approval 2012/02303/PA

Applicant: Persimmon Homes Central
Tameside Drive, Castle Bromwich, Birmingham, B35 7AG

Agent:

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This application is a reserved matters submission for the fifth phase of the redevelopment of the Selly Oak Hospital site. An outline application (ref 2012/02303/PA) for demolition of existing structures and construction of a maximum of 650 dwellings, in addition to A1, A2, A3, A4, B1(a) and D1 uses on the hospital site was approved on 14th October 2013. The application included consideration of access, with all other matters reserved. The submission included a series of parameter plans, which established a number of principles for development, including land use, residential densities, scale/massing, access/movement strategy and building retention.
- 1.2. This fifth phase – relating to land north of phase 3 – is for residential development (with no commercial element). All buildings within the site boundary have been demolished. The scheme proposes 34 units which would comprise:
 - 10 no. 3 bed houses (4 shared ownership);
 - 6 no. 2 bed houses (4 shared ownership);
 - 12 no. 2 bed apartments (12 shared ownership); and
 - 6 no. 1 bed apartments (6 social rented)
- 1.3. This would equate to 76.5% affordable provision in terms of the 34 units the subject of this application.
- 1.4. The main vehicular access through this part of the site was approved under application 2016/09242/PA. All units are served via this single road through the site which leads out onto Raddlebarn Road.

- 1.5. The proposed new houses would be either 2 or 2 ½ storeys in height and the new apartment blocks would also be 2 ½ storeys high. The new dwellings would be of a simple design, constructed in brick with tiled roofs. There are 4 different house-types with some incorporating features such as dormers, porches and garages. The proposed apartment block B4 is the larger of the two blocks and is 'L-shaped'. It is similar in design to blocks approved on previous phases with ground floor units having individual front doors and small dormers within the roof space. Block BF would incorporate dormers projecting above eaves level to serve upper floor units, with rooflights also above stairwells. The ground floor units would have individual front doors, with communal entrances to the upper floor apartments provided from the rear. The blocks would also incorporate small canopies over entrances and cills/headers to windows.
- 1.6. Accommodation within the houses would generally comprise of a lounge, kitchen, dining room, WC, bathroom and 2 or 3 bedrooms. Some also have an office or study and one of the house-types incorporates an integral garage. The apartments would generally contain a kitchen/living/dining room, bathroom, and one or two bedrooms.
- 1.7. A group of mature trees (9 no.) would be retained on the eastern boundary, adjacent to a future phase of development (potentially phase 6). The development would necessitate the removal of 3 lime trees.
- 1.8. 18 no. car parking spaces are proposed for the 1 and 2 bed apartments which represents 100% provision. The 2 and 3 bedroom dwellings either have 1 or 2 parking spaces which overall represents 162.5% provision. One of the proposed house-types has an integral garage. In all other cases, frontage parking would be provided or, in some instances, located to the side. Secure cycle storage would be provided at the rear of the apartment blocks. A single parking court is provided which serves both apartment blocks.
- 1.9. Site area: 0.5115 ha. Density 66.47 units per hectare.
- 1.10. The application submission included a Planning Statement, Design Statement and an Indicative Drainage Strategy.
- 1.11. [Link to Documents](#)
2. Site & Surroundings
 - 2.1. This current application relates to part of the wider development site at Selly Oak Hospital. The hospital site is located approximately 3.5 km south-west of Birmingham City Centre and just to the south of the A38 (Bristol Road). The hospital site lies at the southern end of Selly Oak, abutting the northern edge of Bournville Village Conservation Area. To the east the site is bordered by the Worcester and Birmingham Canal and the Cross City Rail Line. To the west are The Acorns Hospice and Selly Oak School. Raddlebarn Road bisects the site and provides all existing vehicular access to it. There is established housing to the north and west, and development sites to the north on Elliott Road. Raddlebarn Road forms the boundary between Selly Oak and Bournville Wards.
 - 2.2. The wider hospital site extends to 17.4 ha overall, the majority (11.3 ha) of which lies to the north of Raddlebarn Road which was, for the most part, developed with a range of buildings used for hospital related activities.

- 2.3. Following relocation of most services to the QE Hospital many buildings across the site were demolished, although some buildings were retained for conversion. Parts of the site have been enclosed with green weld mesh security fencing. The first three phases of redevelopment are well underway, with a large number of units already occupied.
- 2.4. This constitutes a small area within the northwest corner of the wider development site. It was previously occupied by buildings of varying ages/styles associated with the former hospital use and with the exception of some trees the application site has been cleared in its entirety.
- 2.5. The area immediately adjacent to the east is the only area on which reserved matters consent has not been sought. Phase 3, which is under construction, is located to the south and the Itinerants building is located to the west. Permission has been granted to convert this building to a day nursery. The site is bounded to the north by terraced properties on Boldmere Terrace, Ashley Terrace, Grove Avenue and Gleave Road

3. Planning History

- 3.1. 14th October 2013. PA No. 2012/02303/PA. Outline application for demolition and construction of a maximum of 650 dwellings and construction of up to 1000m² (maximum) Use Class A1 (Shops); 500m² (maximum) Use Class A3 (restaurants and cafes) and Use Class A4 (drinking establishments); 1500m² (maximum) Use Class B1(a) (offices)/Use Class A2 (financial & professional services) and Use Class D1 (non-residential institution); together with access, associated public open space, roads, car parking and landscaping. Approved subject to a legal agreement.
- 3.2. 30th April 2015. PA No. 2015/00535/PA. Reserved matters submission for consideration of details of appearance, landscaping, layout and scale relating to Phase 1 of outline approval (ref 2012/02303/PA) for 96 new build dwellings (Use Class A3), provision of open space (incorporating cricket pitch and pavilion), associated parking and external works. Approved.
- 3.3. 12th June 2015. PA No. 2015/01313/PA. Conversion of former (Woodlands) nurses' home to 15 residential apartments (Use Class C3), with associated external alterations and landscaping works. Approved (with subsequent amendments/additional units).
- 3.4. 17th September 2015. PA No. 2015/04617/PA. Reserved matters submission for consideration of details of appearance, landscaping, layout and scale in respect of Phase 2 of outline approval (2012/01232/PA) for 67 new dwellings (Use Class C3) with associated parking and external works. Approved.
- 3.5. 7th September 2016. PA No. 2016/04337/PA. Conversion of West Lodge into 10 apartments (Use Class C3) with associated car parking facilities. Approved.
- 3.6. 12th August 2016 PA No. 2016/04941/PA. Roof extension and internal/external alterations to existing buildings to accommodate 3 additional apartments with associated parking and external works. Approved.
- 3.7. 13th October 2016. PA No. 2016/01232/PA. Reserved Matters submission for consideration of details of appearance, landscaping, layout and scale relating to Phase 3 of outline approval (2012/02303/PA) for 125 no. new build units with associated parking and external works. Approved.

- 3.8. 10th February 2017. PA No. 2016/06550/PA. Conversion of water tower into 6 apartments (Use Class C3) with associated car parking facilities and landscaping. Approved.
- 3.9. 13th February 2017. PA No. 2016/05990/PA. Reserved matters submission for consideration of details of appearance, landscaping, layout and scale relating to Phase 4 of outline approval (2012/02303/PA) for 122 new residential units with associated parking and external works and laying out of public open space. Consideration also of details in respect of conditions 13 and 23 attached to 2012/02303/PA. Approved
- 3.10. 27th February 2017. PA No. 2016/06553/PA. Conversion of infirmary entrance building into 11 apartments (Use Class C3) with associated car parking facilities and landscaping. Approved.
- 3.11. 12th April 2017. PA No. 2016/09242/PA. Reserved matters submission for consideration of internal roads within Phase 5 of outline approval reference 2012/02303/PA. Approved.
- 3.12. 8th June 2018. 2018/01390/PA. Change of use of hospital building (use class C2) to childrens day nursery (use class D1) with single storey rear extension. Approved

4. Consultation/PP Responses

- 4.1. Regulatory Services – no objections subject to conditions in respect of noise/vibration and contamination/remediation.
- 4.2. Transportation – no objection subject to condition regarding visibility splays
- 4.3. Local Lead Flood Authority – No objection
- 4.4. Environment Agency – No objection
- 4.5. West Midlands Police – no objections.
- 4.6. West Midlands Fire Service – No comments.
- 4.7. Local occupiers, residents' associations, Councillors and MP notified, advertised by Press and Site Notice. 2 representations have been received raising concerns over the following matters:
- Noise and disturbance;
 - Dust and air pollution during building works; and
 - Boundary treatments along the northern boundary of the site

5. Policy Context

- 5.1. The following local policies are applicable:
- Birmingham Unitary Development Plan 2005 (Saved Policies)
 - Birmingham Development Plan (2017)
 - Places for Living (Adopted Supplementary Planning Guidance 2001)
 - The 45 Degree Code (Adopted Supplementary Planning Guidance 1996)

- Wider Selly Oak SPD (2015)
- 5.2. The following national policy is applicable:
- NPPF – National Planning Policy Framework (2018)
6. Planning Considerations
- 6.1. This application is a reserved matters submission for the fifth phase of the redevelopment of the Selly Oak Hospital site. An outline application (2012/02303/PA) for demolition of existing structures and construction of a maximum of 650 dwellings, in addition to A1, A2, A3, A4, B1(a) and D1 uses was submitted by the University Hospital Trust in April 2012, and was subsequently approved (subject to a S106 agreement) on 14th October 2013.
- 6.2. The outline submission included consideration of access, with all other matters reserved. It included a series of parameter plans, which established a number of principles for development, including land use, residential densities, scale/massing, access/movement strategy and building retention.
- 6.3. This fifth phase of the development relates to small area on the north western side of the wider site, on an area of 0.51ha. The proposal is for residential development – 34 new units, being a mix of houses and apartments. All buildings that were previously within this area of the site have been demolished.
- 6.4. Established Principles/Parameters (including Scale)
- 6.5. The proposed uses reflect those considered appropriate for this part of the hospital site in the consideration of the outline application and the current proposals broadly reflect the indicative layout which formed part of the outline submission in terms of the different elements and their positioning on the site.
- 6.6. Vehicular access was approved at the outline stage and remains unchanged in this reserved matters submission and the proposals reflect the principles established in the 'Access and Movement Strategy Parameter Plan' considered at the outline stage.
- 6.7. This phase of development would have a density of 66.5 units per hectare. This figure is above the target density identified on the original Parameters Plan, which indicated 45-50 dwellings per hectare in this location. The higher density is due to the inclusion of some apartments. On balance it is not considered that the density is excessive.
- 6.8. The houses within this phase are a mix of 2 and 2 ½ storeys, which accords with the Parameter Plan for building heights, which indicates a maximum of 2 ½ storeys across the majority of the site.
- 6.9. In the light of the above, I am satisfied that the current submission for the fifth phase of development is broadly in accordance with the approved parameters established at the outline stage in terms of access, land use, residential density, scale/massing and access/movement.
- 6.10. Transportation

- 6.11. Your Transportation Officer raises no objection to the current proposal, subject to the imposition of a condition requiring pedestrian visibility splays. All apartments have single parking space and the dwellings have either one or two parking spaces resulting in an overall provision of 129% across this phase. Taking into account the site's highly sustainable location with good access to local services and public transport facilities (including buses along Bristol Road/Oak Tree Lane and Selly Oak station) and the modest size of the units, I am satisfied that the level of parking provision is sufficient in this instance.
- 6.12. Cycle storage facilities are proposed to the rear of the apartment blocks and this is acceptable to my Transportation colleague.
- 6.13. The layout incorporates a public right of way linking the application site with Gleave Road at the rear which accords with the access and movement strategy approved at the outline stage. A section of the existing boundary wall will need to be removed to create this pedestrian route. The link will improve connectivity and ensure that proposed residents have a direct route into the District Centre of Selly Oak.
- 6.14. Layout and Appearance
- 6.15. The submitted layout generally reflects that shown on the indicative Master Plan considered at the outline application stage, including the road layout and incorporation of perimeter blocks.
- 6.16. A series of meetings have taken place between the applicant and City Council Officers prior to this formal submission and during the consideration of the application, which have resulted in amendments to the scheme. I am satisfied that the current proposal now reflects the advice provided in terms of the design of the detailed elements and the overall character of this phase of the development.
- 6.17. The proposal broadly follows the design principles supported in 'Places for Living' SPG. A consistent building line has been provided with the dwellings fronting onto the access road. One of the apartment blocks is side facing, however windows have been added to the road facing elevation to provide visual interest.
- 6.18. The design of the houses and apartment blocks is relatively simple and reflects properties approved in earlier phases and I consider that it pays sufficient regard to the site's context to sit comfortably within its surroundings.
- 6.19. Amenity Considerations
- 6.20. The northern boundary of the site adjoins residential properties on Boldmere Terrace, Ashley Terrace, Grove Avenue and Gleave Road and therefore any impact on these nearest properties need to be considered. These nearby are predominantly traditional 2 storey terraced dwellings and they have a close relationship with each other. For example a distance of just 17.9m is retained between the front elevations of dwellings on Boldmere Terrace and Ashley Terrace. An array of hospital buildings were located in very close proximity to these terraced properties and they varied between single and three storeys in height. The scheme has been designed so that all dwellings are sited away from the boundary with gardens abutting the shared boundary which is a significant improvement over the previous relationships. To protect the privacy of rear gardens Places for Living requires a separation distance of 5m per storey. The majority of 2 storey dwellings either achieve or exceed the 10m requirement for 2 storey dwellings. Plots 149-151 fall slightly short of this standard with distances of between 9.3 and 9.5m retained to the side

boundary with No. 10 Ashley Terrace. However, the rear of the proposed dwellings look towards the blank side elevation of No. 10 and also the front garden meaning that the properties private space is not overlooked. Some of the properties (plots 139-142, 145 and 146) contain a third storey within the loft and therefore a separation distance of 15m is usually required. The plans indicate that distances between 10.3m and 11.5m are retained to the side boundaries of adjoining properties No.'s 10 and 11 Grove Avenue and 88 Gleave Road. However, in most cases the rear of the proposed dwellings look towards either blank side elevations or front gardens.

- 6.21. The side elevation of apartment type BF is located 7m from the side elevation with No. 99 Gleave Road however there are no windows in either the side elevation of the apartment building of No. 99 or the apartment building meaning no amenity issues arise in this regard.
- 6.22. Taking account the array of hospital buildings that would have had an overbearing impact on the adjacent properties and the uses which would have operated 24 hours a day, 7 days a week it is considered that the replacement housing scheme has much less of an amenity impact on the occupiers of adjacent properties.
- 6.23. It is also important to consider amenity levels for the occupiers of the proposed dwellings. Although the Nationally Described Space Standards are not yet adopted in Birmingham, they provide a useful yardstick for assessing size of dwellings. In terms of overall floor area, 3 of the 4 house types proposed accord with the standard (types B, E and F) whilst the fourth house type (C) is just 2sqm short. Of the 5 apartment types, 2 accord with the standard and 3 fall short, however the shortfall is a maximum of 4sqm. The bedroom sizes across the various house types meet the standards for single and double rooms. The applicant has therefore paid regard to the standards and on balance the size of the accommodation is considered to be acceptable.
- 6.24. The Places for Living SPG requires 2 bedroom dwellings to provide a minimum garden of 52sqm and a figure of 70sqm is required for family sized accommodation. The 2 and 3 bedroom properties proposed all exceed the minimum standards with 2 bed properties having private gardens of between 64 and 89sqm and for 3 bedroom properties it varies between 71 and 105sqm. For apartments 30sqm per flat is required to meet the standards within the SPG. For the 18 apartments proposed a total of 790sqm is proposed which comfortably exceeds the minimum requirement.

The layout of the scheme ensures that there is no undue overlooking or loss of light arising between the proposed dwellings and apartments. Consequently the scheme has an acceptable amenity impact on both existing and proposed occupiers.

- 6.25. Trees and Landscaping
- 6.26. Landscaping is a matter for consideration as part of this current application. All trees within the phase 5 site are covered by a TPO (No. 1586). The majority of trees are proposed to be retained with just 3 lime trees to be removed. The loss of these trees is not objected to by the Tree Officer. The protection of retained trees has been secured through conditions attached to the outline approval.
- 6.27. The submitted landscape plans show a proposed mix of tree, shrub planting and hedgerow planting with a number of grassed areas proposed. A total of 20 no. new trees are proposed which are to be planted in the rear gardens of the dwellings proposed and adjacent to the public footpath link. Species include field maple, crab

apple, mountain-ash and small-leaved lime trees. Substantial hedgerow planting is proposed adjacent to the proposed footpath link and around the front, rear and side boundaries of the apartment building. The plans also indicate boundary treatment, including 1.2m railings around the front side and rear of the apartment buildings to delineate frontage amenity space from the public realm. Fencing up 1.8m in height is proposed to enclose rear gardens. The existing 2.1m high boundary wall which provides the northern boundary to the site is to be retained with the exception of a small which needs to be removed to create the footpath link.

- 6.28. Your Landscape Officer has provided advice on the detailed planting scheme, which was shared with the applicant, and this prompted the submission of amended drawings to respond to the points raised.
- 6.29. Planning Obligation Requirements/CIL
- 6.30. A S106 was attached to the outline approval, which secured a series of provisions including on-site open space/play facilities, new cricket pitch/pavilion, a contribution towards pitches at Selly Park Recreation Ground, and towpath works. The elements of relevance to this phase of development include the provision of an area of open space to the east of Oak Tree Lane and north of Raddlebarn Road which is north east of Phase 3. Only a small part of this area of open space falls within this phase with the remainder falling within the final phase (phase 6). The S106 agreement confirms that a Local area of play will be provided on this area as part of phase 6.
- 6.31. In addition, the S106 included a requirement for 17.5% affordable housing provision across the hospital site as a whole. This current phase offers 76.4% affordable provision (26 of the 34 units proposed).
- 6.32. An Affordable Housing Strategy for the overall development was submitted and approved by the Council's Housing Team as part of the Phase 1 reserved matters application. After the approval of phases 1-4 a total of 54 affordable units were secured out of 410 dwellings. That equated to 13.1% which is clearly behind the end target of 17.5%. To help catch up 26 of the 34 units of this phase will be affordable. This would mean that overall 80 of the 444 units would be affordable which equates to 18% provision. This would mean that there is no longer a shortfall and consequently no reason to suggest that the remaining affordable housing could not be delivered on the final phase.
- 6.33. The agreement also secured a contribution of £1,744,678 based on 565 residential units towards increasing school capacity. The financial contribution figure would be linked to the numbers of residential units and would therefore increase in line with any increase in housing number above the 565 units. The required contribution secured at outline equated to £3,087 per unit, with phased payments linked to occupation of the properties. The applicant understands this requirement, which would necessitate a payment here totalling £104,958 (index linked from January 2013).
- 6.34. This is a reserved matters submission and, as such, the development would not be liable for CIL.
- 6.35. Other Issues
- 6.36. My Regulatory Services colleague has raised concerns regarding construction management and contamination due to complaints received during the demolition

phase. Contamination and a construction management plan are covered by the outline consent and therefore these conditions do not need to be replicated here.

7. Conclusion

7.1. The principle of development for the purposes currently proposed, along with the access to the site, was established through the determination of an outline application for the wider hospital site in 2013. The current proposals relating to layout, scale, appearance and landscaping in respect of this fifth phase of development are broadly in accordance with the parameters established at the outline stage and are considered acceptable.

7.2. The site is in a sustainable location and the proposed scheme would deliver medium density living in an area identified as appropriate for such development, close to Selly Oak centre and, as such, would assist in achieving the City Council's wider housing objectives and supply. I consider that the development would sit comfortably within its surroundings, would have no unacceptable impact on existing occupiers or the highway network, and would provide an attractive living environment for residents.

7.3. In the light of the above, I recommend approval of this reserved matters submission.

8. Recommendation

8.1. Approve subject to conditions

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires pedestrian visibility splays to be provided |
| 3 | Provision of access to Gleave Road |
-

Case Officer: Andrew Fulford

Photo(s)

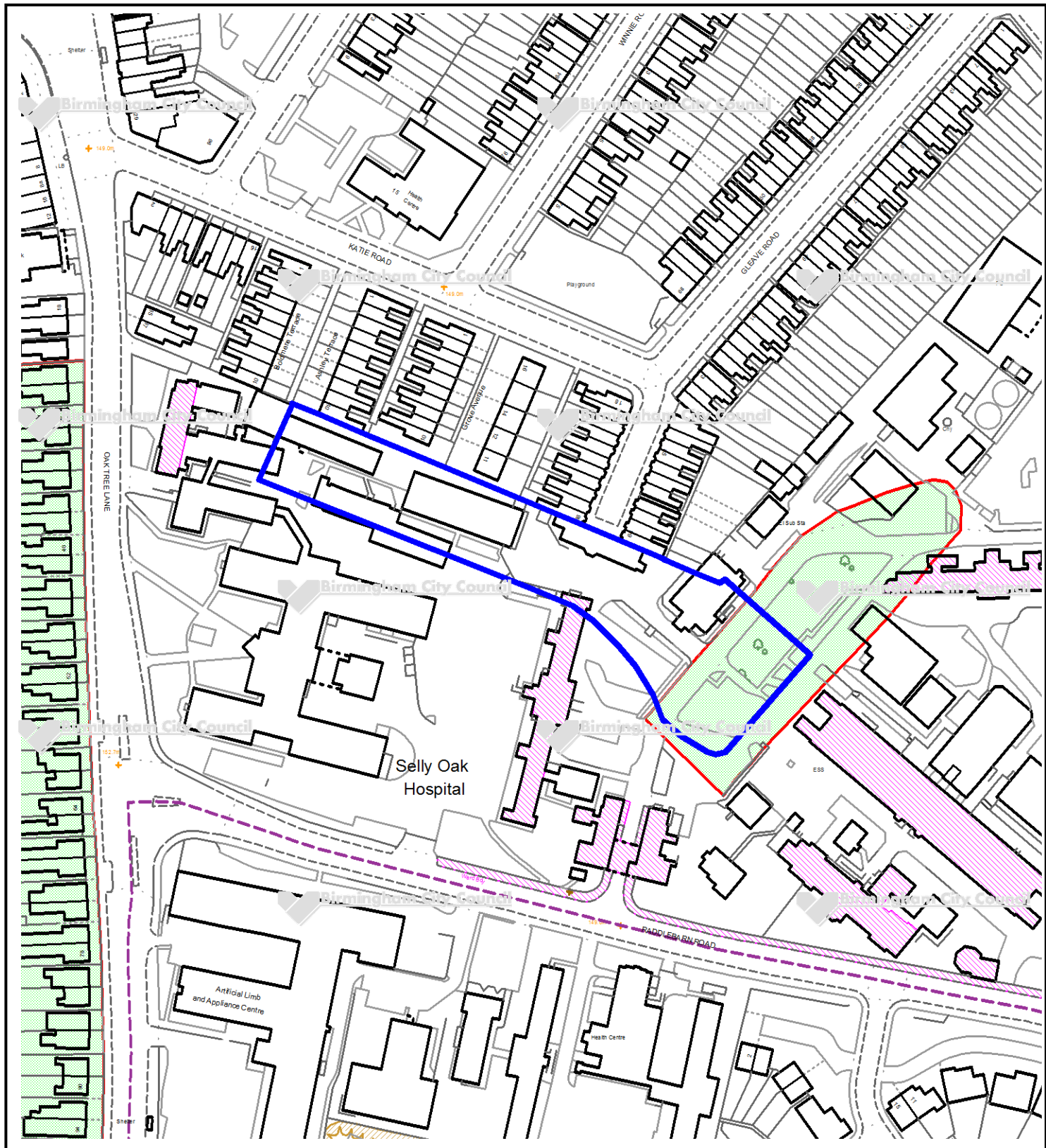


Photo 1: View north across the application with properties on Boldmere Terrace, Ashley Terrace and Grove Avenue visible in the distance.



Photo 2: View south-east across the site with a remaining hospital building (known as 'K block') in the distance

Location Plan



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Birmingham City Council

Planning Committee

13 September 2018

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	18	2018/04367/PA Louisa Ryland House Newhall Street/Edmund Street City Centre Birmingham B3 3PL Change of use from offices (Use Class B1) to hotel (Use Class C1) and ancillary facilities; demolition of existing mansard roof and erection of two storey roof extension together with internal and external alterations
Approve – Conditions	19	2018/04429/PA Louisa Ryland House Newhall Street/Edmund Street City Centre Birmingham B3 3PL Listed Building Consent for demolition of existing mansard roof and erection of two storey roof extension, together with internal and external alterations in connection with change of use from offices (Use Class B1) to hotel (Use Class C1) with ancillary facilities

Committee Date:	13/09/2018	Application Number:	2018/04367/PA
Accepted:	30/05/2018	Application Type:	Full Planning
Target Date:	14/10/2018		
Ward:	Ladywood		

Louisa Ryland House, Newhall Street/Edmund Street, City Centre, Birmingham, B3 3PL

Change of use from offices (Use Class B1) to hotel (Use Class C1) and ancillary facilities; demolition of existing mansard roof and erection of two storey roof extension together with internal and external alterations

Applicant: Euro Property Investments Ltd
c/o Agent
Agent: Turley
9 Colmore Row, Birmingham, B3 2BJ

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This planning application is for change of use from offices to hotel with ancillary facilities, demolition of the existing mansard roof and construction of a new two storey roof extension together with internal and external alterations. It is accompanied by a listed building consent application. As originally submitted the scheme included offices on part of the 5th floor, but this has now been omitted in favour of additional bedrooms. In summary the revised scheme comprises:-

Internal works

- new dividing walls
- new riser locations
- new internal secondary glazing
- relocation of the access core with the main core accessed from Newhall Street and a service core accessed from Cornwall Street

External Works

- roof extension retaining the same scheme approved in the previous application (ref:2015/10427/PA)
- new external basement entrance point from the ground floor of Cornwall Street.
- relocation of the main entrance at Newhall Street
- installation of a green wall facing the courtyard and covering the ground and first floor.
- landscape works in the rear courtyard.

Layout

- 1.2. The proposal for Louisa Ryland House includes 182 bedroom units with associated facilities including reception, restaurant, lounge bar, café, gym, co-work space and a multi-faith prayer room.
- 1.3. The main entrance would be relocated to Newhall Street, the key frontage of the building. The ground floor includes an entrance lobby providing level access into the building. This space also accommodates facilities including the reception and lounge bar at the rear where glazed panels open up towards a planted courtyard. In addition a restaurant is proposed at the corner of Newhall Street / Cornwall Street and café at the corner of Newhall Street / Edmund Street.
- 1.4. Adjacent to the reception is the main access core with lifts and staircase giving access to the upper floors. The rest of the floor area to the west, is used for a range of studio and one bed size room units accessed through a corridor.
- 1.5. Through the lobby would be the basement that accommodates a gym, a meeting and co-working space within an open-plan layout. A multi-prayer room is accessible by both hotel guests and members of the public. This space has its own entrance via stairs from Cornwall Street, as well as, being able to be accessed internally.
- 1.6. The upper floors accommodate bedroom units been designed to accord with the symmetrical pattern of the retained façade, aligned with existing windows to provide light. The rooms are as follows:-
 - Studio room (18-50sqm) - 135 no. - 74 %
 - 1 Bedroom (34.5-60sqm) - 36 no. - 20 %
 - 2 Bedroom (54-137sqm) - 11 no. - 6 %
- 1.7. Compared with the average hotel bedrooms, these rooms are slightly larger, including kitchen facilities, a dining and living space integrated in an open plan layout. The bathroom facilities are incorporated in a central core, ensuring that the rest of space is not divided by wall partitioning.

External Works

- 1.8. The existing roof would be removed and a new double storey mansard roof added. The additional space within the roof extension would be used to accommodate bedrooms. The applicant has stated that this space is required to provide the optimum number of hotel rooms in order to achieve a viable scheme. The proposed mansard roof would have a Euroclad VIEO standing seam system, a metallic cladding system (similar to zinc) to form the appearance of the roof extension facade. The proposed works accord with the proposal for the roof extension that gained approval in 2015 under the reference (ref:2015/10427/PA).
- 1.9. Window frames would be retained from the 1980's scheme, with a secondary internal glazed sliding door system installed to help control noise and thermal levels within the building.
- 1.10. External doors facing Edmund Street would be retained and refurbished as they are with minor interventions. On the façade facing Newhall Street, an external timber frame would be removed to incorporate a new stainless steel frame with automatic opening double doors. The existing metal railings located in front of this window would be re-used.

- 1.11. A planted courtyard is located to the rear of the lobby and accessed through the glazed doors. A green wall would be installed to the rear façade of the building looking into the courtyard. The proposed green wall is orientated to the north and covers the rear façade of the ground and first floor.

Access

- 1.12. The original entrance for Louisa Ryland House was located along Edmund Street and accessed via steps beneath a cupola, which was destroyed in the WWII. It is therefore proposed to reposition the main entrance from Newhall Street to provide a new primary frontage at street level and a suitable access for disabled people. This entrance would have three central bays open to the ground, aligned with the symmetrical lines of the listed building.
- 1.13. A service entrance is proposed from Cornwall Street through slightly recessed double solid doors towards a service bay leading to the service lift. Additionally, another entrance is located in the same frontage via a number of steps down from the street level. This would provide access to the multi-faith prayer room as it can be accessed either by members of the public as well as hotel guests.
- 1.14. Bronze signage with LED lighting is also proposed at the entrances. Lighting and way-finding is also proposed to facilitate use of the building as well as complying with the applicable regulations.
- 1.15. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises of Louisa Ryland House, a group of three buildings that occupy a site of 0.2 ha with frontages to Edmund Street, Newhall Street and Cornwall Street. The three buildings comprise: -
- Empire House, former Medical Institute at 96 Edmund House – built 1879 - listed grade II;
 - Former School Board Offices at 98 Edmund Street – built 1881/3- listed grade II*; and,
 - Former Parish Offices and Board of Guardians Building at 100/102 Edmund Street, 44/46 Newhall Street and 78 Cornwall Street – built 1882/4 – listed grade II.
- 2.2. The buildings are of distinctive designs with 96 Edmund Street being 3 storeys high with a basement and of a Victorian classical style in red brick and matching terracotta. 98 Edmund Street is of 4 storeys with a basement and built of red brick, terracotta and stone in a Gothic style and the Newhall Street range of buildings is of a classical French Renaissance style constructed of stone and comprises a three-storey building over a deep basement. This building originally had a highly decorative roof of mansard pavilions, ventilators, iron ridging pediment capping and a central clock tower and cupola over the entrance on Edmund Street.
- 2.3. All three buildings were significantly damaged during WW II, causing the loss of the clock tower and cupola. The Newhall Street buildings also suffered further damage during an IRA attack in 1974 and were subject to further decline during the late 1970's. Subsequently the premises were amalgamated into one building during the early 1980's and underwent extensive alterations removing the roof, floors, rear and

flank walls and retaining only the facades. New concrete frames were inserted, walls and floors rebuilt and new roofs provided. The buildings have now been unoccupied since they were vacated by the City Council in 2012.

- 2.4. The three listed buildings form half of an urban block in the city centre, with the rest of the block being occupied by the Grade I listed Birmingham School of Art erected in 1881-5. It is built in the Ruskin Gothic tradition and is one of Birmingham's most exceptional buildings. At the rear of the site the buildings surround a small courtyard area and on the application site this is enclosed by retaining walls that separate it from a similar yard at the School Of Art, which is at a higher level. The overall block makes an important contribution to the character and appearance of the Colmore Row Environs Conservation Area.
- 2.5. Other than 35 Newhall Street and buildings on the opposite side of Edmund Street, the site is completely surrounded by Grade I, II* and II listed buildings. These all range in age and style and represent an intense period of civic redevelopment in Birmingham. The site also lies in the Colmore Business District and surrounding uses in the area are predominantly office led with active ground floor uses such as café's, restaurants and bars.

3. Planning History

- 3.1. 4 August 2016 Application 2015/10427/PA. Planning consent granted for demolition of existing mansard roof, erection of two storey replacement roof with plant room above, alterations to and extension to rear courtyard elevations including external terrace, provision of two ground floor commercial units (for A1/A2/A3/A4 use from B1), creation of basement car park, together with associated internal and external alterations to provide refurbished and additional B1 office floorspace.
- 3.2. 4 August 2016 Application 2015/10484/PA. Listed Building consent granted for demolition of existing mansard roof, erection of two storey replacement roof with plant room above, external alterations to rear courtyard elevations including extensions and external terrace, creation of basement car park, together with internal alterations to provide refurbished and additional office floor space and two ground floor commercial units.
- 3.3. 30 May 2018 Application 2018/04429/PA. Listed building consent application for demolition of existing mansard roof and erection of two storey roof extension, together with internal and external alterations in connection with change of use from offices (Use Class B1) to hotel (Use Class C1) and offices (Use Class B1). A report about this application appears elsewhere on your Committee's agenda.

4. Consultation/PP Responses

- 4.1. Adjoining occupiers, residents associations, amenity societies, Colmore BID, local ward councillors and M.P. notified. Site and press notices displayed.
- 4.2. BCC Regulatory Services - they do not prescribe noise and vibration criteria for hotels / serviced apartments but recommend that bedrooms be designed and located such that the noise and vibration levels comply with relevant British Standards. Recommend conditions to secure a travel plan, fume extraction equipment and to control noise from plant and machinery. If this development were for residential they would require an air quality assessment and in the absence of such a report they recommend that occupancy should not exceed 6 months to ensure occupants are not exposed to poor air quality.

- 4.3. BCC Transportation Development – no objections in principle to the proposal and its potential impacts across all modes is limited and can be suitably managed. The applicant is seeking an amendment to the current on-street use of space to remove some pay and display parking and replace with an area that will provide for the likely drop-off and pick-up movements associated with a hotel. There is no parking provided within the site but parking demand for the historic use and the use proposed would not differ greatly, and neither would traffic generation associated with the use. Any consent granted will need to have conditions applied to secure a construction management plan, cycle parking and a suitable highway agreement to (i) reinstate a dropped kerb on Newhall Street and (ii) alter the TRO, at the applicants expense to BCC specification.
- 4.4. BCC Employment Access Team – request that the applicant provides local employment and training.
- 4.5. Conservation Heritage Panel:–
- questioned the large picture windows located in the proposed roof and whether they would be practical for a hotel use;
 - greater design consideration should be given to the internal room layout, means of ventilation, internal floor heights, openings and window dressings;
 - questioned the location of the rooftop plant;
 - consideration should be given to unifying the roofscape through materials and details - including high quality detailing of cheeks of reveals and faceting of corners.
 - requested that service access requirements are fully considered.
- 4.6. Historic England - do not object to the proposed changes to the front elevation on the ground floor of Newhall Street, to the front elevation of the basement of Cornwall Street and to the courtyard elevations. However, they remain concerned about the size of the new two-storey roof extension proposed. They are also concerned about the proposed demolition of the original ornate staircase balustrade, which was retained and fixed to a new staircase in the 1980s. They recommend it be salvaged once again and reused in the building.
- 4.7. Local Lead Flood Authority – no drainage condition required.
- 4.8. Severn Trent Water - no objections subject to a condition to secure drainage plans for the disposal of foul and surface water flows
- 4.9. West Midlands Fire Service - water supplies for firefighting should be in accordance with National Guidance Document on the Provision for Fire Fighting published by Local Government Association and Water UK. Where fire mains are provided in the building there should be access to the riser inlet within 18 metres and each access point should be clearly visible. The approval of Building Control will be required with regard to Part B of the Building Regulations 2010.
- 4.10. West Midlands Police –
- any work to the hotel rooms should be undertaken to Secured by Design 'New Homes 2016' guide;
 - recommend a lighting plan be produced and a suitable CCTV system be installed;

- the hotel reception is well placed for natural surveillance but clarification of the proposed access control system should be sought to ensure that should an offender gain entry to the building, they cannot wander freely around the interior; and,
- any work concerning to the commercial aspect of the development i.e. reception area, restaurant, gym, be carried out to the standards within the Secured by Design 'Commercial 2015' guide.

4.11. Access Birmingham -

- multi-faith prayer room street access is only via steps and the cast iron stair treads are not suitable for visually impaired people. Colour contrasting nosings are required, plus handrails to steps;
- basement has no disabled accessible WC, but there are single sex washrooms – a unisex facility is needed, with shower and change facilities, if provided in the washrooms;
- there should be 6% disabled accessible/wheelchair accessible rooms;
- every escape route/stairwell should have refuge facilities; and,
- a number of rooms on 3rd & 4th floor are only accessible via steps along corridor.

5. Policy Context

- 5.1. The Birmingham Unitary Development Plan 2005 (Saved Policies); Birmingham Development Plan 2017; Colmore Row and Environs Conservation Area Character Appraisal and Supplementary Planning Policy SDP 2006, Snow Hill Master Plan Car Parking Guidelines SPD 2012, Places for All SPG 2001, Revised National Planning Policy Framework 2018.

6. Planning Considerations

Land Use Policy

- 6.1. Since the submission of the current application the scheme has evolved with the operators of the proposed restaurant/bar areas now requiring more space than originally envisaged. The whole of the ground floor fronting Newhall Street and Cornwall Street is now proposed as bar/restaurant/reception use, with hotel bedrooms fronting the Edmund Street elevation. The hotel rooms originally proposed on the ground floor are relocated to the new 5th floor, in lieu of the office space originally proposed. This brings the total number of hotel rooms to 182 (compared to 173 as originally submitted).
- 6.2. Saved policy 8.19 of the Birmingham Unitary Development encourages the provision of new major hotels subject to local planning, amenity and highway considerations. Moreover, use of the building as a hotel would be consistent with Policy GA1.1 which advises that within the City Centre new development should make a positive contribution to improving the vitality of the City Centre and should aim to improve the overall mix of uses. It would also be consistent with Policy GA1.3, which advises that the City Centre core should provide an exceptional visitor and retail experience with a diverse range of uses set within a high quality environment. Policy TP24 also encourages a diverse range of uses within centres, including new hotels, whilst TP25 specifically promotes proposals that reinforce and promote Birmingham's role as a centre for tourism. It adds that hotels will be important and proposals for well-designed and accessible accommodation will be supported.

- 6.3. In principle, I therefore welcome the proposed hotel use. Such a use would be consistent with the Revised National Planning Policy Framework 2018, which encourages sustainable development. In particular, Section 6 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth. The conversion of a vacant and inefficient office building to provide a new hotel, in a city centre location, is therefore entirely consistent with this aim.
- 6.4. I also welcome the ancillary facilities. The restaurant would provide an active ground floor frontage to Newhall Street / Cornwall Street, whilst the café at the corner of Newhall Street/Edmund Street would bring activity to this corner. The gym and multi faith room would also be good complimentary uses.

Impact on Listed Building and Conservation Area

- 6.5. The aim of the revised NPPF with regards to the conservation and enhancement of the historic environment remains the same as that of the 2012 NPPF. Paragraph 192 encourages local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.6. The application site comprises a group of three listed buildings (grade II and II*). All buildings are now only façades and are vacant. A scheme for their redevelopment was approved in 2015 under applications 2015/10484/PA and 2015/10427/PA to convert the buildings into offices and construct a two-storey roof extension over. This application seeks to use this consented design but change the use to a hotel. Historic England have not objected to the application but have raised a concern about the size of the two storey roof extension. Similarly, the City Council's Conservation Officer has raised no objections subject to the applicant justifying the two additional floors.
- 6.7. The Conservation Heritage Panel raised a number of detailed points and in response:-
- the internal layout within the rooftop addition has been amended with the office element omitted in favour of additional bedrooms. The internal layout is such that no elevation changes are required to the windows;
 - some plant would be accommodated in the basement, however, there is still a need for rooftop plant. The roof top plant would occupy the central part of the roof, as per the previously approved scheme which was supported by visuals of the streetscape. It would be set well back from the Edmund Street and Cornwall Street elevations to minimise its visual impact on the street scene and be screened behind aluminium / stainless louvres;
 - conditions are attached to secure further details of the roof and windows.
- 6.8. The principle of a replacing the existing mansard roof with a new two storey roof has already been established and the external appearance of the proposed roof extension is the same as previously approved. In support of the planning application, the applicant has confirmed that the additional floorspace within the rooftop addition

is required to provide a minimum number of hotel bedrooms and ancillary facilities to make the scheme viable. I am of the view that the proposed hotel is the optimum viable use and the two additional floors are necessary to deliver the scheme.

6.9. In terms of the design, the submitted Heritage Statement concludes that while the proposed roof extension would impact on the proportion of the building and appreciation of the elevations, the impact is minor adverse and is at the very low scale of harm. Paragraph 6.22 of the Planning Statement outlines the public benefits which would occur as a result of the proposed scheme, namely:-

- investment of circa £20.6 million to bring a vacant listed building back into use;
- the creation of new employment opportunities (during both construction (134 FTE jobs per annum) and operation (132 gross FTE jobs);
- £13.2 million annual contribution to productivity (GVA) within the West Midlands economy;
- between £1.9 million and £3.8 million uplift in visitor expenditure supporting Birmingham's leisure and tourist economy; and,
- provision of a new hotel within a sustainable city centre location close to existing leisure, business and tourist attractions.

6.10. I consider that the public benefits of the scheme outweigh the less than substantial harm. I am also of the view that the proposed scheme would help to sustain and thereby conserve, the significance of the listed building and enhance the character and appearance of the Colmore Row and Environs Conservation Area. As suggested by Historic England a condition is attached to salvage the original ornate staircase balustrade.

Highway Issues

6.11. The vacant office building is sought to be converted to a hotel with 182 rooms. The servicing bay on Cornwall Street is retained which provides a space for a large transit size vehicle to access but headroom and width prevents larger vehicles using. There would have been a level of servicing with the previous use and larger vehicles wait on street across parking restrictions around the access to carry out servicing. The proposed servicing movements are relatively light with at the most 11 movements a day, with the majority of these occurring before 0730am. There is no parking provided within the site but parking demand for the historic use and the use proposed would not differ greatly, and neither would traffic generation associated with the use.

6.12. BCC Transportation have raised no objections in principle to the proposal and its potential impacts across all modes is limited and can be suitably managed. They note that the applicant is seeking an amendment to the current on-street use of space to remove some pay and display parking and replace with an area that will provide for the likely drop-off and pick-up movements associated with a hotel. This short stay waiting area would not be dedicated to the applicant or be controlled by them. The area would remain within public highway and be subject to a suitable Traffic Regulation Order progressed by the applicant at their expense, and allow all members of the public to use. As recommended by BCC Transportation conditions are attached to secure a suitable highway agreement, construction management plan and cycle parking.

Access for People with Disabilities

6.13. Access Birmingham have made a number of comments on the scheme and in response the applicant has commented as follows:-

- access to multi faith room – the stairs would comply with relevant building regulations and a lift access to the basement would be provided;
- washroom facilities – WC's, including a disabled accessible WC are provided on the ground floor and provision of WC's/change facilities in the basement area would be subject to the gym operators requirements;
- disabled accessible / wheelchair accessible rooms – updated plans have been submitted identifying 11 disabled access rooms in a range of room types. The accessible rooms are all located such that they have level access;
- stairwells – revised plans have been submitted with 2 refuge areas within stairwells on each floor. In addition, the bedroom corridor is a 'protected' corridor and can be considered a suitable place of safety for ambulant disabled people/elderly/infirm await assistance from management to exit the building.

Other Matters

- 6.14. There are no residential properties in the immediate vicinity of the proposed restaurant and café on Newhall Street. I do not therefore consider it necessary to restrict the hours of use. As recommended by BCC Regulatory Services conditions are attached to secure details of fume extraction equipment and to control noise from plant and machinery. BCC Regulatory Services also recommend that occupancy should not exceed 6 months to ensure occupants are not exposed to poor air quality. However, I do not consider that such a condition would meet the test as it is not enforceable.
- 6.15. As recommended by the Employment Access Team, a condition is attached to secure local employment and training. A drainage condition is also attached as recommended by Severn Trent Water.
- 6.16. The comments from the Police and Fire Service have been forward to the applicant for their information. In addition, as recommended by the Police conditions are attached to secure suitable lighting and CCTV.
- 6.17. The development is liable for Community Infrastructure Levy.

Conclusion

- 6.18. I consider that the scheme complies with local and national planning policies. In particular, it would be a sustainable development and make a positive contribution to the vitality and viability of the city centre. Moreover, the public benefits of the proposals, including securing its optimum viable use, offset the less than substantial harm resulting from the roof top addition.
- 6.19. BCC Transportation have raised no objections in principle to the proposal and its potential impacts across all modes is limited and can be suitably managed. Subject to safeguarding conditions I consider that the application is acceptable.

7. Recommendation

7.1. Approve subject to conditions.

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|----|--|
| 1 | Requires the prior submission of a drainage scheme |
| 2 | Requires the prior submission of extraction and odour control details |
| 3 | Limits the noise levels for Plant and Machinery |
| 4 | Requires the prior submission of hard and/or soft landscape details |
| 5 | Requires the prior submission of a lighting scheme |
| 6 | Requires the prior submission of a construction method statement/management plan |
| 7 | Requires the prior submission of sample materials |
| 8 | Prevents outside storage |
| 9 | Requires the prior submission of a CCTV scheme |
| 10 | Requires the prior submission of balustrade re-use details |
| 11 | Requires the prior submission of details of refuse storage |
| 12 | Requires approval of any signage. |
| 13 | Requires the prior submission of a construction employment plan. |
| 14 | Removes PD rights for telecom equipment |
| 15 | Requires the prior submission of a commercial travel plan |
| 16 | Requires the prior submission of cycle storage details |
| 17 | Requires the prior submission and completion of works for the S278/TRO Agreement |
| 18 | Requires the scheme to be in accordance with the listed approved plans |
| 19 | Implement within 3 years (Full) |
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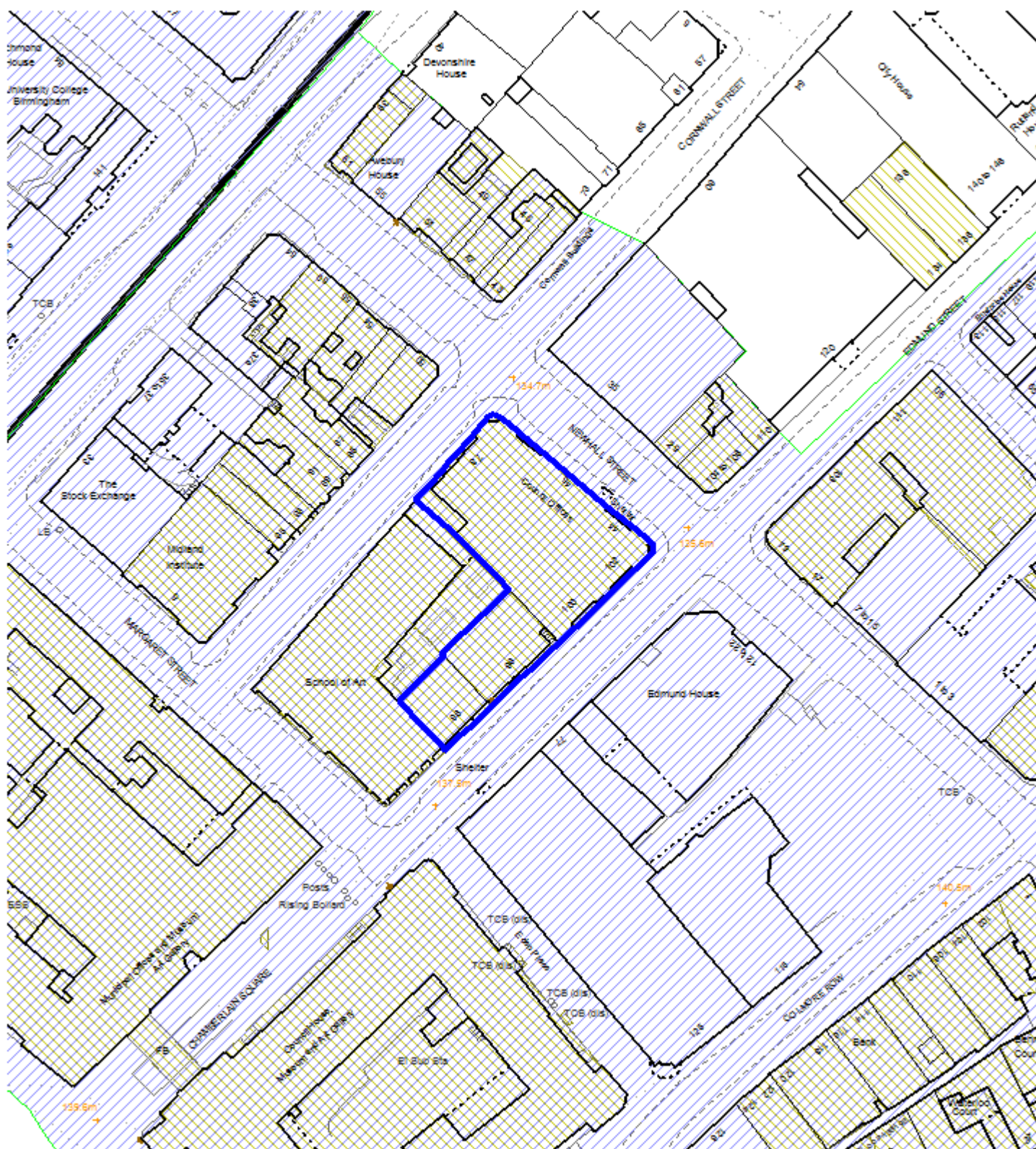
Case Officer: David Wells

Photo(s)



View from Newhall Street and Edmund Street

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/04429/PA
Accepted:	30/05/2018	Application Type:	Listed Building
Target Date:	14/10/2018		
Ward:	Ladywood		

Louisa Ryland House, Newhall Street/Edmund Street, City Centre, Birmingham, B3 3PL

Listed Building Consent for demolition of existing mansard roof and erection of two storey roof extension, together with internal and external alterations in connection with change of use from offices (Use Class B1) to hotel (Use Class C1) with ancillary facilities

Applicant:	Euro Property Investments Ltd c/o Agent
Agent:	Turley 9 Colmore Row, Birmingham, B3 2BJ

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This listed building consent application is for demolition of the existing mansard roof and construction of a new two storey roof extension together with internal and external alterations. It is accompanied by a planning application for the above works and change of use from offices to hotel with ancillary facilities. As originally submitted the scheme included offices on part of the 5th floor, but this has now been omitted in favour of additional bedrooms. In summary the revised scheme comprises:-

Internal works

- new dividing walls
- new riser locations
- new internal secondary glazing
- relocation of the access core with the main core accessed from Newhall Street and a service core accessed from Cornwall Street

External Works

- roof extension retaining the same scheme approved in the previous application (ref:2015/10427/PA)
- new external basement entrance point from the ground floor of Cornwall Street.
- relocation of the main entrance at Newhall Street
- installation of a green wall facing the courtyard and covering the ground and first floor.
- landscape works in the rear courtyard.

Layout

- 1.2. The proposal for Louisa Ryland House includes 182 bedroom units with associated facilities including reception, restaurant, lounge bar, café, gym, co-work space and a multi-faith prayer room.
- 1.3. The main entrance would be relocated to Newhall Street, the key frontage of the building. The ground floor includes an entrance lobby providing level access into the building. This space also accommodates facilities including the reception and lounge bar at the rear where glazed panels open up towards a planted courtyard. In addition a restaurant is proposed at the corner of Newhall Street / Cornwall Street and café at the corner of Newhall Street / Edmund Street.
- 1.4. Adjacent to the reception is the main access core with lifts and staircase giving access to the upper floors. The rest of the floor area to the west, is used for a range of studio and one bed size room units accessed through a corridor.
- 1.5. Through the lobby would be the basement that accommodates a gym, a meeting and co-working space within an open-plan layout. A multi-prayer room is accessible by both hotel guests and members of the public. This space has its own entrance via stairs from Cornwall Street, as well as, being able to be accessed internally.
- 1.6. The upper floors accommodate bedroom units been designed to accord with the symmetrical pattern of the retained façade, aligned with existing windows to provide light. The rooms are as follows:-
 - Studio room (18-50sqm) - 135 no. - 74 %
 - 1 Bedroom (34.5-60sqm) - 36 no. - 20 %
 - 2 Bedroom (54-137sqm) - 11 no. - 6 %
- 1.7. Compared with the average hotel bedrooms, these rooms are slightly larger, including kitchen facilities, a dining and living space integrated in an open plan layout. The bathroom facilities are incorporated in a central core, ensuring that the rest of space is not divided by wall partitioning.

External Works

- 1.8. The existing roof would be removed and a new double storey mansard roof added. The additional space within the roof extension would be used to accommodate bedrooms. The applicant has stated that this space is required to provide the optimum number of hotel rooms in order to achieve a viable scheme. The proposed mansard roof would have a Euroclad VIEO standing seam system, a metallic cladding system (similar to zinc) to form the appearance of the roof extension facade. The proposed works accord with the proposal for the roof extension that gained approval in 2015 under the reference (ref:2015/10427/PA).
- 1.9. Window frames would be retained from the 1980's scheme, with a secondary internal glazed sliding door system installed to help control noise and thermal levels within the building.
- 1.10. External doors facing Edmund Street would be retained and refurbished as they are with minor interventions. On the façade facing Newhall Street, an external timber frame would be removed to incorporate a new stainless steel frame with automatic

opening double doors. The existing metal railings located in front of this window would be re-used.

- 1.11. A planted courtyard is located to the rear of the lobby and accessed through the glazed doors. A green wall would be installed to the rear façade of the building looking into the courtyard. The proposed green wall is orientated to the north and covers the rear façade of the ground and first floor.

Access

- 1.12. The original entrance for Louisa Ryland House was located along Edmund Street and accessed via steps beneath a cupola, which was destroyed in the WWII. It is therefore proposed to reposition the main entrance from Newhall Street to provide a new primary frontage at street level and a suitable access for disabled people. This entrance would have three central bays open to the ground, aligned with the symmetrical lines of the listed building.
- 1.13. A service entrance is proposed from Cornwall Street through slightly recessed double solid doors towards a service bay leading to the service lift. Additionally, another entrance is located in the same frontage via a number of steps down from the street level. This would provide access to the multi-faith prayer room as it can be accessed either by members of the public as well as hotel guests.
- 1.14. Bronze signage with LED lighting is also proposed at the entrances. Lighting and way-finding is also proposed to facilitate use of the building as well as complying with the applicable regulations.
- 1.15. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises of Louisa Ryland House, a group of three buildings that occupy a site of 0.2 ha with frontages to Edmund Street, Newhall Street and Cornwall Street. The three buildings comprise: -
 - Empire House, former Medical Institute at 96 Edmund House – built 1879 - listed grade II;
 - Former School Board Offices at 98 Edmund Street – built 1881/3- listed grade II*; and,
 - Former Parish Offices and Board of Guardians Building at 100/102 Edmund Street, 44/46 Newhall Street and 78 Cornwall Street – built 1882/4 – listed grade II.
- 2.2. The buildings are of distinctive designs with 96 Edmund Street being 3 storeys high with a basement and of a Victorian classical style in red brick and matching terracotta. 98 Edmund Street is of 4 storeys with a basement and built of red brick, terracotta and stone in a Gothic style and the Newhall Street range of buildings is of a classical French Renaissance style constructed of stone and comprises a three-storey building over a deep basement. This building originally had a highly decorative roof of mansard pavilions, ventilators, iron ridging pediment capping and a central clock tower and cupola over the entrance on Edmund Street.
- 2.3. All three buildings were significantly damaged during WW II, causing the loss of the clock tower and cupola. The Newhall Street buildings also suffered further damage

during an IRA attack in 1974 and were subject to further decline during the late 1970's. Subsequently the premises were amalgamated into one building during the early 1980's and underwent extensive alterations removing the roof, floors, rear and flank walls and retaining only the facades. New concrete frames were inserted, walls and floors rebuilt and new roofs provided. The buildings have now been unoccupied since they were vacated by the City Council in 2012.

- 2.4. The three listed buildings form half of an urban block in the city centre, with the rest of the block being occupied by the Grade I listed Birmingham School of Art erected in 1881-5. It is built in the Ruskin Gothic tradition and is one of Birmingham's most exceptional buildings. At the rear of the site the buildings surround a small courtyard area and on the application site this is enclosed by retaining walls that separate it from a similar yard at the School Of Art, which is at a higher level. The overall block makes an important contribution to the character and appearance of the Colmore Row Environs Conservation Area.
- 2.5. Other than 35 Newhall Street and buildings on the opposite side of Edmund Street, the site is completely surrounded by Grade I, II* and II listed buildings. These all range in age and style and represent an intense period of civic redevelopment in Birmingham. The site also lies in the Colmore Business District and surrounding uses in the area are predominantly office led with active ground floor uses such as café's, restaurants and bars.

3. Planning History

- 3.1. 5 August 2015 Application 2015/10427/PA. Planning consent granted for demolition of existing mansard roof, erection of two storey replacement roof with plant room above, alterations to and extension to rear courtyard elevations including external terrace, provision of two ground floor commercial units (for A1/A2/A3/A4 use from B1), creation of basement car park, together with associated internal and external alterations to provide refurbished and additional B1 office floorspace.
- 3.2. 5 August 2015 Application 2015/10484/PA. Listed Building consent granted for demolition of existing mansard roof, erection of two storey replacement roof with plant room above, external alterations to rear courtyard elevations including extensions and external terrace, creation of basement car park, together with internal alterations to provide refurbished and additional office floor space and two ground floor commercial units.
- 3.3. 30 May 2018 Application 2018/04429/PA. Planning application for change of use to hotel and ancillary facilities; demolition of existing mansard roof and erection of two storey roof extension, together with internal and external alterations. A report about this application appears elsewhere on your Committee's agenda.

4. Consultation/PP Responses

- 4.1. Adjoining occupiers, residents associations, amenity societies, Colmore BID, local ward councillors and M.P. notified. Site and press notices displayed.
- 4.2. Conservation Heritage Panel:–
 - questioned the large picture windows located in the proposed roof and whether they would be practical for a hotel use;

- greater design consideration should be given to the internal room layout, means of ventilation, internal floor heights, openings and window dressings;
 - questioned the location of the rooftop plant;
 - consideration should be given to unifying the roofscape through materials and details - including high quality detailing of cheeks of reveals and faceting of corners.
 - requested that service access requirements are fully considered.
- 4.3. Historic England - do not object to the proposed changes to the front elevation on the ground floor of Newhall Street, to the front elevation of the basement of Cornwall Street and to the courtyard elevations. However, they remain concerned about the size of the new two-storey roof extension proposed. They are also concerned about the proposed demolition of the original ornate staircase balustrade, which was retained and fixed to a new staircase in the 1980s. They recommend it be salvaged once again and reused in the building.

5. Policy Context

- 5.1. The Birmingham Unitary Development Plan 2005 (Saved Policies); Birmingham Development Plan 2017; Colmore Row and Environs Conservation Area Character Appraisal and Supplementary Planning Policy SDP 2006, Snow Hill Master Plan Car Parking Guidelines SPD 2012, Places for All SPG 2001, Revised National Planning Policy Framework 2018.

6. Planning Considerations

- 6.1. Elsewhere on your Committee's agenda is a report about the accompanying planning application, which addresses the principle of the use, highway, access and consultation responses. This report for the Listed Building Consent application deals specifically with the impact of the proposals on the listed building and conservation area.
- 6.2. Since the submission of the current application the scheme has evolved with the operators of the proposed restaurant/bar areas now requiring more space than originally envisaged. The whole of the ground floor fronting Newhall Street and Cornwall Street is now proposed as bar/restaurant/reception use, with hotel bedrooms fronting the Edmund Street elevation. The hotel rooms originally proposed on the ground floor are relocated to the new 5th floor, in lieu of the office space originally proposed. This brings the total number of hotel rooms to 182 (compared to 173 as originally submitted).
- 6.3. The aim of the revised NPPF with regards to the conservation and enhancement of the historic environment remains the same as that of the 2012 NPPF. Paragraph 192 encourages local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 196 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.4. The application site comprises a group of three listed buildings (grade II and II*). All buildings are now only façades and are vacant. A scheme for their redevelopment was approved in 2015 under applications 2015/10484/PA and 2015/10427/PA to

convert the buildings into offices and construct a two-storey roof extension over. This application seeks to use this consented design but change the use to a hotel. Historic England have not objected to the application but have raised a concern about the size of the two storey roof extension. Similarly, the City Council's Conservation Officer has raised no objections subject to the applicant justifying the two additional floors.

6.5. The Conservation Heritage Panel raised a number of detailed points and in response:-

- the internal layout within the rooftop addition has been amended with the office element omitted in favour of additional bedrooms. The internal layout is such that no elevation changes are required to the windows;
- some plant would be accommodated in the basement, however, there is still a need for rooftop plant. The roof top plant would occupy the central part of the roof, as per the previously approved scheme which was supported by visuals of the streetscape. It would be set well back from the Edmund Street and Cornwall Street elevations to minimise its visual impact on the street scene and be screened behind aluminium / stainless louvres;
- conditions are attached to secure further details of the roof and windows.

6.6. The principle of replacing the existing mansard roof with a new two storey roof has already been established and the external appearance of the proposed roof extension is the same as previously approved. In support of the planning application, the applicant has confirmed that the additional floorspace within the rooftop addition is required to provide a minimum number of hotel bedrooms and ancillary facilities to make the scheme viable. I am of the view that the proposed hotel is the optimum viable use and the two additional floors are necessary to deliver the scheme.

6.7. In terms of the design, the submitted Heritage Statement concludes that while the proposed roof extension would impact on the proportion of the building and appreciation of the elevations, the impact is minor adverse and is at the very low scale of harm. Paragraph 6.22 of the Planning Statement outlines the public benefits which would occur as a result of the proposed scheme, namely:-

- investment of circa £20.6 million to bring a vacant listed building back into use;
- the creation of new employment opportunities (during both construction (134 FTE jobs per annum) and operation (132 gross FTE jobs);
- £13.2 million annual contribution to productivity (GVA) within the West Midlands economy;
- between £1.9 million and £3.8 million uplift in visitor expenditure supporting Birmingham's leisure and tourist economy; and,
- provision of a new hotel within a sustainable city centre location close to existing leisure, business and tourist attractions.

6.8. I consider that the public benefits of the scheme outweigh the less than substantial harm. I am also of the view that the proposed scheme would help to sustain and thereby conserve, the significance of the listed building and enhance the character and appearance of the Colmore Row and Environs Conservation Area. As suggested by Historic England a condition is attached to salvage the original ornate staircase balustrade.

7. Conclusion

- 7.1. I consider that the scheme complies with local and national planning conservation policies. In particular, the public benefits of the proposals, including securing its optimum viable use, offset the less than substantial harm resulting from the roof top addition. Subject to safeguarding conditions I therefore consider that the application is acceptable.

8. Recommendation

- 8.1. Approve subject to conditions.

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| 1 | Requires prior architectural details |
| 2 | Requires the prior submission of materials |
| 3 | Requires the prior submission of roof materials |
| 4 | Requires the prior submission of balustrade re-use details |
| 5 | Requires the prior submission of a demolition method statement |
| 6 | Requires the retention of the timber panelling. |
| 7 | Requires the prior submission of works to be undertaken to the courtyard |
| 8 | Requires the submission of an external lighting strategy |
| 9 | Requires the scheme to be in accordance with the listed approved plans |
| 10 | Implement within 3 years (conservation/listed buildings consent) |
-

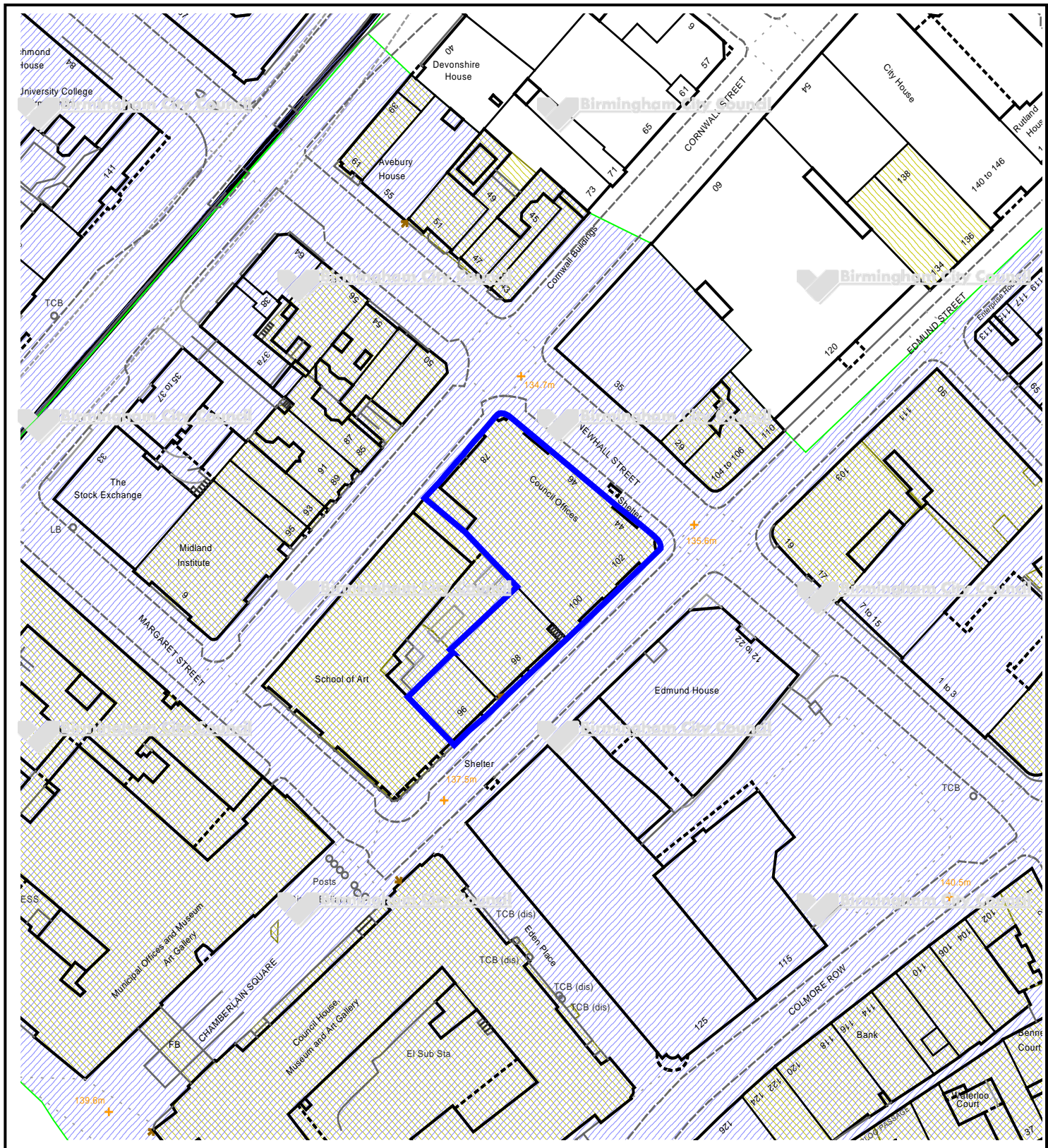
Case Officer: David Wells

Photo(s)



View along Edmond Street

Location Plan



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Birmingham City Council

Planning Committee

13 September 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	20	2018/02000/PA Tile Cross Academy Gressel Lane Kitts Green Birmingham B33 9UF Erection of sports building with changing rooms and first floor classroom, creation of new MUGA, re-clad existing Martineau School building, new car park and associated works
Approve – Conditions	21	2018/05903/PA Land adjacent 39 Romford Close Sheldon Birmingham B26 3TR Outline planning application (all matters reserved) for the erection of 2 dwellinghouses
Section 191/192 Permission not required	22	2018/05994/PA 7 Orchard Road Erdington Birmingham B24 9JL Application for a lawful development certificate for a proposed change of use from single dwelling (Use class C3) to a House in Multiple Occupation (Use Class C4 - occupied by six unrelated individuals who share basic amenities)

Committee Date:	13/09/2018	Application Number:	2018/02000/PA
Accepted:	13/03/2018	Application Type:	Full Planning
Target Date:	12/06/2018		
Ward:	Glebe Farm & Tile Cross		

Tile Cross Academy, Gressel Lane, Kitts Green, Birmingham, B33 9UF

Erection of sports building with changing rooms and first floor classroom, creation of new MUGA, re-clad existing Martineau School building, new car park and associated works

Applicant:	Birmingham City Council EDSI, 1 Lancaster Circus Queensway, Birmingham, B4 7DY
Agent:	Acivico PO Box 17211, Louisa House, 93-93 Edward Street, Birmingham, B2 2ZH

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This planning application seeks consent for the erection of sports building with changing rooms and first floor classrooms, the creation of 2 new Multi Use Games Areas (MUGA), the existing Martineau School building to be re-clad, the creation of a new car park and associated works on land at Tile Cross Academy, Gressel Lane. The proposals do not incorporate an increase in the number of staff or pupils at Tile Cross Academy or the adjacent Brays School.
- 1.2. The proposed sports hall would be two storeys in height and would accommodate a sports hall along with changing facilities and associated infrastructure at ground floor, with classrooms proposed to be located at the first floor of the building. The sports hall building would be located to the south of the existing Martineau building. The building would be elliptical in shape with approximately 400sqm floorspace provided at first floor to accommodate the classrooms and lockers / lobby area. The sports hall would be intended for indoor sports including badminton, basketball and five a side football. Cricket practice would be undertaken within the facility all year round.
- 1.3. The building would comprise a total floorspace of approximately 1,230sqm and would be 37.9m wide x 36.5m deep. The height to the eaves of the building would be approximately 8.5m high with the maximum height of the building proposed to be approximately 10.5m high. The proposed materials would comprise a brick plinth with Euroclad Elite 57 sinusoidal cladding in 4 different colours with variations of coloured banding. The roof for the sports hall would be a standing seam effect Euroclad Vieo aluminium roof system insulated on metal deck with curved section and concealed gutter. Roof overhangs are proposed to the front elevation providing solar shading for the classrooms. The entrance would feature a profiled metal coloured wall and roof / wall cladding edge trim to match.

- 1.4. The building would have rooflights at first floor with the roof rising up to the rounded ridge of the building alongside windows at the first floor with louvered vent panels for ventilation of the classrooms. Few windows would be proposed on the ground floor of the building to facilitate the use of the building as a sports hall, except for the presence of a glazed entrance doorway and windows related to the lobby, an office and ground floor educational practice room.
- 1.5. The proposed MUGA would be located to the east of the existing Martineau building and would amount to 1,850sqm. The MUGA would be enclosed by a fence and would be subject to lighting of the proposed pitches.
- 1.6. The existing Martineau building would be re-clad as part of the application proposals. Internal refurbishment has already been undertaken at the building. The proposed materials would comprise new louvres, new UPVC glazing, replacement roof, replacement brickwork and new entrance canopy. White render would be introduced on the front and rear elevations. The proposed colour scheme would match that proposed for the new sports hall and classroom building.
- 1.7. The proposals would be supported by the provision of re-arranged car parking. In addition to the existing car parking provision at Tile Cross Academy of 101 spaces, 36no. parking spaces for use by the adjacent Brays School are proposed, with 14no. spaces being provided for visitors and 22no. spaces being provided for staff. These car parking areas would be located beyond a gate proposed to be installed to maintain security for the Brays School. Mini bus parking would be located to the west, beyond a further security gate. The car park would replace former sports ground and existing hardstanding, in an effort to separate the two school sites and provide both schools with individual access and parking solutions for the site. The existing Tile Cross Academy staff car park would not be altered as part of this planning application.
- 1.8. A bus drop off is proposed to the north of the proposed sports hall which would be utilised by two dedicated double decker school buses during school start and end times, and would be gated off at all other times. A swept path analysis has been submitted in support of the planning application to demonstrate how the bus drop off would be facilitated.
- 1.9. Existing cycle parking would be retained and enhanced to increase the existing provision from 15no. cycle racks to 50no. cycle racks in order to encourage greater modal split for pupils attending the school.
- 1.10. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site consists of an existing school site which is occupied by Tile Cross Academy secondary school and Brays Special Educational Needs primary school on Gressel Lane, Tile Cross. The application site consists of a number of existing buildings of varying age and condition, car parks and areas of hardstanding which facilitate the operation of the schools. The area proposed for development relates to an existing area of hardstanding and lawn which is currently used for recreation purposes.

- 2.2. The site surroundings are entirely residential, with the nearest facing residential properties located approximately 100m to the south on the opposite side of Gressel Lane, with the nearest adjacent residential properties located approximately 50m to the west. The application site is located within Flood Zone 1 and is not subject to a Tree Preservation Order.

2.3. [Site Location](#)

3. [Planning History](#)

- 3.1. 24.09.2010 - 2010/03238/PA - Redevelopment of existing school and its site to include construction of new entrance pavillion with pedestrian entrance plaza on Gressel Lane frontage, new sports hall with changing facilities located towards the north eastern boundary of the site (Leycroft Avenue), new covered walkways, alterations to existing vehicular entrance off Gressel Lane, demolition of some school buildings, minor alterations, extension/refurbishment, outdoor teaching areas, landscaping and other associated works – Approved subject to conditions.
- 3.2. 10.03.2006 - 2006/00189/PA - Retention of two-storey building on frontage providing 12 classrooms, associated site works and new parking areas – Approved subject to conditions.
- 3.3. 05.02.2003 - 2002/05470/PA - Construction of two-storey new build school accommodation with a single-storey link block – Approved subject to conditions.
- 3.4. 13.07.2000 - 2000/02980/PA - Provision of 2-storey temporary building on frontage to provide 12 classrooms, associated site works and new parking areas – Approved temporary.

4. [Consultation/PP Responses](#)

- 4.1. Transportation Development – recommended conditions to secure cycle storage details and to secure the ongoing provision of on-site parking facilities to be identified and made available for public / community use of sports facilities prior to first use of the sports facilities.
- 4.2. Regulatory Services – recommends conditions to secure maximum noise levels for plant and machinery; prior submission of a lighting scheme for the MUGA; and the installation of electric vehicle charging points.
- 4.3. Local Lead Flood Authority – object on the grounds that insufficient information has been provided.
- 4.4. Leisure Services – no comment.
- 4.5. Severn Trent – recommend conditions to secure the prior submission of drainage plans for the disposal of foul and surface water flows.
- 4.6. West Midlands Fire Service – no comment.
- 4.7. West Midlands Police – no objection.

- 4.8. Sport England – support the application, subject to conditions to secure a community use agreement for the proposed use of the sports hall and MUGA, and the prior submission of the design and specification of the flooring material, the colours and reflectance values of the internal surfaces and proposed heating and ventilation of the sports hall; and the surface material, fencing and lighting details of the MUGA.
- 4.9. Site notice displayed. Ward Members and neighbours notified. Councillors Bridle and Cotton advised that they supported the application in principle however raised concerns with regards to the likely highway impact of the proposals as the existing bus drop off would be lost as part of the proposals, and that Gressel Lane is currently subject to a number of traffic related issues.
- 4.10. Five letters of objection received, raising the following concerns:
- Lack of consultation on the planning application;
 - Lack of consultation prior to the application being submitted;
 - Adverse impact on views from residential properties located opposite;
 - Proposed appearance of sports hall would be out of character with the surrounding residential area;
 - Increase in amount of traffic and footfall in the vicinity of the site;
 - Construction of proposed development would amount to an adverse impact on existing residential properties and occupiers;
 - Fear of anti-social behaviour;
 - Increased parking demand and congestion;
 - Construction work commenced prior to any grant of planning permission; and
 - Proposed sports hall would be overbearing and dominant in respect of its surroundings.

5. Policy Context

- 5.1. National Planning Policy Framework (2018); Birmingham Development Plan (2017); Birmingham Unitary Development Plan Saved Policies (2005); Places for All SPG (2001); Car Parking Guidelines SPD (2012)

6. Planning Considerations

- 6.1. **Principle of Development** – The application proposals relate to the enhancement of existing facilities currently provided at the Tile Cross Academy secondary school and Brays SEN primary school. The application proposals seek to include the delivery of a sports hall, additional classrooms and two MUGAs, alongside associated works, to include additional car parking.
- 6.2. The National Planning Policy Framework sets out in paragraph 94 that “It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.” In order to achieve this requirement, the NPPF sets out that Local Planning Authorities should give great weight to the need to create, expand or alter schools. Paragraph 121 (b) of the NPPF indicates that Local Planning Authorities should support proposals to make more effective use of sites that provide community services such as schools, provided that such would maintain

or improve the quality of service provision and access to open space. I am of the view that the application proposals would comply with guidance set out within the NPPF, to deliver school facilities required to meet the statutory needs of the Local Education Authority and making the most effective use of land.

- 6.3. The Birmingham Development Plan covers education within policy TP36, which sets out that proposals for the upgrading and expansion of existing schools and development of new schools in locations where additional provision is required would be supported subject to the new education facilities having safe access by cycle and walking as well as by car and incorporate a school travel plan; have safe drop-off and pick-up provision; provide outdoor facilities for sport and recreation; and avoid conflict with adjoining uses. The application proposals include the development of existing land which is understood to be utilised as a bus drop off area for dedicated school buses. In order to address the existing bus drop off being displaced, land has been identified to be located to the rear of the proposed sports hall to accommodate these school buses for drop off and collection prior to school hours and on closure of school. Swept path analysis has been submitted in support of the application to demonstrate that the buses could safely access and leave the site.
- 6.4. The loss of playing fields is covered within the BDP, within policy TP9, setting out that planning permission would not normally be granted for a development which incorporates the loss of open space / playing fields except where the development is for alternative sport or recreational provision, the benefits of which would clearly outweigh the loss. The application proposals relate to the erection of a sports hall and two MUGAs. I am of the view that the proposals would achieve wider benefits for the school and its pupils, alongside the wider local community given that there would be scope for the use of the sports hall by clubs and community groups.
- 6.5. I am satisfied that the proposals would, on this basis, be acceptable in principle, and would successfully achieve the objectives set out within local and national adopted planning policy.
- 6.6. **Impact on Visual Amenity** – The proposals seek to deliver external refurbishment to the existing school buildings alongside the erection of a two storey sports hall with classrooms located at the first floor. The buildings on site are understood to be currently unfit for purpose and interventions are required to ensure that the school can continue to accommodate pupils and enable the delivery of the statutory requirement. The proposed refurbishment would seek to modernise the Martineau Building frontage which currently appears to be outdated. I am satisfied that the proposed refurbishment would be consistent with the character of the application site as an existing school and would not have any worse impact on visual amenity.
- 6.7. The proposed sports hall would be two storeys in height, rising up to a maximum of 10.5m to the rear of the building. The building is set back from Gressel Lane by approximately 28m which is considered to mitigate the scale and mass of the proposed building. The proposed construction is consistent with the typical approach taken to new school facilities, with brick plinths and cladding proposed for effective maintenance. Materials are proposed to match those of the proposed refurbishment of the Martineau Building in order to achieve consistency of appearance across the school site. The proposals are considered to make an acceptable contribution towards the visual amenity of the site, when assessed against the benefits that would be delivered to the existing school.

- 6.8. Objections have been received from local residents, stating that the proposals would amount to a loss of outlook from their properties and that the proposed design would be out of character with the surroundings. The proposed sports hall would be located approximately 100m to the north of existing properties on the opposite side of Gressel Lane and approximately 50m to the east of adjacent flats. I am satisfied that the separation distances proposed would be sufficient to mitigate the impact on residents visual amenity. Whilst I note that the proposals would result in the development of currently vacant land, the application site forms part of an existing school site and such development is considered to be typical and amount to the effective use of land, consistent with guidance set out within the NPPF. With regards to the character of the surrounding area, it is noted that the school is located within an entirely residential area. Nevertheless, a school has been located on this site for over 50 years and I am satisfied that the proposals are consistent with the character of the existing school site. In order to ensure that the proposed colours and materials are appropriate in the context of the existing school site, I have recommended that a condition to secure sample materials is attached to any grant of planning permission.
- 6.9. **Impact on Drainage** – The application site is an existing school site in an established urban area with drainage solutions in situ. It is understood from discussions with the applicant that a comprehensive drainage solution is being prepared for the wider school site, as the two MUGAs and the sports hall would be located over existing drainage locations. This would be prepared and submitted to the Local Planning Authority for approval following the grant of any planning permission at the site, in order to ensure that accurate calculations based on the existing and proposed can inform the design of the drainage scheme.
- 6.10. The Local Lead Flood Authority objects on the grounds that insufficient calculations have been submitted in support of the scheme. However, given the established urban development use of the site, I am of the view that such an objection would not be sufficient as grounds for refusal and am satisfied that such details could be resolved as conditions attached to any grant of planning permission. Severn Trent raises no objection to the proposals. Accordingly, I have recommended that appropriately worded conditions are attached to any grant of planning permission.
- 6.11. **Impact on Landscape and Ecology** – The application site is located within an established urban area. The Council's Ecologist has been consulted and has advised that the area is of low ecological value and in its current state doesn't contribute towards connectivity of habitats. The proposals comprise some elements of planting in order to soften the appearance of the development and contribute towards visual amenity. It is considered that the development of the site presents opportunities for ecological enhancement through the choice of planting species. A condition to secure such enhancement is recommended to be attached to any grant of planning permission.
- 6.12. The Council's Landscape Officer has been consulted as part of the planning application and is of the view that site boundaries require reinforcing with native tree and hedge planting along all edges. It is noted that the proposed location of the sports hall would be set back from Gressel Lane with existing lawn / planting proposed to be retained alongside some planting. I am of the view that the proposed new building should have a relationship with Gressel Lane and that the proposed level of planting would be sufficient in this area. There is additional planting around the MUGAs however it is noted that adequate natural surveillance would be required from around the school into the sports areas. On balance, I consider that the proposed level of planting would be sufficient in the context of the

application site. Conditions are recommended to secure hard and soft landscape details; hard surfacing details; boundary treatments; and levels.

- 6.13. **Impact on Residential Amenity** – The application proposal is located within an established school site. The closest residential properties are located approximately 100m to the south and 50m to the west of the proposed sports hall. The sports hall would be set back from Gressel Lane and the two MUGAs would be located to the rear of existing school buildings, and fully contained within the confines of the existing site boundaries.
- 6.14. The MUGAs are proposed to be lit by floodlights which would comprise 4no. 10m high masts with luminaires which would amount to an illumination level of approximately 200 lux. These would be located in the north west, north east, south west and south east of the MUGAs, located beyond the existing school building on the Gressel Lane frontage. The floodlights would sit higher than the existing school building and would be approximately the same height of the maximum height of the sports hall. The closest residential property would be located to the west, approximately 95m away. The residential properties on the opposite side of Gressel Lane would be located approximately 110m away. Gressel Lane is lined with streetlights which would be located closer to existing residential properties. I consider that the distances between the proposed floodlights and residential properties are adequate to disperse the light emitted from the floodlights without having a significant impact on neighbouring residential amenity.
- 6.15. Regulatory Services have been consulted on the application proposals and raise no objections, subject to the imposition of a condition to limit the maximum noise levels of plant and machinery. I am satisfied that, in the context of the existing use of the wider school site, the proposal would not have any greater impact on residential occupiers than that which is already occurring on site. The capacity of the school is not proposed to increase as a result of the development and accordingly there would be unlikely to be a greater level of noise and disturbance generated by the development.
- 6.16. Objections from local residents are noted, particularly in respect of the concerns of anti-social behaviour and loitering. West Midlands Police has been consulted on the application and raise no objection. As mentioned above, the existing capacity of the school would not be altered as a result of the proposals and accordingly it is unlikely that there would be an increase in the number of pupils present in the area.
- 6.17. Whilst I would anticipate that the construction phase of the development could result in some disruption, it is noted that this would be temporary in its nature and would be regulated by Environmental Health guidelines in respect of hours of operation and construction methods. Furthermore, I am of the view that the application site is a sufficient distance away from residential properties that the disturbance would be unlikely to have an adverse impact on residential amenity.
- 6.18. **Impact on Highway Safety** – The application proposals include the creation of formal staff and visitor car parking for the use of Brays SEN primary school which would be located beyond a gate which would be restricted to secure access. Existing mini bus parking for Brays SEN primary school would be retained and formalised in the north of the site, which would be accessed through a second gate, and from Gressel Lane. The proposed sports hall would be located on existing land which is understood to be used as a double decker school bus set down / drop off area. An area located to the rear of the proposed sports hall has been identified as

a replacement school bus set down / drop off area for two double decker buses. This would also be accessed via the vehicular entrance on Gressel Lane.

- 6.19. Transportation Development were consulted on the application and were of the view that as the proposal would appear to reduce available vehicle circulation space within the site and displace school bus services currently associated with Tile Cross Academy onto Gressel Lane, the potential impact of this would need to be considered in further detail. Further information was requested, and a Transport Statement was submitted in support of the application proposals alongside the identification of the replacement school bus set down / drop off area for two double decker buses to the rear of the proposed sports hall. The Transport Statement assessed current conditions at the school site, with surveys undertaken in early July 2018, to coincide with term time traffic movements.
- 6.20. The Transport Statement concludes that the proposed replacement school bus set down / drop off area for two double decker buses would address the loss of the existing facility, as the school only requires this level of bus provision during the AM / PM peak hours. The formal car parking proposed to accommodate staff, visitors and minibuses associated with the Brays SEN primary school would be likely to take vehicles off Gressel Lane and Leycroft Avenue and consequently result in a reduction in the number of short stay parking instances within the vicinity of the school site during AM / PM peak hours. Pupils attending Tile Cross Academy are noted to use public transport as their primary mode of transport. The delivery of a replacement school bus set down / drop off area for two double decker buses is therefore considered to be a priority for the school. It is noted that there is no proposed increase in capacity at the school and accordingly it is unlikely that additional parking or traffic congestion would be generated through the application proposals.
- 6.21. Transportation Development has been consulted on the proposals since the receipt of the amended proposals and the Transport Statement. It is considered that the information provided within the Transport Statement provides a coherent analysis of existing and proposed school travel considerations. Transportation Development are of the view that given that there is to be no additional pupil intake, it is not necessary in this instance to secure any additional off-site highway measures. I concur with this view and I am satisfied that the application proposals have taken the existing conditions surrounding the site into account and the proposals have been amended to address the key issues in respect of the loss of the existing school bus set down / drop off area. I have recommended a number of conditions to ensure that the proposals would not have an adverse impact on highway safety, including a requirement to complete the proposed school bus set down / drop off area prior to the commencement of development on the existing school bus set down / drop off area.
- 6.22. Objections from local residents are noted with regards to the concern that the application proposals could worsen existing parking or traffic congestion on Gressel Lane. The proposals would not result in an increase in capacity at the school and a school bus set down / drop off area is proposed to be delivered as part of the development. Accordingly, I am of the view that the proposed development would be unlikely to worsen the existing situation and could potentially improve the situation through the provision of formalised staff, visitor and minibus parking for Brays SEN primary school.
- 6.23. **Other Matters** – Objections were received from local residents on the grounds that insufficient pre-application consultation was undertaken by the applicant and,

subsequently, that insufficient consultation was undertaken by the Local Planning Authority. Whilst applicants are encouraged to consult prior to the submission of a planning application, there is no statutory requirement for this to be undertaken. Nevertheless, the applicant has provided evidence that a pre-application consultation event was held at the school in February 2018, with feedback included within the Design and Access Statement submitted in support of the application.

- 6.24. The Local Planning Authority is obligated to consult via a site notice displayed in the vicinity of the site and the direct notification of the nearest neighbours to the site. As mentioned throughout this Committee Report, the nearest neighbours are located 50m and 100m to the west and south of the site respectively. Consultation of additional properties in the vicinity of the site was undertaken at the request of the Ward Members. I am satisfied that consultation was undertaken in accordance with the Local Planning Authority's Registration Manual and exceeded the standard requirements.

7. Conclusion

- 7.1. The application proposals seek consent for the refurbishment of existing school buildings, the erection of a sports hall building with classrooms at first floor, the provision of formal car parking for Brays SEN primary school and a school bus set down / drop off area. The application proposals are consistent with adopted planning policy. For the reasons set out above, I recommend that the application be approved subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of sample materials |
| 3 | Requires the prior submission of fencing and lighting details associated with the MUGAs |
| 4 | Requires the prior submission of the ongoing provision of on-site parking facilities details |
| 5 | Requires the prior submission of a community access agreement |
| 6 | Requires the prior submission of finishes to MUGAs and sports hall (internal) |
| 7 | Requires the completion of the bus drop off area prior to the commencement of the development of the sports hall |
| 8 | Requires the prior submission of cycle storage details |
| 9 | Requires the provision of a vehicle charging point |
| 10 | Requires gates to be set back |
| 11 | Requires the prior submission of a contamination remediation scheme |
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- 12 Requires the prior submission of a contaminated land verification report
 - 13 Limits the noise levels for Plant and Machinery
 - 14 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
 - 15 Requires the prior submission of a drainage scheme
 - 16 Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 17 Requires the prior submission of level details
 - 18 Requires the prior submission of hard and/or soft landscape details
 - 19 Requires the prior submission of boundary treatment details
 - 20 Requires the prior submission of hard surfacing materials
 - 21 Implement within 3 years (Full)
-

Case Officer: Claudia Clemente

Photo(s)

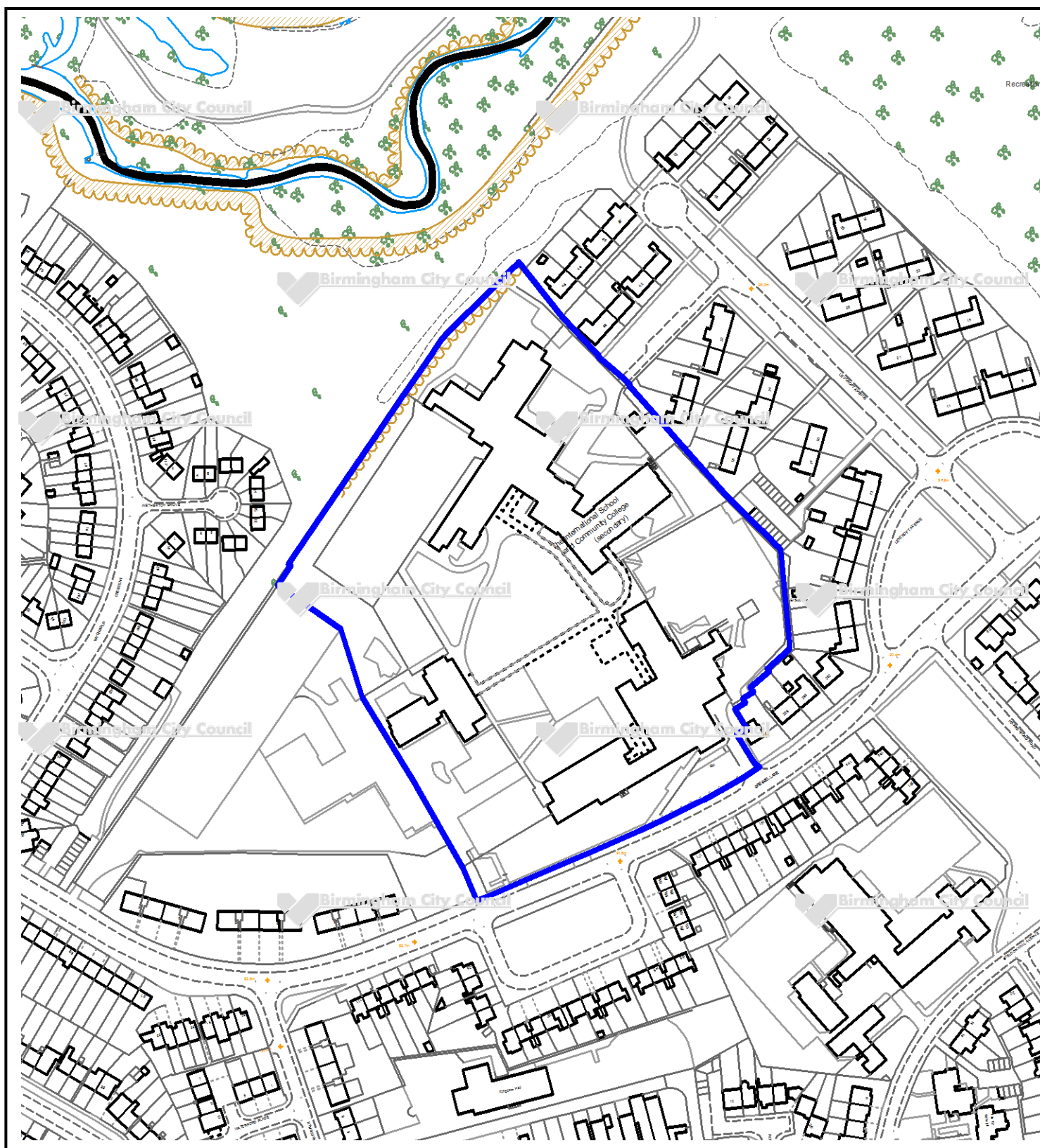


Figure 1: Proposed site of sports hall; bus drop off and Brays SEN primary school parking



Figure 2: Existing school buildings

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/05903/PA
Accepted:	18/07/2018	Application Type:	Outline
Target Date:	13/09/2018		
Ward:	Sheldon		

Land adjacent 39 Romford Close, Sheldon, Birmingham, B26 3TR

Outline planning application (all matters reserved) for the erection of 2 dwellinghouses

Applicant:	Mr Singh 21 Worlds End Road, Birmingham, B20 2NP
Agent:	Design Syntax Ltd 38 Barnford Hill Close, Quayside Tower, 256-260 Broad Street, Oldbury, B68 8ES, United Kingdom

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1 The proposal relates to an outline planning application for the erection of two dwellings on the site of the existing garages which adjoin Nos. 37 and 39 Romford Close, Sheldon.
- 1.2 The application is in outline form with all matters ie. Layout, appearance, scale and landscaping reserved for future determination. The application is supported by an indicative Proposed Layout Plan and Arboricultural Survey. The indicative layout shows the provision of 2 parking spaces at the front of the proposed properties and gardens to the rear.
- 1.3 The indicative gross internal floor area would be 160sqm.
- 1.4 The site area amounts to 0.06Ha resulting in a density of 33 dwellings per hectare.

[Link to Documents](#)

1. Site & Surroundings

- 2.1 The application site comprises a group of 18 run down garages located to the west side of Nos. 37/39 Romford Close. There is a vehicular access leading to the garages from Romford Close to the south. The east side of the site comprises an area of hardstanding and four of the garages, with the remaining 14 located along the western periphery of the site.
- 2.2 The western and northern boundaries of the application site are adjacent to the rear residential gardens Nos. 36 – 52 Carnford Road and the boundary is delineated by a tall broadleaf treeline especially on the western section. The eastern side of the site is delineated by close boarded fencing and which connects with a group of four garages which extend slightly in the curtilage of Nos. 37 – 39 Romford Close.

- 2.3 The site is largely covered in hardstanding with a small area of amenity grassland in the northwest corner of the site.
- 2.4 The wider area comprises residential development and Romford Close is accessed from Common Lane which leads to Coventry Road. The site is approximately 2km north of Sheldon Local Centre. Sheldon Country Park is located approximately 200m away.
- 2.5 [Site Location](#)
3. [Planning History](#)
- 3.1 04.03.2015 2015/0024/PA Demolition of existing garages and erection of detached building to create four self-contained flats with associated parking. Withdrawn.
- 3.2 15.12.2014 2014/06685/PA Erection of detached building to provide 4 No. 2 bedroom flats. Withdrawn.
- 3.3 20.11.2009 2009/03359/PA Erection of 2 no. semi-detached 4 bedroom dwellinghouses and installation of associated access and boundary treatment. Withdrawn.
- 3.4 21.11.1963 21754003 Flats and garages Approved.
4. [Consultation/PP Responses](#)
- 4.1 Press and site notices displayed. Adjoining neighbours, Ward Councillors and MP consulted – 14 Third Party Representations and 1 Petition with 77 signatories (the latter provided by Cllr Paul Tilsley). There was one letter of support received in relation to the proposal.

The 13 objections received raised the following matters:

- The loss of the garages would result in additional on street parking on Romford Close, therefore they should be retained for the parking of vehicles.
- The garages on the site were provided to serve the dwellings without vehicular accesses.
- The garages have been allowed to fall into disrepair and contracts have not been renewed which has already led to parking displacement on Romford Close. The garages should be repaired and used for their original purpose.
- When the block of maisonettes (33, 35, 37 and 39) was granted planning permission in 1981, 4 additional garages and two reserved parking spaces alongside the fence of No.39 were provided. These two spaces have been in continual use.
- The application is in outline form and therefore there is no indication of the scale of the dwellings which would be built on the site.
- The proposal would result in a loss of light to the side window of No. 39 which serves a living room.
- The proposal would result in the loss of the turning circle which would have an impact on accessibility for emergency and refuse vehicles.
- There is asbestos in the roof of the garages.

- The dwellings would overlook the property and garden of Nos. 48 and 50 Carnford Road

The letter of support raised the following matter:

- The site attracts anti-social behaviour and the positive redevelopment of the site should be supported.

4.2 WM Police – No objection.

4.3 Transportation Development – The proposed residential development in itself is considered unlikely to have a material impact upon highway safety or the ability of vehicles to access Romford Close, in terms of generating additional on-street parking demand or significant increases in traffic flow. The development would not remove any turning or manoeuvring areas on Romford Close which form part of highway maintainable at public expense. No objection subject to condition in relation to vehicle parking and turning details, design of access and cycle parking.

4.4 Local Flood Authority and Drainage Team – The proposal does not amount to major development therefore no comments to make.

4.4 Severn Trent – No objection and no requirement for a drainage condition.

4.5 Regulatory Services – Comments awaited.

5. Policy Context

5.1 Birmingham Development Plan (2017), Saved policies within adopted UDP (2005), Places for Living SPG (2001), Mature Suburbs SPD (2006), Car Parking Guidelines SPD (2012), The 45 Degree Code (2006) National Planning Policy Framework (2018).

6. Planning Considerations

6.1 The main considerations in the determination of this application are: the principle of residential development, the impact on residential amenity, highway safety and existing parking provision.

Principle of Residential use

6.2 The application site comprises a brownfield site in a sustainable location. The updated National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards achieving sustainable development and that the heart of the NPPF is a presumption in favour of sustainable development.

6.3 Paragraph 117 of the National Planning Policy Framework states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

- 6.4 Policy PG1 within the Birmingham Development Plan states that the Plan aims to deliver 51,100 additional homes over the plan period, in order to cater for the City's increasing population, and it is expected that a minimum of 80% of all new homes provided over the plan period will be located on previously developed land.
- 6.5 Policies TP27 & TP28 of the Birmingham Development Plan states that the location of new housing should be on previously developed land, be accessible to jobs, shops and services by other modes of transport, be sympathetic to natural assets and not conflict with other policies in relation to employment land, green belt and open space. It also states that new housing should offer a choice of type, size and tenure to create more balanced and sustainable communities.
- 6.6 The comments received in the Third Party Representations are noted in relation to the retention of the garages for parking purposes and the avoidance of vehicle displacement. The garages are privately owned and not within the control of the City Council. The background in relation the current condition and availability of the garages for the provision of parking is not a matter which carries significant material planning weight. The benefits described in relation to the retention of the garages must be weighed against the substantial benefits arising in the provision of additional housing and the meaningful contribution to the housing land supply which can be made through the use of brownfield sites. The requirement to provide garages in the original development of the estate is noted and the matter is of material weight but must be considered in the context of the current planning policy priority to provide additional housing with a particular emphasis on the use of brownfield sites in sustainable locations.
- 6.7 The application is outline in form and in terms of balancing the planning considerations set out above, it is considered that the principle of residential development would be acceptable. It is evident that the site could reasonably accommodate the two dwellings proposed following the existing pattern of development on Romford Close.

Residential amenity

- 6.8 The application is outline and all matters of scale, layout and landscaping are reserved for future determination. However, it is important to consider at this stage whether the development proposal would conflict with the advice in Places for Living adopted as Supplementary Planning Guidance and whether adequate separation distances to neighbouring properties could be achieved in a reserved matters submission.
- 6.9 The indicative proposed layout shows that the dwellings would be located approximately 32m from the properties opposite on Romford Close (Nos. 42/44), approximately 25m from No. 50 Carnford Road and by a greater distance from the properties 38 – 48 Carnford Road. I also note that the proposed dwellings would be located at oblique angles with respect to the latter properties, and the presence of mature trees and landscaping further lessens any potential impact on residential amenity. The potential impact on the side windows of No. 39 Romford Close is noted but these are considered secondary windows and having side elevations in close proximity would not be uncommon in urban areas. The detailed design and layout could be addressed at reserved matter stage. There is no evident demonstrable harm to residential amenity which would rule out the principle of development.
- 6.10 The proposed provision of private amenity space is adequate to comply with the requirements of 'Places for Living' and the scale of the dwellings (on the basis of the

indicative plan) would comply with the Technical Housing Standards – nationally described space standard.

Highway Matters

- 6.11 It is noted that a large number of the representations received relate to highway matters. However, the recommendation of Transportation Development is that the proposal would have an acceptable impact in respect of highway access and safety.
- 6.12 It is evident from the indicative site plan that a viable access to the site can be achieved. The loss of the existing garages is a matter which forms part of the highway considerations of the proposal but it is considered that the principle of residential development on this brownfield site is acceptable.

Other matters

- 6.13 The proposal is not located in an area of Flood Risk and there are no other known technical constraints which would rule out the development of the site.
- 6.14 There are a number of mature trees on the periphery of the site. The Arboricultural Report states that the proposed development can be accommodated whilst retaining trees of value on the site.

7 Conclusion

- 7.1 The proposal amounts to the provision of residential development in a sustainable urban location and the proposal would accord with policies PG1, TP27 and TP28 of the Birmingham Development Plan and the NPPF.

8. Recommendation

- 8.1 The proposal is considered acceptable for the reasons set out above and outline planning permission should be granted.

-
- 1 Requires the submission of reserved matter details following an outline approval
 - 2 Requires the prior submission of hard and/or soft landscape details
 - 3 Requires the prior submission of boundary treatment details
 - 4 Requires the prior submission of sample materials
 - 5 Requires the prior submission of level details
 - 6 Requires the prior submission of a contamination remediation scheme
 - 7 Requires the prior submission of vehicle parking and turning details
-

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- 8 Requires the prior submission of cycle storage details
 - 9 Requires the prior submission of a contaminated land verification report
 - 10 Limits the scale of the proposal to two storeys
 - 11 Retention of Existing Trees
 - 12 Requires the prior approval of the siting/design of the access
 - 13 Limits the hours of operation
 - 14 Implement within 3 years (outline)
-

Case Officer: David Kelly

Photo(s)

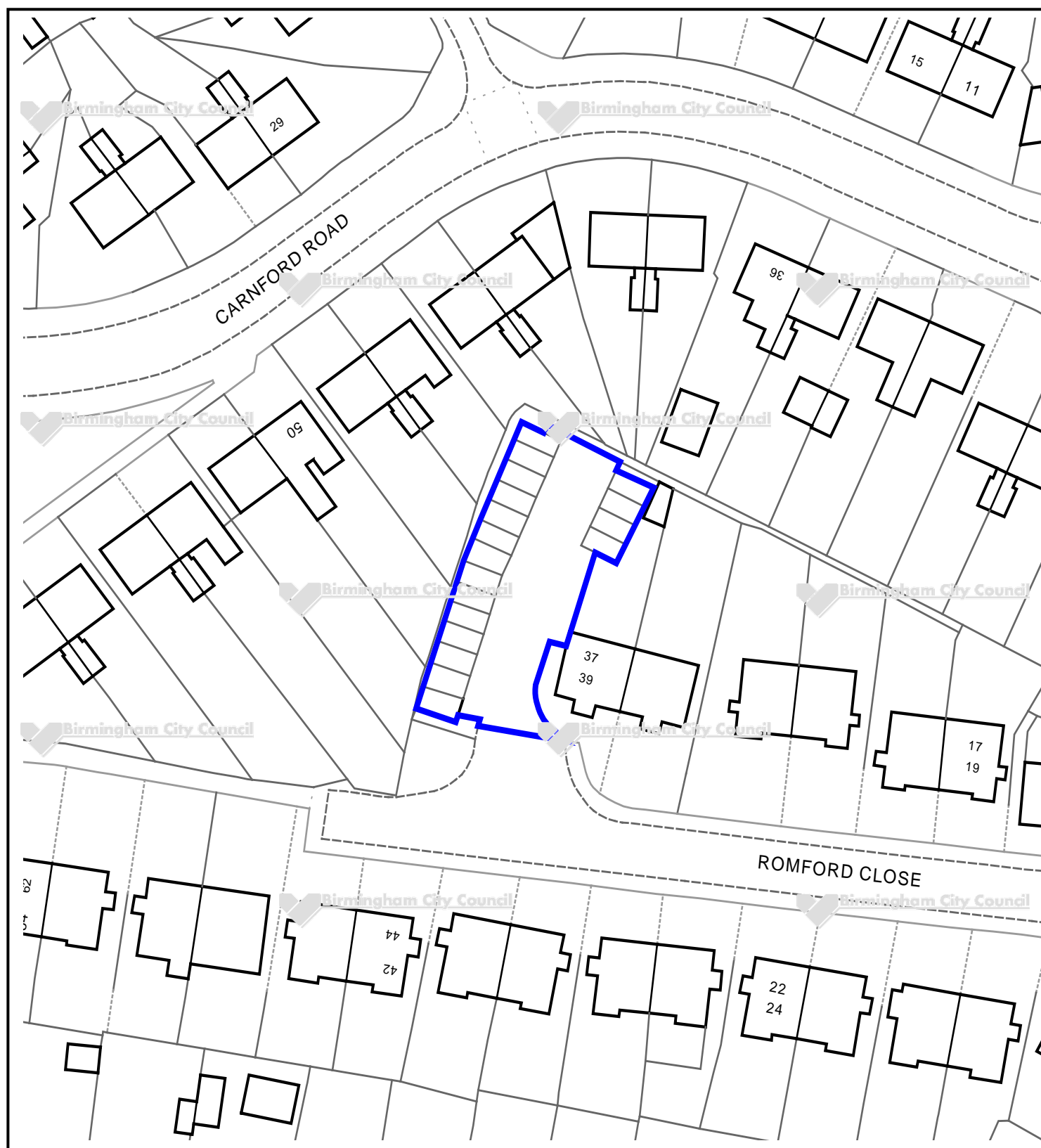


View of garages



Dwellings opposite garages

Location Plan



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Committee Date:	13/09/2018	Application Number:	2018/05994/PA
Accepted:	23/07/2018	Application Type:	Proposed Lawful Use/Development
Target Date:	17/09/2018		
Ward:	Erdington		

7 Orchard Road, Erdington, Birmingham, B24 9JL

Application for a lawful development certificate for a proposed change of use from single dwelling (Use class C3) to a House in Multiple Occupation (Use Class C4 - occupied by six unrelated individuals who share basic amenities)

Applicant: Mr M Nadim
7 Orchard Road, Erdington, Birmingham, B24 9JL
Agent: Planning, Design & Build Ltd
864 Washwood Heath Road, Ward End, Birmingham, B8 2NG

Recommendation

Section 191 / 192 Permission not Required (Certificate Issued)

1. Proposal

- 1.1. This application for a proposed Certificate of Lawful Development seeks to confirm that the change of use of the application property from a single dwellinghouse (Use Class C3) to a small House in Multiple Occupation (Use Class C4) is a permitted change not requiring planning consent.
- 1.2. The application is supported by existing and proposed floor plans which show some internal changes to provide an additional bathroom and bedroom on the ground floor. There would be a total of six bedrooms provided at the property. The living room/ dining room, utility and hallway would provide for a shared internal amenity space.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises a two-storey detached dwellinghouse on Orchard Road, Erdington. The property is located within a street comprising large detached and semi-detached houses. Orchard Road connects Orphanage Road and Sutton Road. There is a three storey block of flats located at the Sutton Road end of Orchard Road. There is a car showroom located to the rear of the site which is accessed from Sutton Road.
- 2.2. There is a driveway/parking area to the front with a low wall and close boarded fence separating it from the neighbouring properties. The area has a predominantly residential character approximately 200m to the north of Erdington District Centre.

2.3. [Site Location](#)

3. [Planning History](#)

- 3.1. 19.12.1974 40435000 Kitchen and Conservatory extension. Granted.

4. [Consultation/PP Responses](#)

- 4.1. Councillor Moore has requested that this application is considered by Planning Committee rather than being considered under delegated powers.
- 4.2. One Third Party Representation received stating that whilst there may not be grounds to refuse the proposal, concerns are expressed in relation to the proliferation of Houses in Multiple Occupation (HMOs) across the Erdington and Stockland Green Wards.

5. [Policy Context](#)

- 5.1. Town and Country Planning (General Permitted Development) Order 1995 (as amended 2015).

6. [Planning Considerations](#)

- 6.1. The primary consideration in the determination of this application is whether the existing dwellinghouse use (Use Class C3) is established and is eligible for a permitted change of use as set out in Schedule 2, Part 3, Class L of the General Permitted Development Order 2015.
- 6.2. Part 3 Class L permits the change of use of a building “from a use falling within Class C3 (dwellinghouses) of the schedule to Use Classes Order to a use falling within Class C4 (houses in multiple occupation) of the Schedule”. Development is not permitted by Class L if it would result in the use “as two or more separate dwellinghouses falling within Class C4 of the schedule of any building previously used as a single dwellinghouse falling within Class C3 of the schedule”.
- 6.3. There are no further restrictions or qualifying criteria set out in Class L.
- 6.4. A Small HMO (Class C4) is a house occupied by three to six unrelated individuals who share basic amenities. It is evident from the submitted plans that the utility room, kitchen/dining room and living room would be shared between the occupants of the dwelling and there is no evidence of physical sub division of the property into separate units. Therefore, the proposal would constitute a small HMO in the context of Section 254(2) of the Housing Act 2004.
- 6.5. The applicant has declared on Section 5 of the application form that the existing or last use of the building was as a dwellinghouse. There is no evidence of any intervening uses, and the planning history and a site visit also point to the existing use being a dwelling. I therefore conclude that the lawful use of the building is Use Class C3 – Dwellinghouse.
- 6.6. The proposed use would be as a small house in multiple occupation. This would involve some internal changes. However, no external changes are required. The site

is not subject to any Article 4 direction to remove permitted development rights for such changes of use. I therefore conclude that the proposed change of use from Use Class C3 to C4 is a lawful change as set out in the GPDO and a certificate should be issued.

7. Conclusion

- 7.1. Planning consent is not required for the conversion of a residential property for up to six people sharing communal facilities under Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.

8. Recommendation

- 8.1. A lawful development certificate should be granted.

Case Officer: David Kelly

Photo(s)

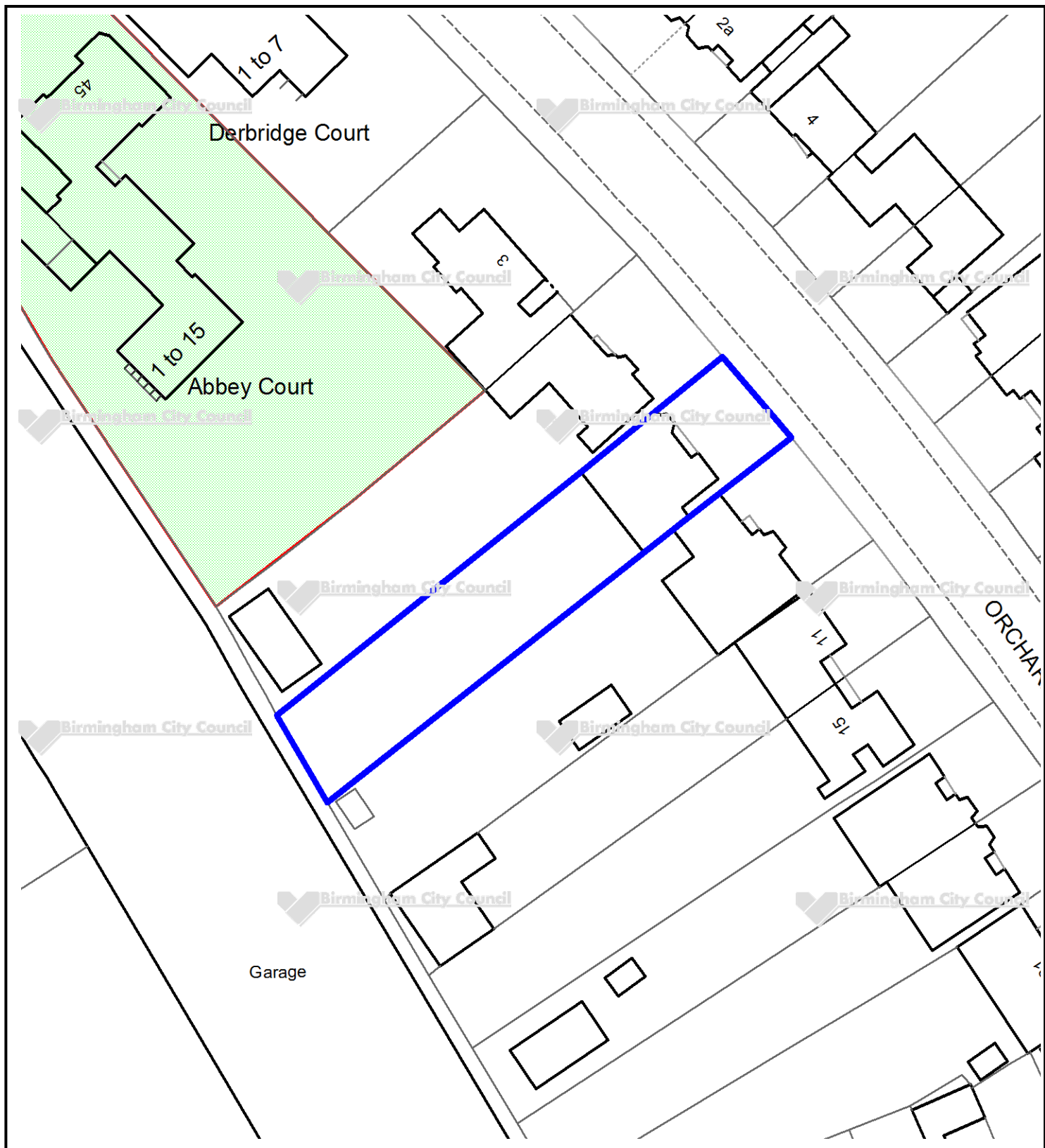


Front of Property



Interior view

Location Plan



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Birmingham City Council

REPORT OF CORPORATE DIRECTOR, ECONOMY

**PLANNING COMMITTEE
2018**

13TH September

WARD: Perry Barr

ISSUES REPORT

SUMMARY

This report advises Members of a detailed planning application submitted by Birmingham City Council, for the erection of a mixed use residential led development to first serve as the Commonwealth Games Athletes Village and later be converted to 1,151 residential units (C3), 268 extra care apartments (C2), 1,237 sqm commercial floorspace (A1-A3) and a community centre (D2) with associated parking, landscaping and infrastructure.

This report sets out likely issues to be considered when the proposal returns to your Committee. Your views on these issues and any other issues that you may have with regard the proposal are sought.

RECOMMENDATIONS

That this report be noted.

Comments of your Committee are requested.

CONTACT OFFICER

Joanne Todd
City Centre Planning Management
Tel. No. 0121-464-7790
Email: joanne.todd@birmingham.gov.uk

PURPOSE

This report is intended to give Members an early opportunity to comment on this proposal in order for negotiations with the applicants to proceed with some certainty. Members should raise any issues they feel are particularly relevant; require amending, or any additional information that they may wish to be sought.

PLANNING COMMITTEE 13.09.2018

Application ref: 2018/06313/PA

DISTRICT: Perry Barr

LOCATION: Former BCU North Campus, Franchise Street, Perry Barr.

PROPOSAL: Erection of a mixed use residential led development to first serve as the commonwealth games athletes village, and later convert to 1,151 residential units (C3), 268 extra care apartments (C2), 1,237 sqm commercial floorspace (A1-A3) and a community centre (D2) with associated parking, landscaping and infrastructure.

APPLICANT: Birmingham City Council c/o Agent.

AGENT: Arcadis, Cornerblock, 2 Cornwall Street, Birmingham, B3 2DX

1.0 POLICY CONTEXT:

- 1.1 Birmingham UDP 2005 saved policies; Birmingham Development Plan 2017; Places for Living SPG; Places for All SPG; Access for People with Disabilities SPD; Car Parking Guidelines SPD; Lighting Places SPD; Public Open Space in New residential Development SPD; Affordable Housing SPG, Aston, Newtown and Lozells Area Action Plan, Planning Policy Guidance and the National Planning Policy Framework.
- 1.2 The nearest listed building is the Grade II Gatehouse Building on Wellhead Lane, immediately opposite Franchise Street. The former Wellhead Tavern P.H. is locally listed building Grade B and is located within the site. The nearest conservation area (Aston Hall and Church Conservation Area) is over 950m to the south east.

2.0 RELEVANT PLANNING HISTORY:

Application Site

- 2.1 12th April 2018 – 2018/02001/PA Application for Prior Notification for demolition of former City North Campus – Prior Approval required and granted, subject to conditions.

3.0 NATURE OF SURROUNDINGS:

- 3.1 The site is approx. 9.75 hectares and comprises of the former BCU North Campus and land to the west of the A453 Aldridge Road currently occupied by Trucks Direct UK. It is situated to the North West of the City Centre and close to the southern boundary of Perry Barr Constituency. The former BCU campus is largely vacant and the first phase of the demolition of this site has started, whilst the Trucks Direct site is currently occupied.

- 3.2 The buildings on both sites vary in size from single storey to nine storeys distributed across the site. In addition, there are significant areas of hard standing (car parks, walkways and access road) and, on the former BCU site, landscaping and vegetation, including a number of significant trees.
- 3.3 The southern boundary of the site is adjacent to a railway line, to the east the site is bounded by Wellhead Lane and to the west by Aldridge Road. Vehicular access to the site is via Franchise Street. There is a mix of residential, industry and commercial uses, including Perry Barr Greyhound Stadium to the north, in the immediate vicinity and the existing adjacent highway network is a dominant feature. The site is opposite both Perry Barr train station and Perry Barr Bus interchange.

4.0 DETAILS OF PROPOSAL:

Use and Amount of Development

- 4.1 This application is for a residential led mixed-used development which will comprise, in “legacy mode”, of 1151 one, two, three and four bed apartments/duplex apartments/town houses (C3) and 268 one and two bed extra care apartments (C2), offered as a mix of Affordable, Private Rented Sector and Market Sale tenures. The extra care development is expected to include a restaurant, village hall, gym and shops at ground floor, some of which would be accessible to non-residents and a further 1,237 sqm of commercial floorspace (A1-A3) would be provided at ground floor in ‘key’ locations across the site. A 500+sqm community centre (D2) would also be provided central to the site and would include informal and formal space through the provision of a community hall/crèche for seating up to 100 people, changing areas and a café area with potential private hire area. A range of civic and green spaces (see Fig 1), including a central park area and a new north/south parkour pedestrian/cycle link are proposed across the site in addition to significant landscaping, including retention of existing and provision of new trees. Car parking spaces specific to each plot and associated works are also proposed.



Fig 1: POS/public realm

- 4.2 Prior to the occupation of the development by residents, the development would serve as the Athlete's Village for the 2022 Commonwealth Games, which are to be held in Birmingham. In "games mode" the village would accommodate up to 6800 athletes and include provision of a mix of accessible units across the site, associated storage, amenity areas and supporting social areas.
- 4.3 The site layout and building footprints would remain the same for both modes with minimal internal changes only required to move between games and legacy mode.

Layout, scale and design

- 4.4 The key principles of the development are identified to be the need to create a positive and long-lasting identity/community for the area; the creation of a mix of residential typology with different scales and massing; place making through siting of the buildings, routes and public/private spaces; improving the physical and visual connections; and the creation of a green and sustainable place.
- 4.5 Consequently the layout has been designed to break down the mass of the site and provide a network of links through it and it has therefore been split into 11 individual plots focused around a central public green supported by a hierarchy of streets and other public spaces. All of the plots are designed to provide active frontages to public facing areas with a clear demarcation between public and private areas. The building massing ranges from 2-4 storeys in the east to 15 storeys in the west.

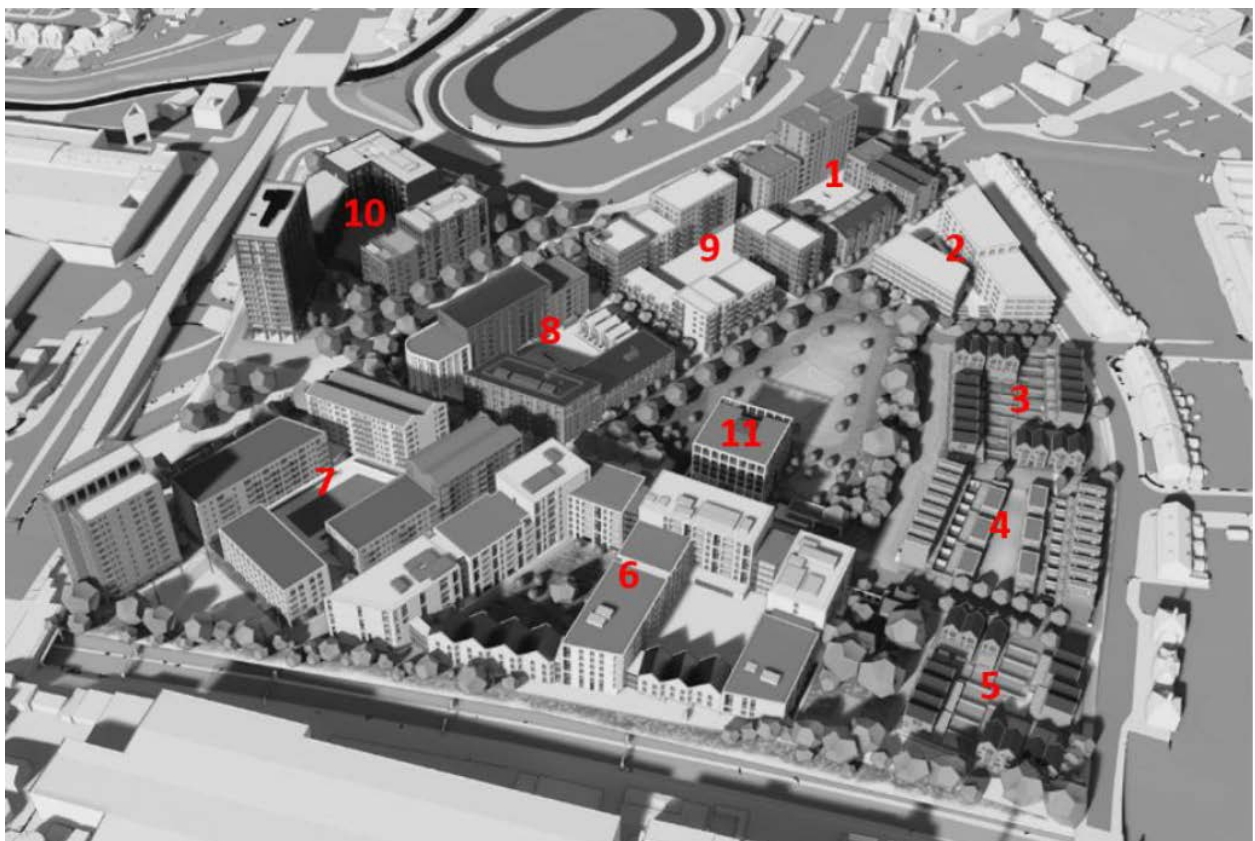


Fig 2: Proposed plots

The blocks would be the following heights:

Plot one – 3 - 10 storeys

Plot seven – 5 - 15 storeys

Plot two – 5 - 6 storeys
Plot three – 3 storeys
Plot four – 2 - 4 storeys
Plot five - 3 storeys
Plot six – 3 - 8 storeys

Plot eight – 3 - 8 storeys
Plot nine – 3 - 8 storeys
Plot ten – 6 -15 storeys
Plot eleven – 6 storeys

- 4.6 The commercial floorspace would be provided as 10 units on plot 1, 7, 10 and 11.
- 4.7 The architectural concept focuses on creating a family of buildings reflecting a modern interpretation of more traditional building types increasing scale and density towards the west of the site. The use of a common palette of materials and a design code seeks to provide individually identifiable plots with a coherent composition which knit together to provide a strong site identity, responding to its surrounding. Consequently it is proposed that the development would be constructed primarily in brick with additional materials to bring interest to key buildings.



Fig 3: site visual

Apartment mix and size

- 4.8 The proposal includes a legacy provision of 1151 residential units. Of these 424 would be one bed (37%), 648 would be two bed (56%), 16 would be three bed (1%) and 63 would be 4 bed (6%). In addition 268 (C2) extra care apartments would be provided, of which 121 would be one beds (45%) and 147 would be 2 beds (55%). The accommodation would comply with national space standards. A number of the one and two bed apartments would have private balconies and all apartments would have access to communal amenity areas whilst the three and four bed town houses (plot 3, 4 and 5) would have private amenity space ranging in size from 60 – 99 sqm.

Access and Parking

- 4.9 The proposal includes the closure of the A453 through the site and the provision of two pedestrian/cycle north-south routes, two pedestrian east-west routes and a new pedestrian route to the western edge adjacent to the re-aligned gyratory. Vehicular access would be concentrated to the eastern side of the site, with servicing of site,

including refuse, done via Wellhead Road with the exception of plot 10 which would be accessed/serviced from a new access point to the north-east



Fig 4: Pedestrian/cycle routes + building entrances



Fig 5: Vehicular access and public transport points

4.10 Servicing of the site, including refuse, would be via Wellhead Road with the exception of plot 10 which would be accessed/serviced from the north-east.

4.11 Car parking spaces would be provided across the site, distributed as follows;

90-100% parking provision for housing
22-25% parking provision for apartments
62 Extra Care parking spaces (23%)

Parking for the townhouses will be provided near to each plot within parking bays, driveways or garages dependent on the plot. Parking for the apartment buildings and Extra Care will be within parking courts associated with each block. The internal road layout has been designed such that informal on-street parking will not be available.

4.12 100% secure cycle parking would be provided for the residential accommodation along with additional short and long stay visitor cycle parking would be provided across the site.

"Green" credentials

4.13 An Energy Statement has been submitted in support of the application detailing the energy efficiency of the proposed buildings and exploring the use of alternative renewable energy technologies such as biomass boilers, which are not considered appropriate in this instance. In addition the proposal includes the provision of a significant amount of green and blue infrastructure including parks, playing fields, grasslands, allotments, green roofs, swales, rain gardens, roof top gardens and orchards. The bio diversity of the site would also be improved by the retention of existing trees, supplemented by additional tree planting and landscaping alongside provision of items such as bird and bat boxes.

Supporting Documents

4.14 Prior to submission of the application an Environmental Impact Assessment Screening Opinion was submitted and in response the City Council confirmed that an EIA was not required. Thus, as required by the City Council's planning validation criteria the following supporting documents have been submitted:-

- Air Quality Assessment
- Construction Management Plan
- Ecological appraisal and phase 1 ecology survey
- Design and Access Statements – 1 for the entire site and 1 for each of the individual plots, a masonry booklet and a site wide design code
- Environment Noise Assessment
- Flood risk assessment and SUDs
- Land Contamination Report
- Heritage Assessment
- Landscape Masterplan
- Energy Strategy
- Transport Assessment
- Tree Survey
- Planning Statement – including health impact assessment, community engagement and
- Viability Assessment

The proposed development would not be liable for CIL.

5.0 PUBLIC CONSULTATION

5.1 Pre-application discussions have taken place and numerous meeting held to discuss and evolve the proposal. Local residents, businesses, community organisations and agencies were invited, by letter and digital flyer, to attend a drop in consultation event 4th June 2018 with regard the proposed development.

5.2 The agent advises that 87 responses from the 162 attendees were received and that the comments showed a high level of satisfaction and support for the project and local regeneration but concerns with regard parking, congestion and pressure on existing local amenities such as doctors and schools were raised.

6.0 ISSUES:

Issue 1 – Land Use Planning Policy

6.1 In January 2017, the City Council adopted the Birmingham Development Plan (BDP). The BDP is intended to provide a long term strategy for the whole of the City and replaced the UDP 2005 with the exception of the saved policies in Chapter 8 of that plan.

6.2 Policy PG1 advises that over the plan period significant levels of housing, employment, and office and retail development will be planned for and provided along with supporting infrastructure and environmental enhancements. Policy GA3 re-enforces the AAP and recognises that the BCU campus has the potential to accommodate high quality housing. TP27 expects new residential developments to contribute to making sustainable neighbourhoods which are considered to be characterised by:

- A wide choice of housing sizes, types and tenures
 - Access to local facilities including shops, schools, leisure and work
 - Convenient options for sustainable travel
 - A strong sense of place and high design quality
 - Environmental sustainability and climate proofing measures
 - Attractive, safe and multifunctional public spaces
 - Effective long-term management of buildings, public spaces and other infrastructure
- 6.3 In respect of housing need the BDP states that its objectively assessed need is 89,000 across the plan period (until 2031) to meet the forecast increase in Birmingham's population of 150,000. Due to constraints across the administrative area the Plan only plans to provide 51,100.
- 6.4 This scheme would, in legacy mode, deliver a total of 1,151 residential units plus 268 extra care apartments within a mixed use scheme, on a sustainable and well-linked site that has not previously been considered for residential redevelopment, bring significant investment to this part of the City and make a significant contribution to the housing stock in this locality.
- 6.5 The use of site as an athlete's village for the 2022 Commonwealth Games prior to the permanent residential occupation of the site would be temporary only and require minimal changes. Policy PG2 and TP25 of the BDP seek to reinforce and promote Birmingham's role as a centre for tourism and events and these policies would support this approach.
- 6.6 Considering housing mix, policies within the BDP and the Birmingham Strategic Housing Market Assessment (Jan 2013) identify the need for a mix of type and tenure. This scheme is located in the district centre of Perry Barr and would provide a range of dwellings and apartments, including Private Rented Sector, market sale, affordable housing and Extra Care units of the following mix 1-bed 37%, 2-bed 56%, 3-bed 1% and 4-bed 6%. 180 units, including all of the 3 and 4 bed townhouses would be affordable and the applicant considers this meets the need in this location.

Your Committee may wish to comment on the principle of a residential led mixed use scheme in this location, its temporary use and the proposed mix of residential units.

Issue 2 – Urban design and appearance

- 6.7 The recently revised NPPF makes it clear that good design is a necessity. Birmingham Development Plan Policies PG3 and TP27 state the need for all new residential development be of the highest possible standards which reinforce, or create, a positive sense of place as well as a safe and attractive environment and supplementary documents, including Places for All and Places for Living, provide further detailed guidance on this matter.
- 6.8 As detailed above the proposed development would range in height from 2 to 15 storeys with the mass of the overall site being reduced by the introduction of 11 separate development plots focused around a central public green. Active frontages would be provided across the site and buildings have been positioned to improve pedestrian connectivity in the area and link into, and improve the existing transport networks, including the City's strategic cycle network. The site has been designed to encourage active lifestyles, includes informal and formal civic and green spaces,

landscape buffers, biodiversity and wildlife enhancements, SUDS- wetlands/swales and a significant amount of green roofs, green walls and additional trees and landscaping. The buildings would be of a modern design, constructed in brick and use a range of common design details such as large window openings, deep window reveals, vertical piers, horizontal brick banding, recessed balconies and a mix of flat and pitched roofs in order to create a family of coherent building across the site. Extensive supporting documents have been submitted in support of the application, including Design and Access Statements for each plot as well as a site wide Design and Access Statement which provide comprehensive commentary to justify the design and layout of the overall development. As such the applicant identifies that the proposal would result in an exemplar landmark development with its own identity but still 'knit' into the existing area, both architecturally and by virtue of the amenity opportunities it would offer, and in doing so help regenerate a significant site within Perry Barr.



Fig 6: Plot 3 visual



Fig 7: Plot 1 visual



Fig 8: Plot 4 visuals



Fig 9: Plot 11 visual

Your Committee may wish to comment on the principle of the proposed scale and design of the buildings and the impact on the character of the area.

Issue 3 – Impact on amenity

- 6.9 As noted above policies require new residential development to be to the highest possible standards. Places for Living (SPG) provide more detailed advice about the City's design standards and the importance of design in protecting the amenity of residents. Therefore whilst these standards are more strictly applied in relation to existing residents and there is great emphasis on careful design rather than a "blanket application of numerical standards..." it does identify, at appendix A,

numerical distance separation requirements between facing elevations, to flank walls and minimum garden sizes.

- 6.10 There are examples across the site where minimum distance separation between facing elevations or to flank walls are not met. Some of the amenity provision for the proposed dwellings are also below the guidance within Places for Living. However, the proposal includes a significant amount of on-site civic and green space in addition to landscaping, it is close to a number of playing fields and sports facilities, strict compliance with the guidance would compromise the wider design strategy and the proposed development would not conflict with the guidance in relation to existing residential accommodation.

Your Committee may wish to comment on the impact of the proposed development in relation to privacy, overlooking and amenity of future occupiers.

Issue 4 – Parking

- 6.11 Policies TP38-41 encourage development where sustainable transport networks exist and/or are enhanced. In addition to supporting sustainable transport networks the Car Parking SPD goes on to identify the expected maximum car parking provision for each land use, dependent on the sites location. T1 within the AAP also identifies that residential development should be within a 10-20min walk of various amenities.
- 6.12 The proposed development would be located in Perry Barr district centre close to the existing bus interchange and the train station in a sustainable location. It would be within area 2 where a maximum provision of 1.5 car parking spaces per dwelling would be expected and it would be within a short walking distance of an array of existing amenities. The development proposes provision of numerous pedestrian/cycle links through the site, would contribute to the City's strategic cycle network by providing a two way cycle path along the proposed linear park and would include provision of 90-100% parking provision for townhouses, 20-25% parking provision for the apartment blocks and 23% parking for the extra care scheme. Cycle parking would be provided in excess of 100%. In addition, a Transport Plan which proposes initiatives such as a bicycle community group, car share groups and Transport Stakeholders Group, along with confirmation that parking within the site will be controlled by a management company has also been submitted in support of the application. The TA also notes the provision of Sprint and the City's Cycle network close to the site and a commitment to fund the consultation and implementation of a resident parking scheme for existing residents of Wellhead Lane and Oscott Road is also identified.
- 6.13 Servicing and access arrangements have been identified, primarily from the east off Wellhead Lane, with the key design focus being to minimise the impact of vehicles on the site.

Your Committee may wish to comment on the proposed car parking provision and servicing arrangements.

Issue 4 – Planning Obligations

- 6.14 TP31 of the BDP requires 35% affordable dwellings on site of 15 dwellings or more and TP9 seeks either on site public open space at 2ha per 1000 population or a financial contribution towards off site provision on developments of 20 or more dwellings. Sport England are also expected to advise that given the size and nature

of the development the proposal will generate increased demand/need for sports facilities in the vicinity.

- 6.15 The applicants have submitted a financial appraisal (which is currently being independently assessed) and currently offer an on-site affordable housing contribution which would equate to 24%. This would comprise of 180 affordable houses, 82 affordable rent units (extra care) and 82 shared ownership (extra care) units.
- 6.16 The proposal also includes provision of on-site informal and formal public open space/public realm in excess of 15,000sqm which includes provision of a basketball court, running track, play equipment and allotments.
- 6.17 The site would not attract a CIL contribution.

Your Committee may wish to comment on the proposed S106 contributions.

BIRMINGHAM CITY COUNCIL

REPORT OF CORPORATE DIRECTOR, ECONOMY

PLANNING COMMITTEE

13/09/2018

Public Consultation on the Draft Supplementary Planning Documents for Langley Sustainable Urban Extension and Peddimore

1 Subject and Brief Summary

- 1.1 This report provides an update on how two of the most significant development sites identified in the Birmingham Development Plan are being brought forward. Langley Sustainable Urban Extension (SUE) will see approx. 6,000 homes built, and Peddimore will have 71 hectares of employment land developed. Both sites will be supported by major investment in infrastructure.
- 1.2 Consultation commenced on 10th September 2018 on the draft Supplementary Planning Documents (SPDs) for Langley SUE and Peddimore, ending on 22nd October 2018. The SPDs will set key development principles for the sites.
- 1.3 Langley SUE will be delivered by a range of developers, the majority of which have formed a consortium to bring forward an outline planning application for the site. As the major landowner on Peddimore, the City Council has appointed IM Properties PLC to bring the development forward.
- 1.4 Planning applications should be submitted for both sites in the next six months. For Peddimore, a hybrid planning application is expected to be presented to Planning Committee for determination by April 2019.

2 Recommendations

- 2.1 That Planning Committee notes the contents of this report, and takes the opportunity to consider providing comments on the draft SPDs.

3 Contact Officers

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Planning and Development
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4 Background

- 4.1 The Birmingham Development Plan (BDP) was adopted by Full Council in January 2017. The Plan allocated land at Langley for a SUE of approximately 6,000 homes, and 71 hectares of land for employment development at Peddimore. The Plan requires SPDs to be prepared for both sites.

- 4.2 As well as delivering new homes and business space, the developments will create new places as an exemplar residential community and a world class employment estate, supported by major infrastructure investment. Langley SUE will make a significant contribution towards meeting the need for family housing in the City. Peddimore will provide a substantial element of the required best quality employment land over the lifetime of the BDP.
- 4.3 The City Council is the major landowner at Peddimore, owning approx. 65 hectares of the allocation. A small area of Langley SUE is also owned by the City Council (approx. 7 hectares of the 274 hectare site).

5 **Langley SUE and Peddimore Draft Supplementary Planning Documents**

- 5.1 Policies GA5 and GA6 of the BDP set out a number of requirements for Langley SUE and Peddimore. This includes a requirement to prepare SPDs to provide detailed guidance on design, phasing and site access to ensure a comprehensive development and relationship between the two sites.
- 5.2 Draft SPDs have now been prepared for both sites (see Appendices), and these have been informed by early informal engagement with key stakeholders, including developers, councillors and local communities. In summary the draft SPDs include:

Langley SUE Draft SPD

- A **Vision** to set out what the city expect Langley to be once it is developed, including a number of **Big Moves** that identify the key structuring elements that need to be delivered to make Langley a successful place.
- **Development Principles** to provide planning guidance and advice to developers on matters covering Connectivity, Activity and Design
- **Delivery** requirements to support development, including site-wide strategies, infrastructure delivery and the planning process.

Peddimore Draft SPD

- A **Vision** to set out what the city expect Peddimore to be once it is developed
- **Development Principles** to provide guidance and advice to developers on matters covering Connectivity, Design and Sustainability
- **Delivery** requirements to support development, including partnership working, infrastructure delivery and business support.

- 5.3 In August 2018, the Leader, jointly with the Corporate Director for Economy, approved the public consultation on the draft SPDs for a period of six weeks, commencing 10th September 2018.
- 5.4 The SPDs need to be adopted by the City Council in a timely manner to ensure the guidance and requirements can be used to influence decisions on planning applications for the sites. To ensure this happens, the preparation of the SPDs is progressing to the following timetable:
- Public consultation on Draft SPDs – 10th September to 22nd October 2018
 - Review comments and prepare final SPDs – November to December 2018
 - Adoption of final SPDs by Cabinet – January 2019

6 Delivery

- 6.1 As the major landowner on Peddimore, the City Council has a role to bring the site forward for development. A two phase development strategy was approved by Cabinet in April 2017 to put in place a development partner for the scheme. This strategy ensures the City Council has a suitable exit strategy from the development process, whilst securing a commitment from the partner to delivering a high quality place and social value benefits.
- 6.2 The procurement process saw 16 initial bids in July 2017, and after a further two stages of evaluation, the final three tender bids were assessed in January 2018. During the tender process, IM Properties PLC was identified as the strongest bidder.
- 6.3 In March 2018, Cabinet approved the appointment of IM Properties PLC as the City Councils development partner. The contractual arrangements require:
- The necessary infrastructure to be put in place to service the phase 1 area, and to install preliminary services to the perimeter of the phase 2. This will include a new junction on the A38, internal estate roads and the installation of all utilities. The new junction will also connect to the Langley SUE.
 - Build out of a minimum level of industrial and logistics development on the phase 1 area. The phase 2 area is retained by the City Council.
 - A number of social value commitments, including helping disadvantaged people into work, funding people onto the Building Birmingham Scholarship, and directing 50 per cent of its spend with local suppliers and small and medium size enterprises.
 - Payment of costs to offset some of the City Council's upfront investment, and payment of a minimum land price for the phase 1 site following the attainment of a planning permission. A reconciliation process will be undertaken to ensure that the City Council shares in the benefits of any cost savings realised.
- 6.4 The City Council is now working closely with IM Properties PLC and other partners to develop proposals for the site.

7 Planning Applications

- 7.1 For Peddimore, IM Properties PLC will be bringing forward a hybrid planning application, including elements of the sites infrastructure. The City Council has already provided its opinion on the Environmental Impact Assessment (EIA) Scoping Report that was submitted. It is anticipated that the planning application will be submitted in November 2018, with its presentation to Planning Committee for determination by April 2019.
- 7.2 A planning application for Langley SUE is expected in early 2019. The draft SPD sets out an approach for an outline planning application for the entire allocated site to ensure a comprehensive and coherent development, with the timely and appropriate phasing, funding and delivery of infrastructure. The Langley Sutton Coldfield Consortium, represents approx. 94% of the land interests on the site, and is expected to bring forward the outline planning application. The City Council has already provided its opinion on the EIA Screening and Scoping Reports that were submitted.

8 Financial Implications

- 8.1 The developers at Langley SUE and Peddimore will have their own Planning Performance Agreements with the City Council to ensure resources are in place to

deliver informed and timely decisions on these major schemes. This has already been agreed with IM Properties PLC for the hybrid planning application at Peddimore.

- 8.2 Other financial implications for the appointment of IM Properties PLC and the preparation of the draft SPDs have been considered as part of the City Councils gateway approval process.

9 **Implications for Policy Priorities**

- 9.1 The developments will contribute towards the vision contained in Council Plan: 2018-2022 Outcome 4: Birmingham is a great city to live in – Priority 2 We will have the appropriate housing to meet the needs of our citizens. The draft SPDs are in line with the BDP, which was adopted by Full Council in January 2017.

10 **Implications for Equalities**

- 10.1 Equalities considerations have been considered through the Councils gateway approval process on the decisions to adopt the BDP, the preparation of the draft SPDs and for the appointment of IM Properties PLC. These have not identified any specific impacts on the protected characteristics, and there will be positive outcomes for the local population from the developments, including new homes, job opportunities and infrastructure delivery. The Equalities Analysis of the draft SPDs will be updated and inform the final SPDs when they are adopted by the City Council.
- 10.2 Equalities issues will need to be appropriately assessed as part of the determination of planning applications for these sites.

11 **Appendices**

- Appendix 1 – Langley SUE Draft SPD
- Appendix 2 – Peddimore Draft SPD

12 **List of Background Documents used to compile this report**

- Birmingham Development Plan (2017)
- Public Consultation on draft Supplementary Planning Documents for the Langley Sustainable Urban Extension and Peddimore Employment Site – Cabinet Member Report 24th August 2018
- Peddimore – Appointment and Contract Award of the Preferred Bidder, Phase 1 Site – Cabinet Report 6th March 2018



Waheed Nazir
Corporate Director Economy



Langley Sustainable Urban Extension

Draft Supplementary Planning Document

September 2018



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The images included in this SPD are illustrative to show what development at Langley SUE could look like.



FOREWORD

The Langley Sustainable Urban Extension is one of the largest single residential developments in the UK. It will become a cornerstone of the City's growth plans as we deliver 51,000 new homes over the next 13 years.

Langley is an unparalleled opportunity to not only deliver new homes, but to establish a new community and set a national benchmark for development at this scale. It is the chance to create a new place for people delivering an exemplar residential development for future generations.

The new community at Langley will be supported by a wide range of infrastructure from new public transport connections, to a network of walking and cycling routes, extensive green infrastructure and public spaces, to education facilities and local amenities.

In creating this new part of the City, there is the opportunity to incorporate new built form with the area's unique assets to create a distinct identity and living environment. This will mean the development integrates with the existing communities and into the setting of the Royal Town of Sutton Coldfield.

This draft Supplementary Planning Document sets out the City's vision and expectations for this nationally significant development opportunity.

Along with the development of Peddimore on the adjacent site, this is a great opportunity for Birmingham and the Royal Town of Sutton Coldfield to create thousands of homes, skilled jobs and modern infrastructure.

I am delighted that we are publishing this draft for consultation and engaging with the wider community and partners on how we can create a new standard for residential development.

Councillor Ian Ward

Leader

Birmingham City Council





1 INTRODUCTION

Birmingham’s ambitious growth plans will see over 51,000 new homes delivered by 2031. As one of the largest development sites in the City, the decision to release the land from the Green Belt for approximately 6,000 homes was driven by the need to create new communities with all supporting infrastructure.

Langley Sustainable Urban Extension (SUE) is allocated in the Birmingham Development Plan (Policy GA5) and will make a significant contribution to meeting the needs of the growing population of the City. This Supplementary Planning Document (SPD) captures the essential ingredients for creating a successful place and community. David Lock Associates has advised the City Council on the approach that should be in place to deliver a successful urban extension.

Creating a place that stands the test of time will be crucial to achieving the ambition for this site. This will require a comprehensive approach to the planning, delivery and future management and maintenance. Establishing site-wide strategies for movement, green infrastructure, public facilities and utilities will be essential, forming the foundations for creating and sustaining a growing population. Working at this scale of development will require core place-making principles to be embedded into all aspects of the development.

The delivery of Langley SUE and the associated wider infrastructure will be

coordinated with the new 71 hectares (ha) employment site at Peddimore, where a separate SPD has been prepared to guide the successful development of the site. Together these two developments will not only redefine this part of the City but reposition Birmingham and enhance its standing as one of the UK’s most successful regional centres with international appeal.

Securing the quality of development envisaged by the City Council will require all parties involved to commit to a comprehensive approach. The site is owned by several landowners and developers, the majority of which have formed the Langley Sutton Coldfield Consortium. This approach will start from setting the foundations for a successful place, building the layers of infrastructure and then development to build a cohesive environment for all. Development at Langley SUE will need to be fully integrated with its surroundings and wider communities.

The City Council will work collaboratively to realise the opportunity and create a truly exemplar form of development at the Langley SUE.

The site is within north Birmingham, in the Royal Town of Sutton Coldfield. It is connected to the major road network with the A38 adjacent to the site and Junction 9 of the M42 nearby. The site adjoins established residential areas of Walmley, Minworth, Falcon Lodge and Reddicap Heath; with New Hall Valley Country Park to the west.

Purpose

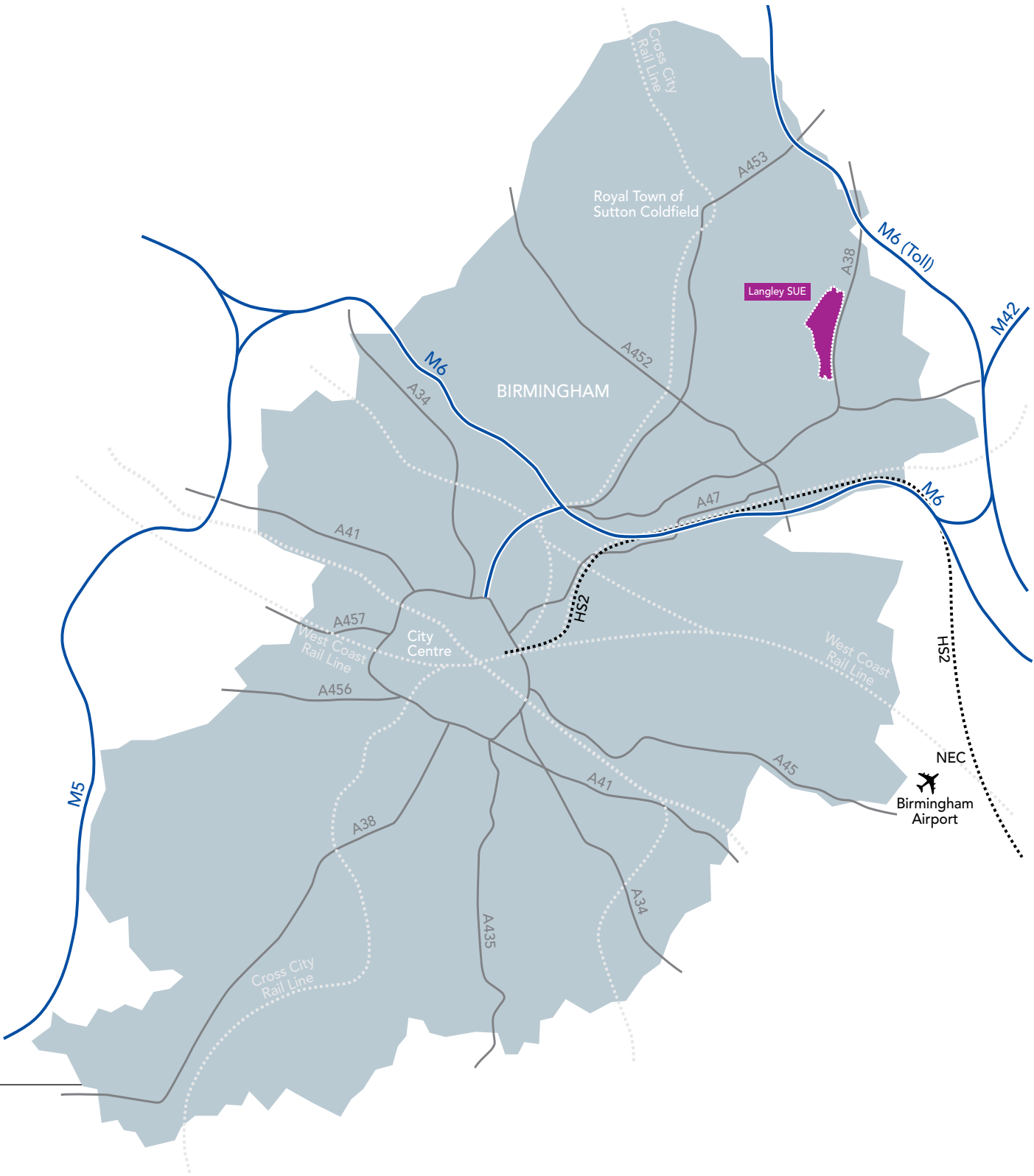
The objective of this SPD is to ensure that Langley SUE is a sustainable development to create a great place to live. It complements the statutory Birmingham Development Plan (BDP), expanding upon the core policies that have been adopted to ensure the cohesive and comprehensive development of the allocated site. The SPD will be a material consideration when determining planning applications.

Following consultation on this draft SPD, comments will be assessed and any necessary changes made prior to its adoption.

Plan 1 Location plan



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2CONTEXT

Context

Covering 274ha, Langley SUE is located in the north of the City adjacent to existing established residential areas, with New Hall Valley Country Park in close proximity and farmland to the east out toward the M6 toll road. The area is well connected, with access to the strategic road network on A38 and M42, and public transport links, including local train stations.

As an extension to the urban area Langley SUE will fall within the catchment of the nearby Sutton Coldfield Town Centre. The town centre is an important focal point for shopping and local services and has significant potential for investment. With the increasing population, the opportunities to enhance the town centre include an improved retail and leisure offer, transport interchange and public realm.

The scale of investment and opportunity across the wider City is considerable and over the next 15 years Birmingham will experience significant levels of new development and infrastructure. Major infrastructure schemes such as High Speed 2 and the Midland Metro Tram extensions are already attracting both private investors and new businesses to the region, with Birmingham becoming a focal point.

As part of this major investment programme, new Sprint/Rapid Transit services will provide fast, efficient, reliable, sustainable journeys and provide access to HS2. With £24.4m funding from the HS2 Connectivity programme, Langley will initially have a service that will connect to the City Centre and Sutton Coldfield Town Centre. Subject to further feasibility, after 2026 a service should also be provided between Sutton Coldfield Town Centre

and the HS2 Interchange at Birmingham International Station.

Over the period to 2031, the increasing levels of investment and the growth in the City's population by 150,000 people will put greater pressure on the need for more homes and associated infrastructure. A wide range of housing tenures will have to be provided to meet the needs of the existing and future residents. The City's growth strategy provides a focus on brownfield sites, with approximately 90% of new homes expected on previously developed land.

With the City hosting the Commonwealth Games in 2022, there will be major investment in north Birmingham. This includes the delivery of modern infrastructure and over 1,000 homes in Perry Barr, and the redevelopment of the Alexander Stadium site to host national and international athletic events.

The Langley SUE, in combination with the Peddimore major employment site, will bring significant new investment into the area including new homes, new jobs, improved public transport, green and social infrastructure (such as schools, healthcare, open spaces, leisure and recreation) and enhancements to the highway network.





3VISION

As a new large scale residential community Langley SUE will be a place that is connected, inclusive, resilient, green and vibrant; putting people at the heart of the new development. Integrated networks of green infrastructure, walking and cycling routes, public transport and utilities will underpin the whole development to create a cohesive, truly sustainable and healthy environment.

With a focus on family homes, with other housing types and tenures provided, the site will support a mixed residential community that will be sustained by a comprehensive range of social infrastructure, including schools, shops, healthcare, recreation and leisure facilities and opportunities for local training and employment.

Movement across the site will prioritise routes for walking and cycling, alongside integrated public transport including Sprint/Rapid Transit and local buses providing connections to the wider area. The network will include a hierarchy of streets and will be designed with the principles of safety, convenience and quality ensuring walking and cycling are the preferred mode of travel.

Innovation in design, layout, architecture and construction will ensure a truly exemplar development delivering the highest quality of place that is resilient and sustainable, with distinctive character areas, public realm, landscape and buildings.

Through high quality design, delivery of additional facilities and services, and provision of enhanced infrastructure, the development will be integrated into the Royal Town of Sutton Coldfield and will provide benefits for communities.

This vision will be secured through the delivery of a series of Big Moves underpinned by key development principles.

BIG MOVES

Sprint/Rapid Transit

Sprint/Rapid Transit and bus services will run through the site, and will be prioritised on transport corridors to provide people with a high quality, quick and efficient way of getting from the development to major destinations in the City and beyond. Interchanges will be provided in the Centres, and links will also be made to the local and national rail network.

A38 junctions

New vehicle access points will be provided into the site, including two new gateways from the A38. These will help to minimise traffic impacts in the local area. A wider network of vehicle routes will be created within the site to support fast and legible routes for pedestrians, cyclists and public transport, and essential journeys by car.

Langley Park

With a focus on enhancing existing green assets on the site, Langley Park will be strategic green corridor linking New Hall Valley Country Park with the countryside to the east. The space will be publically accessible and support its high biodiversity value.

Langley Brook

Langley Brook offers the opportunity to provide pools and balancing ponds as part of a high quality landscape setting for homes, providing a distinct character for this part of the development.

Fox Hollies Boulevard

As the central walking and cycling spine for the site, this major route will link the northern and southern parts of Langley SUE in an attractive and active landscape setting.

A green buffer

This multifunctional green space will integrate the site into the surrounding countryside and provide appropriate separation for new residents from the A38.

Vibrant shopping and community facilities

A new District Centre will be at the heart of the development, acting as a hub for community life with major shopping, community, health, schools, sports and cultural provision. Other clusters of community and local amenities will be integrated into the scheme to support people's day to day needs.

PLAN 3 Big moves

Key

- Langley SUE boundary
- Peddimore boundary
- Langley Park
- Langley Brook
- Fox Hollies Boulevard
- Green buffer
- Sprint/Rapid Transit route
- District Centre and Community Hubs
- Primary access points



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DEVELOPMENT PRINCIPLES

The following site-wide development principles will, alongside the Big Moves, be at the forefront of delivering the vision for Langley SUE and creating a truly exemplar development and legacy for future generations.

Connectivity

The layout, design and management of connectivity across the site will be focused on a movement hierarchy that promotes the most sustainable forms of transport including walking, cycling, Sprint/Rapid Transit and local bus services. Accommodating the car will be part of the strategy, and this will be aligned to the overall transport hierarchy. The quality of the public realm will need to focus on creating a consistent, high quality environment that incorporates, and links with the green infrastructure.

Activity

Langley SUE will be defined by its dynamic mix of housing, community, education, recreation and complementary retail to create a vibrant place for people to live. The uses will be positioned to create clusters of activity that are safe, attractive and easy to access by foot, bicycle and public transport.

Design

The approach to the design of infrastructure, buildings, spaces and landscape will need to be focused on the delivery of the highest quality of place. The areas landscape and heritage assets will allow development to respond positively to its environment and create distinctive neighbourhoods. Innovative methods for delivering energy, water management, drainage and other decentralised activity to support the local community will be vital to the developments overall sustainability.



Establishing sustainable travel patterns that prioritise walking, cycling and public transport from the outset is a key aim that will impact on the design, layout and phasing of the development. There will be a clear strategy in place for Langley SUE to accommodate the increased population, create a Green Travel District and connect the development to Sutton Coldfield and beyond. Langley will be a place that is easy to understand and navigate, and will support investment in the wider transport network to mitigate the effects of the development.

Principal movement network

The Principal Movement Network (PMN) will be a key structuring element determining the built form and place-making requirements of Langley SUE. It will play an important role, integrating walking and cycle routes, prioritising accessibility for high quality public transport services, connecting centres and schools, and providing legible routes for traffic entering and exiting the site. The PMN will act as more than just conventional roads, and will include public space and street landscaping to a high specification.

The PMN will need to:

- Create the necessary legibility and structure, providing a main network through the urban extension and connections to the wider area. This includes connecting each of the Langley Neighbourhoods with the District Centre and secondary school, and links for Neighbourhoods to the primary schools and Community Hubs within their catchment. It will also need to be designed to contribute towards the character of the site.

- Provide primary access points into the site, which act as clear gateways marked by distinctive built form that takes account of the existing character of the area and includes safe crossing facilities for pedestrians and cyclists.

- Prioritise sustainable movement through the site, including walking and cycling routes, and public transport services. Routes will need to accommodate and maximise Sprint/Rapid Transit access (vehicles of 18m length), and achieve journey times acceptable to the City Council and Transport for the West Midlands.

- Ensure that improvements can be made to the wider highway network to manage vehicle movements, avoid severe cumulative impacts in the wider area, and provide sustainable connections from Langley SUE.

A new junction with the A38 will be required in the south of the site. This will form a strategic access for both Langley SUE and Peddimore, including a walking and cycling bridge and access for Sprint/Rapid Transit. Another new junction onto the A38 will be provided as part of the PMN in the north of the site. This approach will encourage Langley SUE traffic to use the A38 to access Birmingham City Centre and the wider road network, limiting impacts on surrounding residential areas.

Junction 9 on the M42 will also be a vital junction for access to Langley SUE and Peddimore. Developers will need to work with Highways England, Warwickshire Country Council and the City Council to deliver an appropriate solution to this junction to accommodate traffic movements.

Developers will be responsible for funding and delivering the PMN as indicated on Plan 4, including any changes/improvements to existing highways which are part of the transport strategy for the site.

Walking and cycling

A continuous network of walking and cycling routes will be required throughout Langley SUE, with priority over private vehicular traffic in appropriate ways. Walking and cycling routes will need to connect the development with the local area, including links to key destinations, such as New Hall Valley Country Park, Peddimore and other employment sites, Sutton Coldfield Town Centre, Walmley and other Local Centres, rail stations, Birmingham and Fazeley Canal and the A38 underpass to the wider countryside. The network should take account of existing routes (including public rights of way) within and connecting to Langley SUE.

As part of the site network, major walking and cycling corridors will need to be provided as indicated on Plan 4, including connections to the District Centre and schools. These should be dedicated routes, including a network within the major green infrastructure corridors. Where sections of the street network are used as part of these major routes, they will need to demonstrate that the right quality of environment is created which prioritises walking and cycling.

Footways and cycle tracks will also be an integral part of the PMN, other streets and as part of the open space network. On the PMN and key routes to schools and other facilities, cycle tracks should be separated from vehicle traffic, where appropriate, serving both sides of the streets as part of a clear network of routes. Wide footways and/or pedestrianised areas will be required in the District Centres and Community Hubs. Within residential areas pedestrian-focused streets, similar in form to Home Zones, may be appropriate. Safe crossing facilities should be provided at suitable locations, including in the Centres.

The design of streets should follow Sport England's Active Design principles as a minimum standard. All routes should be convenient, attractive and designed to an

adoptable standard, and in line with the West Midlands Combined Authority Cycling Design Guidance, with suitable surface materials, lighting and wayfinding/signage.

Sprint/Rapid Transit, rail and public transport

A key principle is for Langley SUE and Peddimore to be served by the Sprint/Rapid Transit service, as well as other local bus services. The approach should also include arrangements for access to existing, and consideration of access to proposed rail stations in the Sutton Coldfield area. Developers of Langley SUE will need to liaise with the promoters of Peddimore, Transport for West Midlands (TfWM) and bus companies to ensure a coordinated and effective approach to support the phasing and delivery of public transport.

A strategy for public transport will be required to demonstrate how the Sprint/Rapid Transit service and other high quality services can serve Langley SUE and Peddimore. This needs to offer convenient, fast and accessible means of travel to key destinations, with suitably located stops. The Sprint/Rapid Transit service connecting the site with Sutton Coldfield Town Centre and Birmingham City Centre is proposed to access the site at Walmley Ash Road in the south and Churchill Road in the north. This is subject to a detailed feasibility study being led by TfWM.

The indicative Sprint/Rapid Transit network shown on Plan 4 serves each of the Neighbourhoods and the District Centres and Community Hubs, whilst supporting early delivery and minimising impacts on environmental assets. There will need to be a phased roll-out for Sprint/Rapid Transit with interim arrangements in place by the end of 2021 to be agreed. The PMN will also need to accommodate long term proposals for the Sprint/Rapid Transit service between Sutton Coldfield Town Centre and the HS2 Interchange in Solihull, via Peddimore.





Developers will need to demonstrate that the majority of the new homes will be within a 400m walking catchment of the proposed Sprint/Rapid Transit stops. In addition, a central public transport interchange for the Sprint/Rapid Transit service and other connecting public transport services will be provided in the District Centre, and include necessary facilities (e.g. sheltered waiting, seating and real-time information). High quality public transport interchanges, including Sprint/Rapid Transit services, should be included in the Community Hubs. Provision should be made for a southern Sprint/Rapid Transit and public transport interchange within appropriate walking distance of Peddimore.

Sprint/Rapid Transit and local bus services will need to have priority over private vehicles at junctions, in Centres and in other areas where there is the potential for delay, as appropriate. Local bus services are expected to use the PMN as well as other streets, offering connections to local destinations, including rail stations.

TfWM design guidance and accessibility standards for the Sprint/Rapid Transit and local bus services will need to be followed.

Consideration should be given to the suitability for a park and ride facility to serve the Sprint/Rapid Transit corridor. This could boost patronage on Sprint/Rapid Transit and ease pressure on the wider road network. This is being considered through a TfWM detailed feasibility study.

Design, access and street layout

A hierarchy of connected streets will need to be an essential part of the development, including the PMN and smaller roads. Pedestrians, cyclists and public transport should be given priority in the design of streets and spaces.

In addition to the primary access points, local access points will need to be put in place, taking opportunities from existing roads. These will need to be designed to

dissuade through traffic from entering the site whilst providing public transport priority. New housing will generally front on to, as well as having direct access from, these existing roads where appropriate.

Within more urban, higher density areas on site, the layout of development should generally be relatively formal, offering a choice of well-connected walkable streets. Layouts should become more organic and informal towards green edges and in response to local topography. Streets should be safe and attractive places for people, well-landscaped and overlooked from building frontages, with parking sensitively designed. Variations in design should reinforce the street hierarchy and different neighbourhood characters.

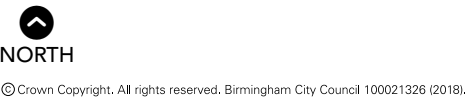
The PMN will need to be designed for speeds of up to 30mph, with all other residential areas and principal routes through Centres and near schools designated as 20mph zones to encourage safety and prioritise sustainable transport modes. Access, parking and servicing layouts for premises need to allow for the delivery of quick and efficient public transport services, particularly Sprint/Rapid Transit, and the effective flow of other traffic. This could include limits to on-street parking and loading.

Parking

Car parking will need to follow guidance set out in adopted guidelines for the City, currently set out in the Car Parking Standards SPD (2012) and the requirements for low emission vehicles (BDP Policy TP43). As an exemplar of sustainable development, Langley should aim to provide higher levels of electric vehicle charging points and cycle parking than those set out in the SPD. For houses, cycle storage may be in garages or outbuildings, and for apartments, secure communal cycle shelters should be provided. Other types of building should include appropriate cycle parking and changing facilities.

PLAN 4 Connectivity

- Key
- Langley SUE boundary
 - Peddimore boundary
 - Principal Movement Network
 - Sprint/Rapid Transit route
 - Walking/cycling route
 - District Centre and Community Hubs
 - New A38 junction



A core element of Langley SUE will be securing the right mix of housing to help create neighbourhoods that contribute to place-making and sustainability. These will be supported by a lively mix of services and conveniences that are an essential part to creating new communities, and to ensure people have access to facilities for their day-to-day lives. The District Centre and schools will act as a focus for community life, and will play a positive role in securing high quality design.

Mix of housing

The scale of Langley SUE provides the opportunity to deliver a wide variety of tenures and typologies of housing and create the sustainable residential community that the City needs.

Development must aim to create mixed, balanced, vibrant and sustainable neighbourhoods, with a mix of housing by size, tenure and affordability to meet the City's needs in each Neighbourhood, including a primary focus on delivering family housing. There should also be affordable homes, starter homes, and homes for the elderly and other people with particular needs. Consideration should also be given to provide self/custom build plots, which potentially would be suited within lower density housing areas. There is also the potential for alternative forms of tenure, such as private rented accommodation. The location and design of housing will need to reinforce place-making, legibility and sustainability.

The mix will be subject to BDP policies GA5, TP30 and TP31, and will need to take account of the housing market and

demographic profiles over the period which the development is delivered. The affordable housing mix is likely to be for more home ownership than rent based on housing need in this location.

District Centres and Community Hubs

Langley SUE will need to provide a range of supporting shopping and other facilities of an appropriate scale to serve new residents and visitors to the site. These should be within defined Centres, and located on the PMN, with convenient access to high quality public transport, and accessed by key walking and cycling routes (as indicated on Plan 4). These Centres should also be the focus for higher density residential development on the site, supporting the creation of vibrant places.

The District Centre should serve the whole site, with shops (including a foodstore), other centre uses (such as restaurants, café's, public houses), community uses (such as schools, leisure, arts and culture, health centres, community halls, places of worship, and public space that could act as a hub for events and activities) and new homes.

Primary schools should be the focus for Community Hubs on the site, potentially with other community uses and smaller scale retail to serve local catchments on the northern and southern parts of the urban extension (subject to scale and role, these can be Local Centres). The Hubs will need to be located to support walkable neighbourhoods and be served by Sprint/ Rapid Transit.

The scale of the Centres need to fit appropriately within the Centres hierarchy of policy TP21 of the BDP, and should not undermine existing Centres. Community buildings, including schools, health centre and the Sports Hub, should be capable of supporting a number of uses.

Sports Hub

A Sports Hub will need to be provided as part of the development of Langley SUE. This will address the requirements of the City's emerging Playing Pitch Strategy and support formal sports provision. It will become an important facility for Langley SUE residents, as well as nearby communities.

The facility will need to provide a number of sports pitches, a building offering a range of recreation and leisure uses (which could include changing rooms, function rooms, and supporting uses), and associated parking. Shared usage and/or co-location of the facilities at the Sports Hub with schools should be explored to make efficient use of land on Langley SUE. The Sports Hub should be located in the District Centre, and easily accessible by public transport from the wider Sutton Coldfield area.

Schools

A secondary school (approx. 8ha) must be provided as part of the development, and should be located with the District Centre. It must be in close proximity to, and served by the PMN, with an active frontage to the street and public realm facilitating access by walking and cycling. School sports pitches should preferably be shared with the Sports Hub.

It is anticipated that three primary schools will need to be provided (2.5ha each), and these should be evenly distributed within Langley SUE. The preference is for these to be co-located within Centres to create walkable catchments. They will also need to be located in close proximity to and served by the PMN, with convenient access to high quality public transport, and accessed by key walking and cycling routes.

The layout and design of schools should be future proofed to accommodate potential for further expansion should the need arise. Provision for special school education will also need to be addressed as part of the development.

Health care facilities

Health Care Facilities must be provided to meet the needs arising from the development. The type and phasing of facilities to be provided will be informed by the standards and requirements of the Birmingham and Solihull Sustainability and Transformation Partnership (STP). This will include provision of Primary Care (including GP surgeries), with other requirements subject to assessment (including secondary care, acute case and unplanned care, such as maternity and paediatrics). The necessary facilities would then need to grow along with the overall phasing of the development, and consider potential for future expansion should the need arise.

The facilities should be integrated into the overall development layout in a way which respects the clinical and operational requirements whilst meeting overall development and urban design objectives. They should be located within the District Centre and Community Hubs, and served by the PMN, with an active frontage to the street and public realm facilitating access by walking and cycling.



The design of Langley, its buildings, spaces, streets and infrastructure, will need to be focussed on delivering a strong sense of place that puts the health and well-being of residents at its heart. It will be made up of a number of neighbourhoods with distinctive built characters that provide high quality homes and public spaces. Design will be inherently sustainable, making Langley resilient to future economic, social, technological and environmental changes, and should aim for positive gains for natural capital.

Place quality

Development at Langley will need to deliver place-making principles, providing a strong, locally inspired identity. The overall approach will need to:

- Create distinctive neighbourhoods in response to variations in topography and integration of site features, with different approaches to built form and architecture. A clear hierarchy of street typologies, a range of public spaces, landmarks and views will contribute to character and make Langley a place that is unique, easy to understand and connected and integrated into the existing area. Design will need to allow for the positive management of site assets.
- Provide a design approach that responds well to differences in residential density. Most of Langley SUE should be medium density (35-40 dwellings per hectare (dph)), and will be highest (50-75dph) in and around the District Centre, Community Hubs and parts of the PMN. Lower density housing (10-25dph) is mainly suitable for the Langley Parkland Neighbourhood.

- Meet residents' needs for space, natural light and quiet. The Technical Housing Standards - Nationally Described Space Standards will be the benchmark to assess the amount of space provided in new homes.

- Consider impacts on listed buildings and other heritage assets on and near the site (see Plan 5) in line with national policy and BDP policy TP12. Site archaeology will need to be fully investigated prior to construction and inform the design of the development.

- Create a place that is resilient to environmental change (BDP policies TP1 to TP6), and take a Fabric First and holistic approach to design of buildings and transport to minimise energy demand and consumption. Technologies to enable new homes to be Smart Grid ready should be explored.

- Offer low/zero carbon energy supply and generation, with first consideration given to the use of Combined Heat and Power. Design and siting requirements of this infrastructure should be considered from the outset, with the commercial areas of the site likely to be the preferred locations.

- Make a positive contribution to managing air quality (BDP policy TP44). The approach should take a lead in promoting sustainable energy, green infrastructure and transport which will contribute to mitigating/reducing air quality exceedances across the City.

- Prioritise the reduction, reuse, recycling (including home composting) and then recovery of waste (linked to low/zero carbon energy where possible). Design should ensure suitable access for collection vehicles, with appropriate space provided for waste collection requirements (currently three bins for each house).

Landscape and green infrastructure

Landscape will be a defining feature of Langley SUE that will provide a wide range of public spaces for the enjoyment and well-being of residents (BDP policy TP7). These will be multifunctional with important roles in creating local character, landscape and ecological networks, sustainable drainage and walking and cycling routes.

Development must be shaped by existing topography, streams and ponds, trees, hedgerows and wildlife habitats (see Plan 5), making a positive contribution to the detailed design of the urban extension. These features should be retained and enhanced unless there are overarching reasons why this is not possible, and impacts can be minimised and fully mitigated to ensure there is a net gain overall on the development.

Approximately a third of the site is expected to be open space and green infrastructure. A minimum of 30ha of public open space is required (based on approximately 6,000 dwellings). The minimum requirement for sports pitches/playing fields is 18ha, which can contribute towards open space requirements where they have public access. Other areas of open space and landscape treatment will also need to be provided as part of good place-making.

A network of public green spaces will permeate the site and connect to surrounding networks and paths, designed to be active, safe, and accessible to residents. The site will need to include major green infrastructure corridors for Langley Park, Langley Brook, Fox Hollies Boulevard and a green buffer along the A38. Public open spaces within neighbourhoods will include local play and multi-use games areas, formal event spaces within the Centres, growing spaces (such as allotments and community orchards) and





sports pitches/playing fields. Where noise mitigation is required (potentially next to the A38) within green spaces, the design should result in living environments that meet national standards, including the WHO Community Noise Guidelines.

Sustainable urban drainage (SuDs) will be integral to development at Langley SUE as part of the approach to flood risk management (BDP policy TP6) and biodiversity enhancements, with Langley Brook and Peddimore Brook on the site. Design solutions should create landscape assets such as ponds, swales and rain gardens as integral features of open spaces and streets. Consideration should also be given to implementing measures applied at the scale of buildings or plots, such as water harvesting and re-use. Some existing ponds and water bodies (and associated habitat) have populations of Great Crested Newts and appropriate protection and mitigation measures will be required, such as the creation of occasional water bodies and habitats within open space.

Hedgerows and woodland areas, including semi-natural broad leaved woodland, and mature trees (including those with Tree Preservation Orders) should be incorporated into green open spaces and supplemented by new planting. Sites of Local Importance for Nature Conservation (SLINCs) should be retained and sensitively integrated into the development, potentially within informal open space (BDP policy TP8), with overall net gains for biodiversity.

Public spaces, streets and front gardens should have environmental and visual links to the surrounding area, and landscaping informed by ecological design principles, such as use of locally native species, pollinator-friendly plants, climate-resilient plants, and ecologically sensitive maintenance. Opportunities should also be taken to incorporate green walls/roofs on buildings (especially close to open spaces). The design approach for private gardens should be for robust and low maintenance spaces with wildlife friendly planting.

Design framework

Langley SUE will be built out over a 20 year period by a number of different developers. Clear guidance is required to ensure that all developments on the site achieve high standards of design and sustainability that contribute to coherent place-making and neighbourhoods of distinctive character.

A Design Framework is essential to embed key principles to coordinate and guide development. This will form a suite of design information to be submitted by outline planning application stage. It should clearly set out how place-making and character will be delivered across Langley SUE, and the design approach for each Neighbourhood, the PMN and major green infrastructure corridors. It will also need to address areas where land owners are not currently looking to bring forward development.

The Framework will need to identify how character varies to reflect existing assets, topography and other site conditions, as well as their proposed land uses and type of development. The design process should be explained and set out how development phasing will facilitate the approach to place-making.

The Framework should be sufficiently detailed to establish:

- Streets and public spaces typologies, including scale, enclosure, form, typical features, materials and example sections.
- Typical building typologies including scale, massing, heights and appearance, boundary treatments and parking, cycling and waste provision.
- Indicative layouts with key views, block types (including the approach to parking), focal spaces, landmarks and other urban design features.
- Palettes of typical building and public realm materials, trees and other plants.
- How green infrastructure and utilities can be accommodated.

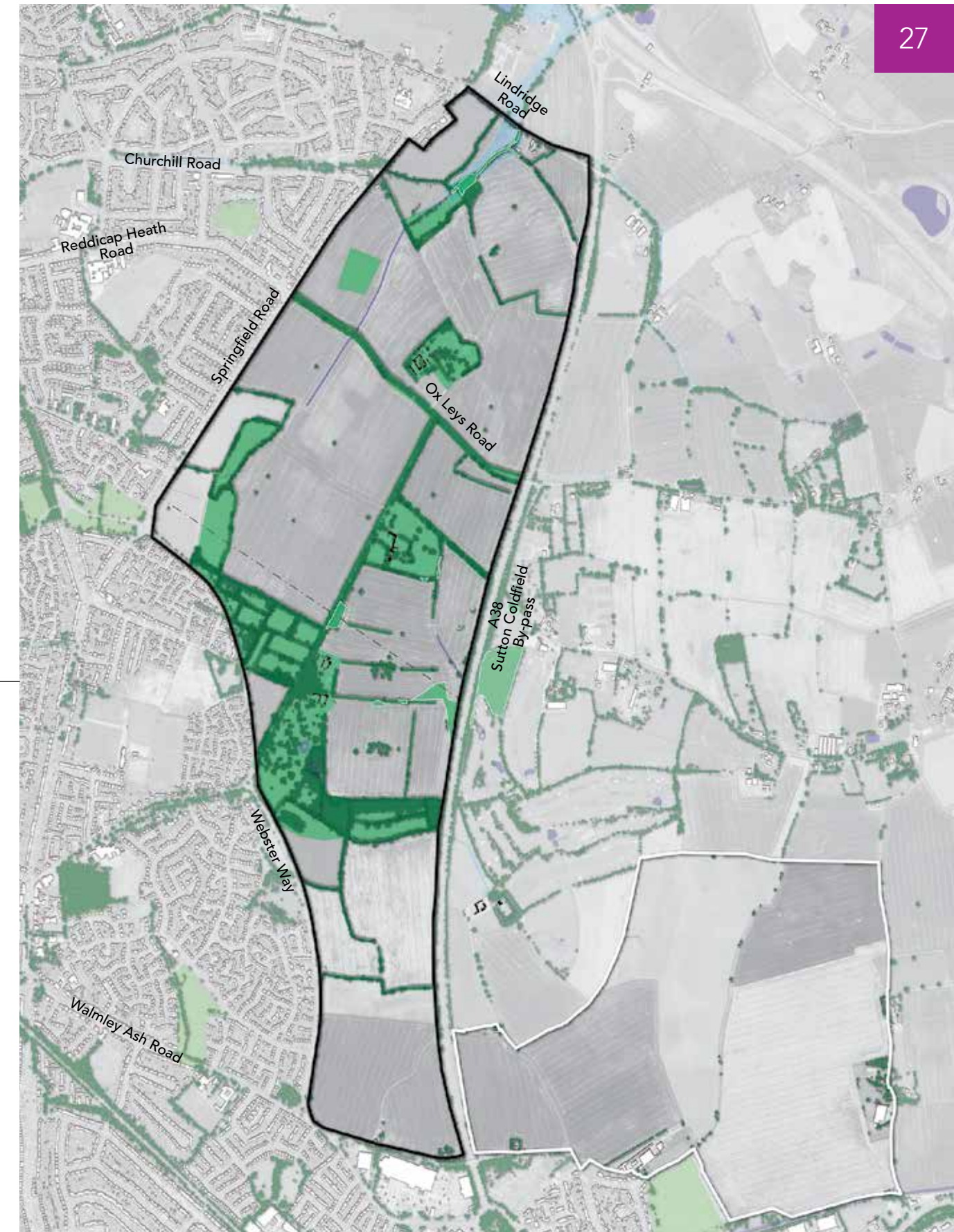
PLAN 5 Green infrastructure and assets

Key

- Langley SUE boundary
- Peddimore boundary
- Site of Local Importance for Nature Conservation (SLINC)
- Area with amenity value and/or heritage value
- Trees/woodland
- Hedgerow
- Watercourse/ponds
- Flood zones
- Pylons
- Listed buildings and buildings with character value



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DISTINCTIVE NEIGHBOURHOODS

With a development the scale of Langley SUE, it is important to ensure that neighbourhoods of an appropriate scale, high quality design, and distinctive character are delivered as part of successfully creating a new place. To support this design approach, indicative Neighbourhood areas have been identified (Plan 6), setting out important considerations and aspirations which will need to inform the next development design stages.

Overall the Neighbourhoods will need to be at a suitable scale that supports how people live and interact within their local area on a day to day basis, with transport services and facilities within reasonable walking and cycling distance.

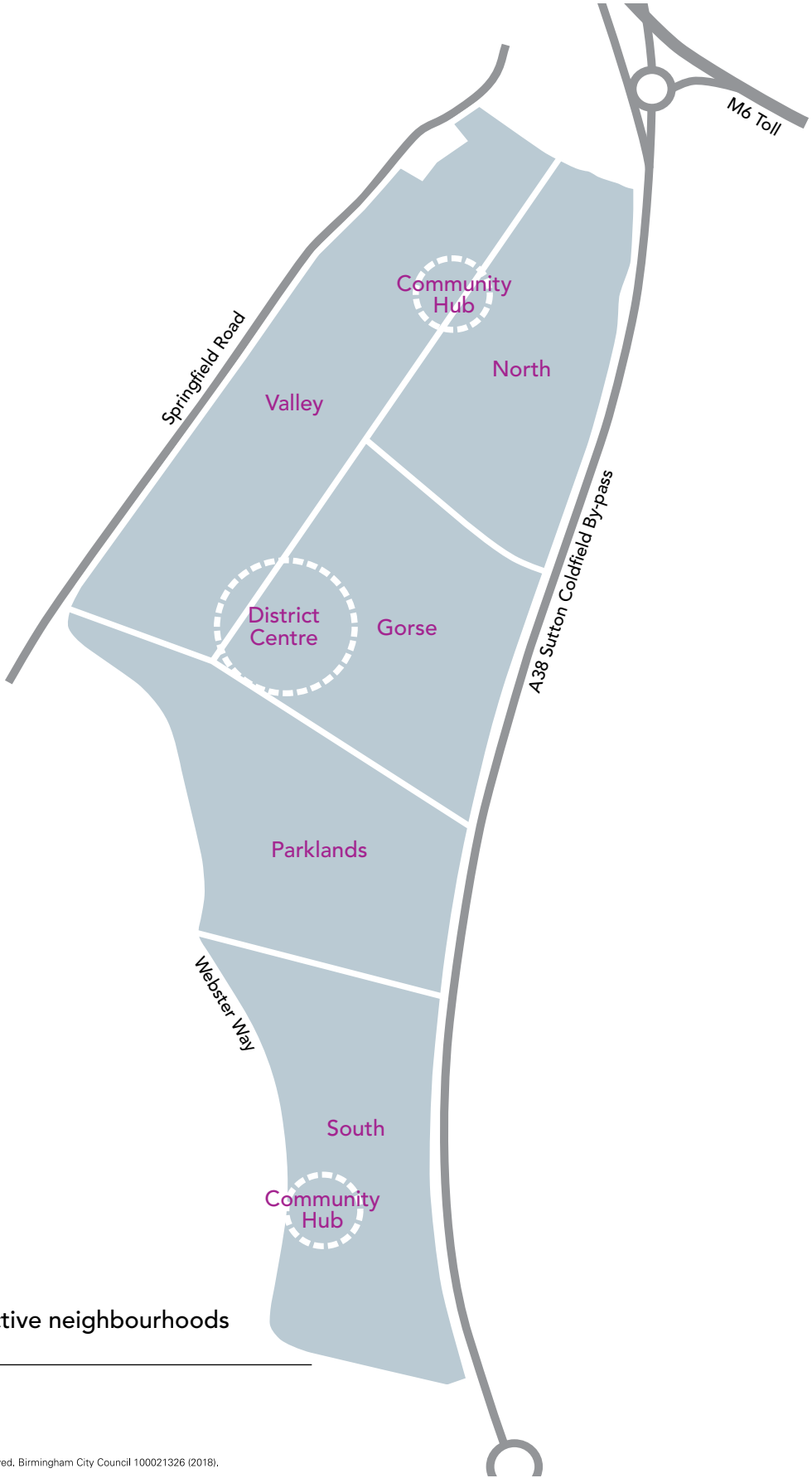
Each Neighbourhood will have a distinctive character that relates well to adjoining places, and well-defined gateways that help people to identify with their local area. Character will arise from the local context, including topography, landscape and heritage assets; and from new carefully considered design of buildings and public spaces. The design of parks, schools and other key facilities will reflect their role and contribute to distinctive local character. The use of different architects on the development is encouraged to create variety within a coherent design approach.

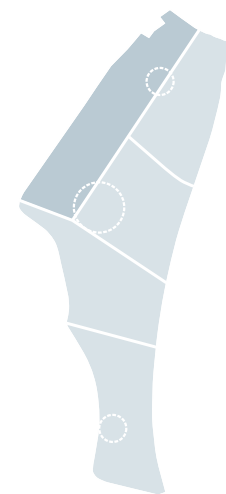
Public art has the potential to enhance place-making in the Neighbourhoods and at key locations, such as Centres and strategic green spaces, and to engage with all people during the development. Different forms of public art - temporary/permanent, site-specific work/wider cultural events - can positively contribute to Langley's identity.

PLAN 6 Distinctive neighbourhoods



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This area will be defined by the central valley of the Langley Brook that will form a strategic green corridor between Langley Parklands in the south and Lindridge Road in the north. Development will be predominantly residential which relates well to the major landscaped public open space and to the adjoining residential areas off Springfield Road. The Neighbourhood will be a gateway into the development, with major transport links to be provided connecting new communities with existing residents.

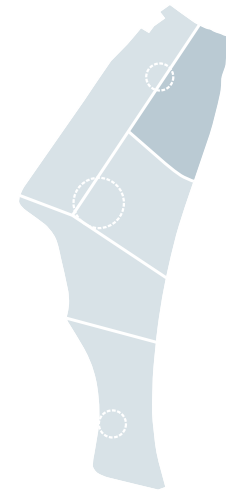
Design and layout

- Major landscaped public open space along Langley Brook, including SuDs.
- Gateways into the development from Springfield Road as part of the PMN. Strong connections will be created with existing communities, with walking and cycling links.
- Medium density is the predominant form for housing, with some variations and opportunities for self/custom build plots. Higher density close to District Centre and PMN.
- Strong edges formed by housing fronting on to Springfield Road (formal), positively addressing existing residential areas, and on to the strategic green corridor (less formal).
- Homes designed to take advantage of views over open space, with potential for upper floor living.
- Noise mitigation, where required, achieved through building design.

Existing assets

- Langley Brook (including SLINC), with walking and cycling crossing points provided.
- Woodland, trees (including TPO's) and hedgerows.
- Ox Leys Road.





As a new settlement edge in the north-east of the site, the development will be predominantly residential in nature. This will be supported by significant green spaces, a primary school and potentially a Community Hub. The PMN will help connect the Neighbourhood to the rest of the development.

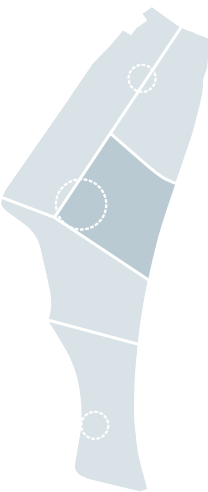
Design and layout

- Design needs to take appropriate account of the undulating landform in this area.
- Strategic green corridors as key character features alongside the A38 (with noise attenuation buffer) and forming the northern section of Fox Hollies Boulevard.
- Medium density housing, with higher density towards the PMN and the Community Hub, reducing towards strategic green spaces.
- As a new settlement edge, street hierarchy needs to connect the area to the City network, including the PMN, with good access to the District Centre, nearby Community Hub and public transport stops.
- Gateways into the development from the A38 as part of the PMN.
- Walking and cycling links to proposed residential development to the north of Lindridge Road (in North Warwickshire) should be explored.

Existing assets

- Ox Leys Road.
- Langley Hall (listed building).
- Hedgerows and trees to be retained.





Langley Gorse is an area of relatively high ground, which will become a predominantly residential neighbourhood. Fox Hollies Road will be a significant feature for the area, and along with the areas relationship with Langley Park and the District Centre, these will help to define character in this Neighbourhood.

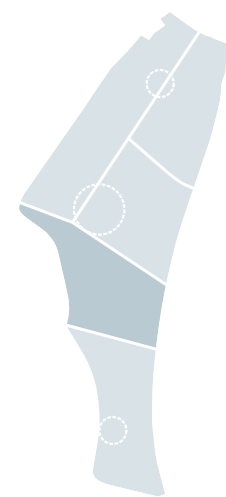
Design and layout

- Major landscape infrastructure, including green space along the A38 (with noise attenuation buffer), with links to Langley Park.
- Fox Hollies Road will be part of a major green corridor and will be a key character feature. It will be a key part of the green infrastructure, and walking and cycling networks on site.
- Medium density housing is the predominant form, with some variations reflecting closeness to the District Centre and the PMN. Closer to Langley Park, housing will need to relate to the more open landscape, resulting in a clearly defined change in character.
- Street layout responds to landform, with the PMN as the key structuring feature. These layouts should consider views into, out of and through the Neighbourhood. Ridges offer the potential to break up built form and mitigate visual impacts.

Existing assets

- Landscape features, including those associated with Fox Hollies Road and surrounding area, including hedgerows, trees and semi-natural habitats (including TPOs and a SLINCs).
- Watercourse on eastern edge.





Within this Neighbourhood, Langley Park will be a strategic green corridor linking New Hall Valley Country Park with the countryside to the east, and will define the character of this Neighbourhood. It will utilise existing assets, including Fox Hollies Road, with a focus on informal open spaces. The area will provide an important transition between the south of Langley SUE and the north, with a supporting movement network to connect the area. Residential development will seamlessly integrate into the surrounding landscape character.

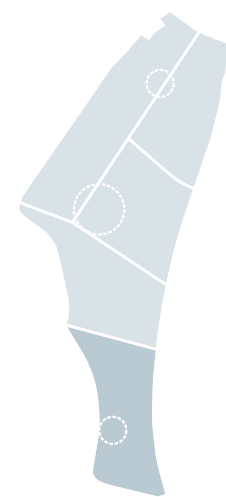
Design and layout

- Strategic green corridor with an appropriate mix of green infrastructure primarily as an ecological network link. It will incorporate existing assets, and include informal public open space, play areas, SuDs and noise attenuation buffer.
- Fox Hollies Road will be a key landscape character feature and will need to become a key part of the green infrastructure, and walking and cycling networks on site as part of Fox Hollies Boulevard. Where necessary, sections of this road (or alternative alignments) can be considered as part of the sustainable transport strategy (including public transport and localised vehicle movements) where it does not cause a significant impact on the purpose of this corridor.
- Supporting movement infrastructure, including links to the District Centre and gateways into the site. Dedicated walking and cycling routes to be provided that connect New Hall Valley Country Park in the west and open countryside to the east, and link Langley South to the north of the site.
- Buildings within and sensitively integrated into a green landscape setting, working with undulating topography and including suitable architectural approaches, such as green roofs.
- Lower density is the predominant form for residential development, with opportunities for a bespoke approach to housing layout and design with self/custom build plots and care homes. Housing layouts, within large well-landscaped plots, should provide appropriate access to the PMN and District Centre.

Existing assets

- Features associated with Fox Hollies Road and surrounding area, including estate parkland, grassland, woodland, mature trees, hedgerows, Peddimore Brook, wetlands and habitats (including TPOs and a SLINC).
- Langley Heath Farm and Fox Hollies (listed buildings), with access maintained.
- Utilise public rights of way, including A38 underpass.
- Power lines (proposals to put them underground will be supported where viable).





Langley South will be the southern gateway to the urban extension, with major access points from the A38 and Webster Way. The area will be predominantly residential, and the new homes will be supported by significant green spaces, a primary school and potentially a Community Hub. The PMN will help connect the Neighbourhood to the rest of the development and Peddimore.

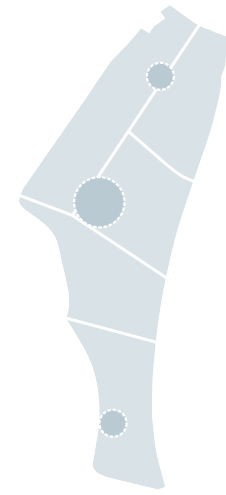
Design and layout

- Housing forms and building design reflecting its gateway location into Langley SUE, with an identifiable and distinctive character.
- Medium density is the predominant form for housing, with higher density towards the PMN and a Community Hub. Lower density housing in the north of the area to allow for links, landscaping, retention of existing assets and views to Langley Park.
- PMN and strategic access to be provided connecting the A38, Webster Way and the northern part of the site, including the District Centre. Dedicated walking and cycling routes are needed to link Langley South to the north of the site as part of a major green corridor, and to Peddimore.
- Legible layout based around PMN and a clear hierarchy of well-connected residential streets, including links to surrounding residential areas. The layout becoming less formal towards the A38 and Langley Park green spaces, with development near the A38 junction seamlessly integrating into the setting of this residential area.
- Development will need to satisfactorily link to and address existing properties and destinations on Webster Way and Walmley Ash Lane, and ensure residential amenity is protected.
- Strategic green spaces will need to be provided linking into the wider green infrastructure network, including Peddimore Brook, Fox Hollies Boulevard and open space alongside A38 with landscaping and noise attenuation buffer.
- Impacts to be considered on Peddimore Hall (to the east of the site), where the moated site is a Schedule Monument.

Existing assets

- Peddimore Brook.
- Hedgerows and trees (including TPOs).





At the core of the urban extension is a new District Centre, just to the north of Langley Parkland, offering major facilities and services. Community Hubs should also be provided in accessible locations to serve people's day to day needs in the northern and southern parts of the site. These Centres will be connected to all areas of the site by the PMN, high quality public transport services and key walking and cycling routes.

Design and layout

- Similar design approaches in all Centres, that reflect the role of the District Centre and the scale of the Community Hubs.
- District Centre will include a concentration of shops, commercial and community uses, Sprint/Rapid Transit interchange, an urban square/park, secondary and primary schools and Sports Hub.
- Community Hubs should serve local catchments, with a focus on community uses, primary schools and public transport interchanges.
- Vibrant and bustling places with strong identity, acting as local landmarks. Should include contemporary architecture and high quality public realm design that takes a lead from other recent high quality, higher density development to create an instantly recognisable and distinctive place. Buildings should enclose, front onto, overlook and be accessed from the main streets. Encouragement given to independent and niche retailers, and distinctive approaches to design and signage.
- Public realm will need to include a public square/park capable of hosting events, and pedestrian-friendly streets. Significant green infrastructure to be provided, including street trees and SuDs.
- Layouts in the Centres will need to enable easy accessibility by walking, cycling and public transport. All Centres should be on the PMN, with a connection from the District Centre to existing residential areas.
- Car and cycle parking should be shared between different uses to minimise the land needed and impacts on the streetscape.
- Higher density is the predominant form for Centres, with upper floors for apartments and potential for town houses. The highest density should be in the District Centre. Servicing and delivery arrangements will need to be designed to support the creation of a high quality residential environment.





4 DELIVERY

In order to achieve the quality of development and place that is required by the BDP and this SPD, a comprehensive approach to the sites planning, development, delivery and long term management and maintenance is needed.

This will mean working collaboratively across a range of themes setting clear strategies for all the elements that will contribute to a development of this scale and deliver social value for the City. David Lock Associates advised the City Council on the approach that should be in place to deliver a successful urban extension.

The City Council, working with key stakeholders, including the Langley Sutton Coldfield Consortium (the Consortium), other landowners, developers, and local communities will have an important role in overseeing and monitoring the quality and stages of the development. A joint approach to project management, communication and decision making will be put in place with key partners. This will include setting out the resources and skills required to deliver the agreed site-wide masterplan during the life of its development, with project teams and working groups used to progress key topics. An appropriate delivery model will need to be put in place, and this could include the establishment of a master developer to ensure a comprehensive and cohesive quality development, and the phasing, coordination and comprehensive delivery of the infrastructure and built form across the whole site. The delivery of Langley SUE and Peddimore will be coordinated to provide a comprehensive approach.

Site-wide strategies

The first step will be producing a range of site-wide strategies covering key infrastructure to ensure that a clear approach is in place to deliver the vision, linked to the phasing and design quality of

the development. It will be essential that the following interconnected strategies are put in place by the developers, with key stakeholders, prior to any formal planning application:

- **Community development and governance** - This will set out how local people and businesses, including the Town Council, will be involved in the development and how the new communities on site will be encouraged to have a meaningful stake in their local area. A community development and culture programme, funded by the developer, will be set up to support resident wellbeing and build relations, social networks, groups and activities during all stages of the development. A Community Liaison Officer could be an effective way to deliver this. Future ownership and management of community assets will also provide opportunities to help build a sustainable new community. The approach will need to be phased and reflect the growth of communities on the site.
- **Social infrastructure** - This strategy will need to maximise the coordination, co-location and delivery of schools, health and other community facilities and services serving the site. This will need to have regard to existing facilities in the area, and demonstrate how the proposals will complement this provision. Clear trigger points to provide this infrastructure, linked to the delivery of new housing, will need to be made to ensure that essential services are provided.

- **District and other centres** - This should primarily be focussed on how the role and function of the District Centre and other shops and facilities on the site will be co-ordinated in a comprehensive manner, linked to social infrastructure provision. It will need to address the scale and type of shops and facilities that will be provided, which places them into the network of Centres within Birmingham.
- **Housing** - This strategy should set out how the mix, tenure and typologies of homes will support the successful creation of new communities. It will support the effective and coordinated delivery of affordable housing in a comprehensive manner throughout the site, and set out how it will contribute towards the overall housing mix in each Neighbourhood.
- **Sustainable transport and movement** - As a key requirement of the development, this strategy will cover all movements (including walking and cycling) from the development, both on and off-site, including links to shops, schools, green space and other facilities. It will need to be underpinned by a detailed Transport Assessment, informed by the emerging Sutton Coldfield transport model. A Travel Plan will be a key part of the strategy to promote the use of sustainable modes of travel. It will also need to set out a strategy for construction traffic movements.
- **Green infrastructure** - This will need to address all green infrastructure, including open space, landscape, Sports Hub and other pitches, nature conservation sites and heritage assets. The strategy should

set the role of each part of the network, from the major green infrastructure corridors to more localised areas, and how they will be delivered. It will need to set out the approach to existing assets and how they will be accommodated (including any mitigation).

- **Sustainable drainage** - This needs to offer a long term sustainable solution which contributes towards the overall character of the site, including the green infrastructure and transport and movement networks. It will need to include flood risk assessment and flood risk modelling for the Langley Brook.
- **Energy and utilities** - Developers should liaise closely with relevant agencies and service providers to ensure that sustainable power, water, waste and communications services are delivered when required and maintained. This should also be explored with the requirements and proposals associated with Peddimore. There should be a focus on incorporating a long term low/zero carbon strategy, underpinned by a Fabric First approach. Current and emerging technologies should be considered for future needs, and provided for wherever possible (e.g. electric vehicle charging).
- **Digital infrastructure** - This will to need to accommodate wired and wireless infrastructure to provide high speed ubiquitous internet access that is suitably integrated into the design of the development. It will need to demonstrate a long term view which can accommodate ongoing best practice and innovation in the industry.

TABLE 1 Key infrastructure requirements

Key infrastructure requirements - indicative phasing	Lead delivery organisation
0-5 years (starting 2018)	
New junction with the A38 and Peddimore (Langley South)	BCC/Developer
Sprint/Rapid Transit services (interim arrangements as a minimum)	TfWM
Primary School	BCC/Developer
Health care facilities - early phasing	Developer/Birmingham and Solihull STP
5-10 years	
New junction with A38 (Langley North)	BCC/Developer
Secondary School	BCC/Developer
Primary School	BCC/Developer
Health care facilities	Developer/Birmingham and Solihull STP
District Centre including Sports Hub	Developer
Community Hub	Developer
10+ years	
Sprint/Rapid Transit (full route)	TfWM
Primary School	BCC/Developer
Community Hub	Developer
Health care facilities - remaining requirements	Developer/Birmingham and Solihull STP
Delivered continually throughout development (including initial phases)	
Affordable housing (35% of total homes)	BCC/Developer
Green infrastructure including at least 30ha of public open space (based on 6,000 homes), playing fields, play areas, etc.	BCC/Developer
Principal movement network	BCC/Developer
Walking and cycling routes	BCC/Developer
Other high quality public transport services	BCC/Developer
Off-site highway improvements	BCC/Developer
Sustainable urban drainage	BCC/Developer
Low/zero carbon energy infrastructure	BCC/Developer
Community facilities (potential for temporary space in early phases)	BCC/Developer

- **Waste management** - This should set out a site management plan for how waste will be managed during construction, and once homes and other space are occupied. Consideration should be given to the most efficient and effective way for waste to be collected, including the use of central collection points.

Development phasing and infrastructure delivery

The phasing of the development is crucial to ensure homes and communities are accompanied by the timely and coordinated delivery of infrastructure, both on and off-site. It is estimated that at its peak over 400 homes could be built on Langley each year. The phasing of the key physical and social infrastructure needed at Langley SUE is summarised in Table 1 (based on initial assessments with stakeholders), with potentially more information to be included in the final SPD.

A comprehensive site-wide delivery and infrastructure phasing plan will need to accompany the development. As the site is in multiple ownerships, the strategy will need to put in place an approach which shows how the costs of development will be funded and delivered. It will need to address how these costs (including ongoing maintenance) and land required for infrastructure will be split proportionally to ensure they are equitable between all current and future landowners and developers on site. Importantly the plan will also need to demonstrate how infrastructure will be brought forward to support the creation and growing of the residential communities, particularly in the early phases of development.

This site-wide strategy will be developed with key partners, including all landowners and taking into account other matters to secure and co-ordinate infrastructure delivery. This will include consideration of relevant standards and innovative ways

to provide infrastructure, and agreement on trigger points for its provision. Further details may be included in the final SPD.

Periodic reviews of agreed phasing plans and strategies will be carried out by the City Council and partners to ensure that they remain relevant during the construction period. Other proposed developments in the area (including North Warwickshire) may also need to contribute proportionately to Langley’s infrastructure.

Management and maintenance

Through the site-wide strategies, developers will need to demonstrate that a long-term strategy and business plan is in place for the governance, funding and management of infrastructure and assets.

Infrastructure to be adopted by the City Council must be built to appropriate standards, with funding provided by the developer to cover maintenance and other appropriate costs (such as the management, implementation and monitoring of Travel Plans), with the period of payments to be agreed with developers.

The City Council is likely to adopt all highway infrastructure of suitable standard. In the case of parks, green spaces and potentially some facilities, the City Council may not adopt these assets, or may do so on an interim arrangement, with a view to transferring the assets to a suitable organisation or community at the earliest appropriate opportunity. Support will be given to communities to facilitate this process.

Where infrastructure is not adopted by the City Council, the developer will need to demonstrate that the approach is sustainable, City Council standards have been applied, it meets recognised quality standards, and it has long-term management and maintenance arrangements in place.

Planning application and funding

Developers will need to deliver a comprehensive approach and demonstrate that planning applications at Langley SUE reflect the agreed vision and objectives, and meet the policies and requirements of the BDP, this SPD and other relevant planning documents. The detailed locations for the proposals from this SPD will be agreed as part of determining the outline planning application. Overall developers will need to contribute towards a site-wide masterplan and individual schemes should not prejudice the overall development of the site.

The City Council will put in place an approach for planning applications which ensures comprehensive and coherent development, as well as the timely and appropriate phasing, funding and delivery of infrastructure. This will need to be flexible enough to respond to changing market conditions, housing needs and technology, as well as fixing the key elements required from development.

There will need to be a comprehensive, site-wide outline planning application for all of the allocation, which commits all landowners and developers to the overarching approach for development and infrastructure in a proportional and equitable manner. This will allow the next stage of key requirements and parameters to be set for the development. The Langley Sutton Coldfield Consortium is managed through a legal Collaboration Agreement to bring forward an outline planning application for the site.

Other than for essential infrastructure, an approved comprehensive, site-wide approach needs to be in place before detailed planning applications/proposals on individual sites will be considered positively by the City Council. The southern access point onto the A38 is likely to be subject to a planning application as part of the Peddimore proposals, and this will need to demonstrate how it contributes to the development of Langley SUE.

Key place-making information will need to be submitted with the outline planning application, and detailed schemes will need to show how they fit within the agreed site-wide approach. This includes:

- Site-wide illustrative masterplan to help all stakeholders to visualise and develop a common understanding of the place that Langley SUE will become.
- Parameter plans showing the spatial distribution of land uses, maximum building heights, a layout and street hierarchy (primary and secondary), gateways, urban design requirements and green infrastructure, with which future proposals must also comply. These plans must clearly relate to existing site assets and landform.
- Langley Design Framework setting out the design principles that will guide future development, including residential density, blocks (including edges), parking, built form and appearance of the Neighbourhoods, access and movement, and key public spaces. It should also include the approach to public art. Images should be included to illustrate these principles and how they relate to the overall masterplan (including 3D models, building elevations, street scenes, precedent images, and others as necessary). Design Briefs for specific sites and design codes may be used as an alternative or to support the Framework approach where details are not yet available.

- Design and Access Statement (DAS), to set out how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed. It should set out the principles underpinning the design and how these have taken on board pre-application consultation and design review. The DAS has a different role to the Framework and could be incorporated within it.

- Site-wide strategies, including the Delivery and Infrastructure Phasing Plan.

- An Environmental Impact Assessment for the site as a whole.

The infrastructure funding strategy will need to be captured in a section 106 agreement(s) and, where costs need to be tested, they will be assessed using a viability tool to be agreed with the City Council to ensure transparency and consistency across the whole site. This will take into account relevant legislation, best practice and guidance to secure appropriate contributions from all developers and landowners. To ensure the approach is fair and equitable, a protocol will need to be established through the outline planning application and the section 106 will set out the method for calculating proportionate contributions based on the proposed use of land. Affordable housing will be agreed as part of each Reserved Matters application in the context of the approved site-wide approach.

The City Council will establish Planning Performance Agreements (PPA) with developers within which the required project management and decision making structures will be agreed, coordinated and maintained for the project. It will capture the spatial vision and development objectives along with a project plan, programme and key terms of reference and responsibilities.

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BIRMINGHAM
PLAN
2031



Peddimore

Draft Supplementary Planning Document

September 2018



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The images included in this SPD are conceptual or illustrative to show what development at Peddimore could look like.

FOREWORD

Peddimore is one of the most significant industrial development opportunities within the UK, with the potential to accommodate 265,000 square metres of new floorspace. Our decision to release 71 hectares of land from the Green Belt will create a world class employment estate and will see major new business space brought forward. Up to 10,000 jobs will be created and a £350 million contribution made to the local economy. It will rival other major UK industrial and distribution developments.

The development will be brought forward in stages, with the first phase of 37 hectares providing the infrastructure to serve the whole site, including a new junction onto the A38, public transport connections and major green infrastructure. In March 2018, the City Council announced IM Properties as our development partner who will deliver this high quality scheme.

This draft Supplementary Planning Document (SPD) sets out the City's vision and expectations for this unparalleled development opportunity. Along with the Langley Sustainable Urban Extension, this is a great opportunity for Birmingham and the Royal Town of Sutton Coldfield to create thousands of homes, skilled jobs and modern infrastructure.

I am delighted that we are publishing this draft for consultation and engaging with the wider community and partners on how we can create a new standard for commercial development.

Councillor Ian Ward

Leader

Birmingham City Council



1 INTRODUCTION

Introduction

The Birmingham Development Plan (BDP) sets out the City’s growth strategy to deliver over 51,100 new homes, 100,000 jobs and associated infrastructure. With Birmingham’s population projected to increase by 150,000 residents by 2031, the strategy of the BDP is focused on meeting the needs of growth in the most sustainable way.

Peddimore is identified as a key employment allocation in Policy GA6 of the BDP, helping to address the need for land to accommodate major national and international investment in the industrial and logistics sectors. The City has an excellent history of providing high quality space for businesses, particularly for the advanced manufacturing sector.

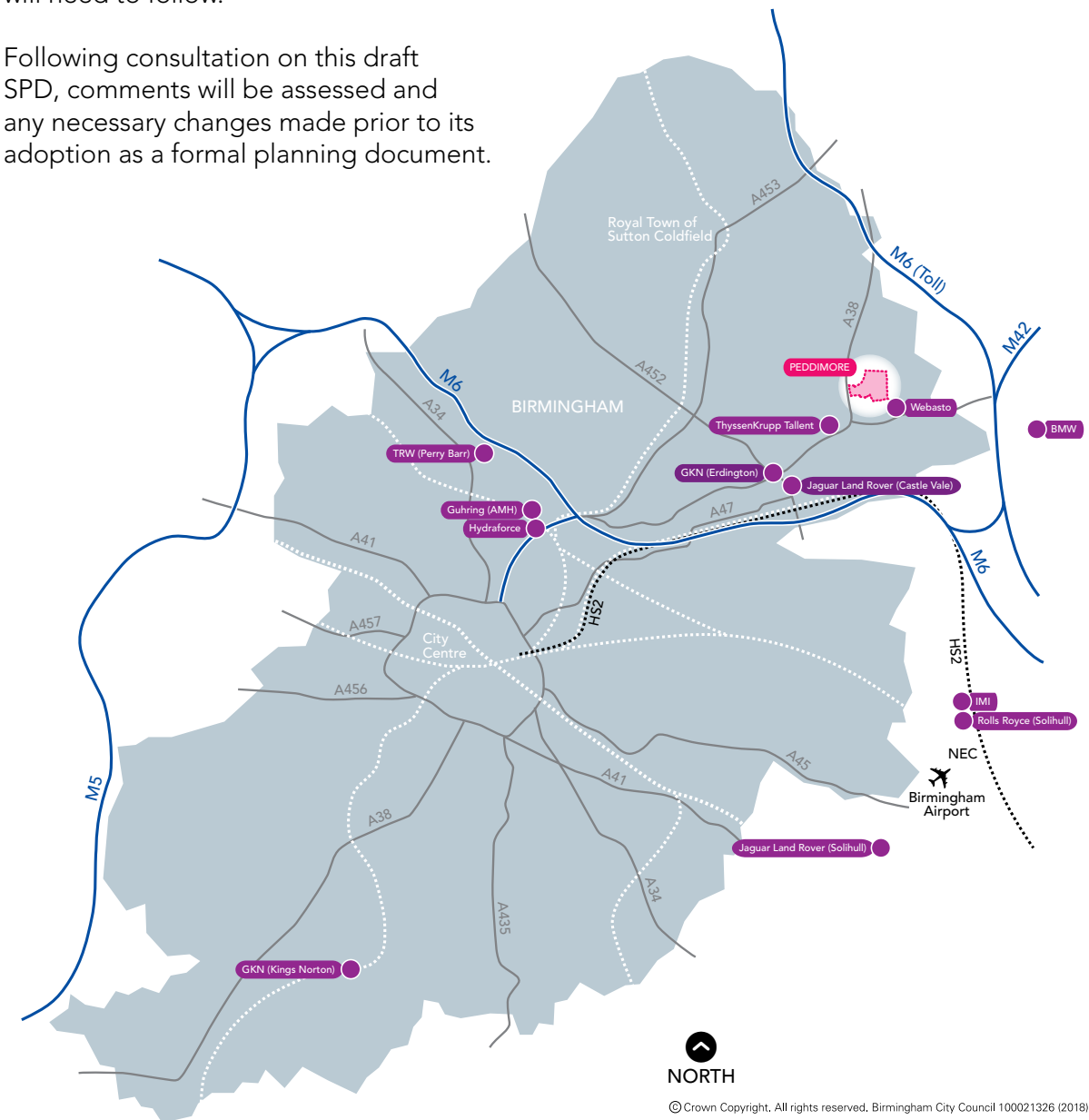
With 71ha of developable employment land available in a highly accessible location, Peddimore has the potential to meet the requirements of large scale businesses, and also provide space for small and medium enterprises. The development can help the City to meet the demands of thriving sectors, capitalise on the emergence of new growth industries and support the delivery of the local industrial strategy.

The provision of infrastructure will be co-ordinated with the development of approximately 6,000 homes on the adjoining Langley Sustainable Urban Extension (SUE). A separate SPD has been prepared for Langley SUE detailing the key principles, providing guidance on design, phasing and access, and ensuring that these developments are effectively integrated.

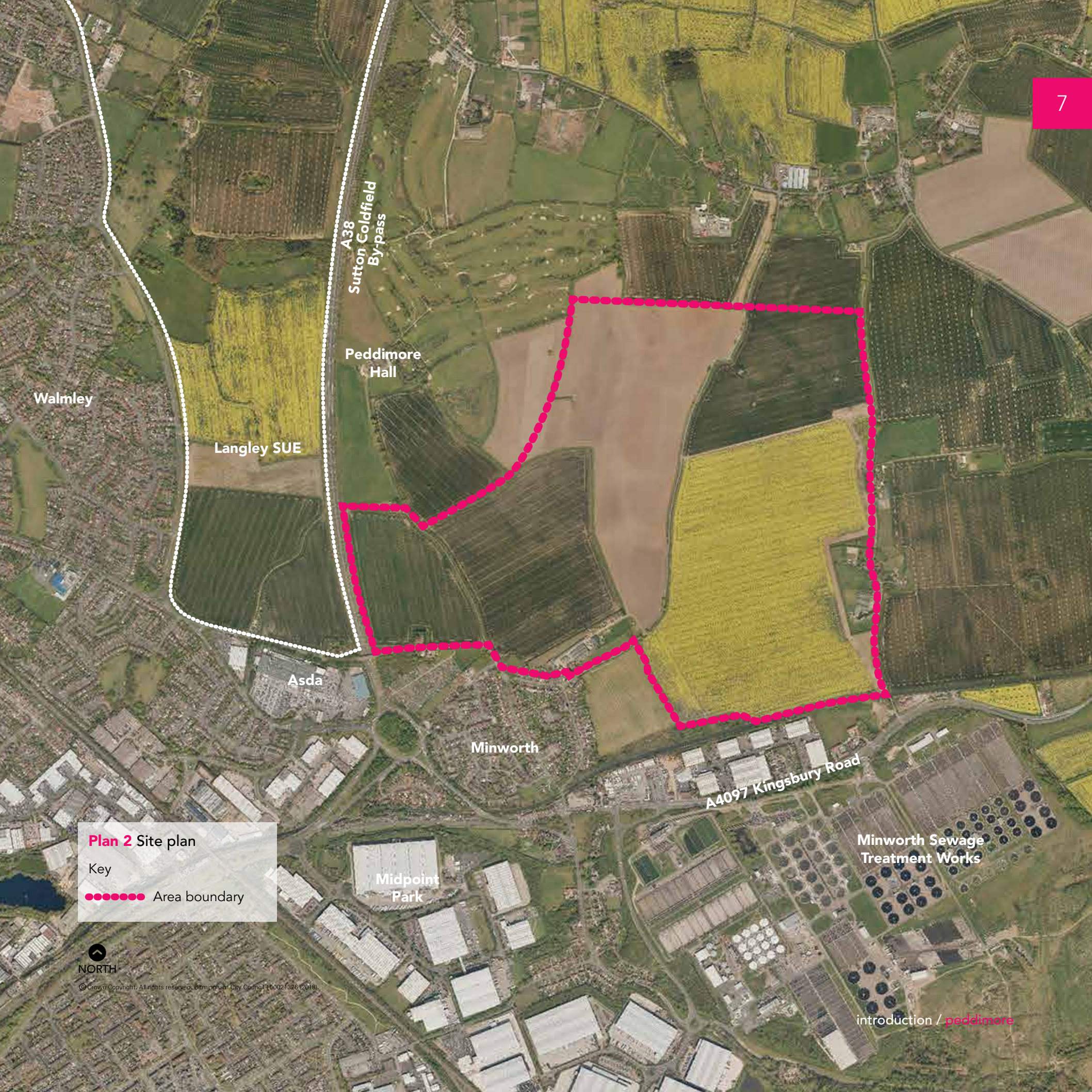
Purpose
In 2017, the City published the Peddimore Visioning Document to set out the high level approach for the development and delivery of the site. The objective of this SPD is to ensure that Peddimore is a sustainable development and creates the right conditions for business investment.

It sets out the requirements, development principles and the process that the project will need to follow.

Following consultation on this draft SPD, comments will be assessed and any necessary changes made prior to its adoption as a formal planning document.



Plan 1 Advanced manufacturing companies - City wide





8



9

2VISION ION

To create an exemplar industrial development that provides high quality space with supporting infrastructure to attract new businesses in key growth sectors.

The site's scale, access to the motorway network and major conurbations with first class connectivity and availability of skilled local labour, will make Peddimore a highly successful development that is a desirable place for businesses to invest, operate and grow. Through the provision of new employment space, the development will support significant new jobs and training opportunities for local people.

A masterplan-led approach, informed by the illustrative framework (Plan 1), is vital in successfully delivering the vision for Peddimore. This will set out in detail what development is going to take place and where, ensuring that development of business space and supporting infrastructure happens in a comprehensive and co-ordinated way.

The vision will be secured through key development principles that support BDP policy GA6, and will guide the overall masterplan and quality of place. They will ensure that Peddimore is a success in the long term and is integrated into the local area.

The key development principles are set out as:

Connectivity

Development at Peddimore will provide for sustainable travel, promoting walking, cycling and high quality public transport. A new strategic junction on the A38 and improvements to the existing road network are central to the transformation of the area.

Design

A strong design-led approach will be taken to ensure that buildings and infrastructure contribute towards creating a high quality place that successfully integrates into the surrounding landscape.

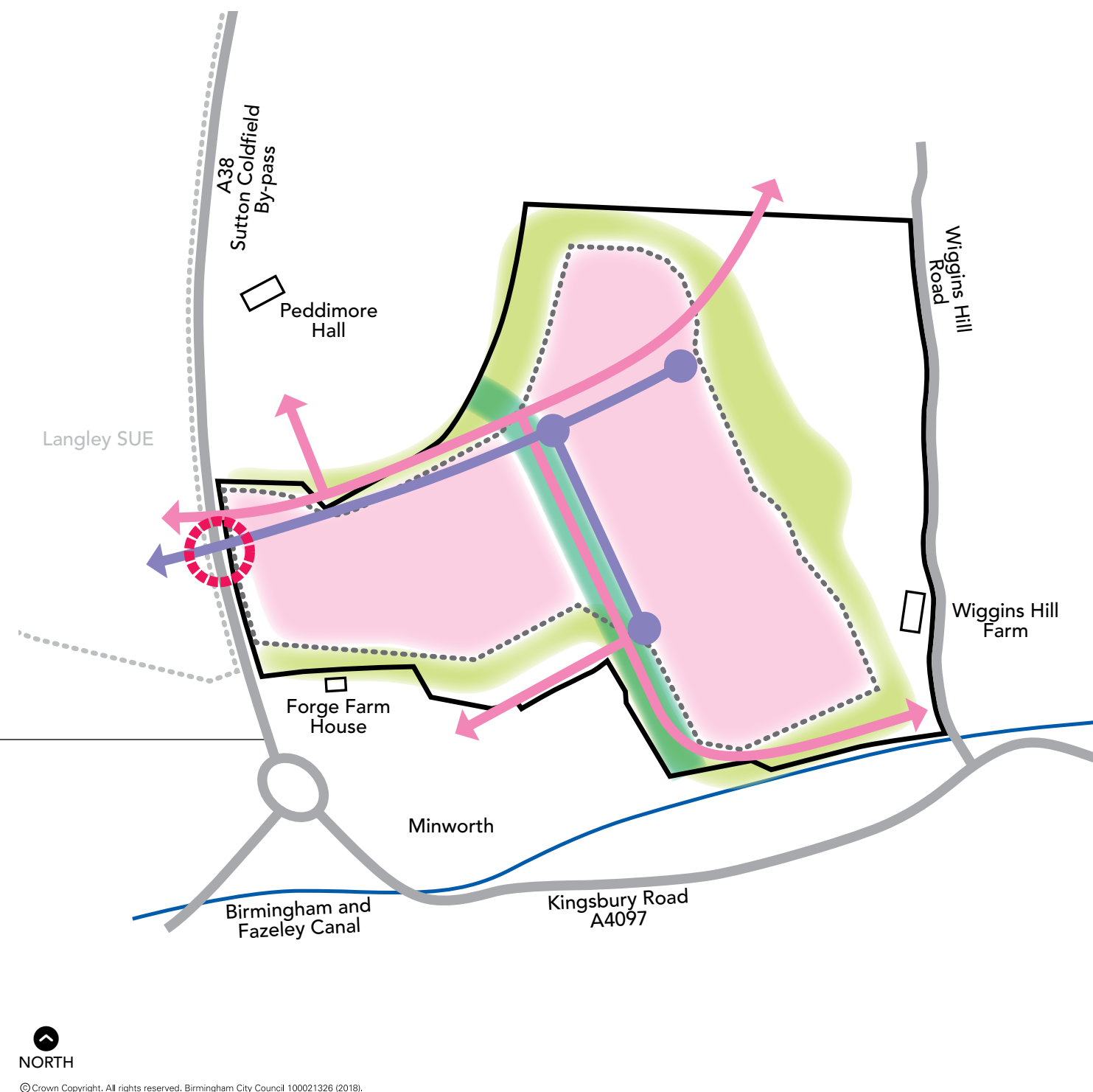
Sustainability

Peddimore will deliver a multi-functional green infrastructure network, where valuable landscape and ecological assets are enhanced, increasing biodiversity and habitat connectivity. Buildings will also contribute towards these networks and will meet high sustainability standards.

Plan 3 Illustrative framework

Key

- Peddimore boundary
- Developable area
- A38 gateway
- Main vehicle routes
- Pedestrian and cycling routes
- Peddimore Brook corridor
- Development areas
- Landscape setting



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Establishing sustainable travel patterns that prioritise walking, cycling, public transport and freight movement from the outset is a key aim for Peddimore that will impact on the design, layout and phasing of development.

A clear transport strategy will be put in place, underpinned by a Transport Assessment (informed by the emerging Sutton Coldfield transport model) and travel plan, and delivered through a Green Travel District to promote the use of sustainable modes of travel during construction and operation of the site. The strategy will include investment in the local transport network to mitigate the effects of the development.

Strategic access

A major access into Peddimore will be created on the A38 to connect Peddimore and the adjacent Langley SUE to the local and national road network.

This access point will need to be designed to accommodate high quality public transport, including Sprint/Rapid Transit services, and HGV freight vehicles. It will provide a separate bridge crossing for pedestrians and cyclists into the development. The junction will need to be designed as a high quality gateway to emphasise the sites importance as a leading business destination.

Junction 9 on the M42 will also be vital for Langley SUE and Peddimore. Developers will need to work with Highways England, Warwickshire County Council and Birmingham City Council to deliver an appropriate solution to this junction to accommodate traffic movements.

Walking and cycling

Peddimore will be served by a network of pedestrian and cycle routes that connect into the wider City network. An internal network of routes will serve all buildings to ensure walking and cycling is an option for all. Where appropriate, the design of streets and routes should follow Sport England's 'Active Design' principles.

All routes should be convenient, attractive and designed to an adoptable standard and in line with the Birmingham Cycling Design Guidance, with suitable surface materials, lighting, wayfinding/signage and crossing points. Cycle tracks, separated from vehicle traffic, will be required along the road network, serving both sides of the streets as part of a clear network of routes. Potentially this could be within landscaped areas.

The nature of the industries at Peddimore means employees will be arriving and leaving at various times of the day. Routes will need to be overlooked from building frontages where required and well lit so they can be used at night.

Pedestrian and cycle routes should connect into existing networks in the area, and links via Wishaw Lane, Peddimore Lane, Walmley Ash Lane, Cottage Lane and Wiggins Hill Road will be enhanced. Existing public rights of way will be retained, or high quality, convenient alternatives will be provided.

Cyclists and pedestrians will be able to move between Peddimore and Langley SUE using a dedicated route across the A38, segregated from vehicular traffic. Routes will connect Peddimore with the existing Bike North Birmingham network in Sutton Coldfield and Erdington, which was put in place to encourage more cycling.

Sprint/Rapid Transit and high quality public transport

A public transport strategy will be required for the site to demonstrate how the Sprint/Rapid Transit and other high quality services can serve Peddimore and Langley SUE. It will need to support sustainable commuting to the site, allowing quick and efficient access from the local area, wider City and beyond.

Sprint/Rapid Transit, the regions bus Rapid Transit system, is planned to be extended to Peddimore after 2026 as part of the Sutton Coldfield to HS2 Interchange route. Prior to this high quality bus services will be vital to the early delivery of Peddimore. The Sprint/Rapid Transit route on Langley SUE offers an opportunity for Peddimore to have early nearby connections to this service. A Transport for West Midlands (TfWM) detailed feasibility study will determine the most feasible and effective routing for Sprint/Rapid Transit to serve Langley SUE and Peddimore, both in early and later phases of development.

Developers will need to liaise with the promoters of Langley SUE, TfWM, Birmingham City Council and bus companies to ensure a coordinated and effective approach to support the phasing and delivery of public transport to serve the site. The transport assessment and travel plan for the development should include research about potential occupiers and shift patterns to ensure that public transport services are provided when required, avoiding and managing peak travel times appropriately. Conditions will be attached to planning permissions to ensure the delivery of public transport is linked to the occupation of buildings on Peddimore.

Developers will need to put in place public transport infrastructure to serve the site. The primary routes should be able to accommodate Sprint/Rapid Transit (vehicles of 18m length) and bus services (TfWM design guidance will need to be followed). Stops should be suitably located and, where provided, be within 400m of the main entrance of each building, on roads with appropriate shelters, have real-time travel information, and link to walking and cycling routes. Where possible and viable, turn around areas and layover opportunities should be provided, and comfort facilities for drivers should be explored with bus operators and TfWM.

Consideration should be given to the suitability for a park and ride facility to serve the Sprint/Rapid Transit corridor. This could boost patronage on Sprint/Rapid Transit and ease pressure on the wider road network. This is being considered through a TfWM detailed feasibility study.

Access for freight and other vehicles

A hierarchy of streets is needed to serve and give a legible structure to the development, and to ensure safety and ease of access. Primary routes on the site will be via the new junction on the A38, and will accommodate the highest volumes of traffic (designed for speeds of 30mph), with secondary routes providing access to new premises (designed for speeds of 20mph). Impacts from vehicle movements on residents near the site will need to be minimised. An emergency access point will also need to be provided. This is likely to be via the existing highway network on Wishaw Lane.

Roads should ensure City Council standards are achieved for highway management and safety (including visibility splays), as well as contribute to the delivery of successful place-making on Peddimore. This will include landscaping on roads with grass verges and high quality structure planting. Potential conflicts between commercial vehicles and cars will need to be designed out.

Parking

Parking will be provided on site in accordance with guidelines for the City, currently in the Car Parking Guidelines SPD (2012), with appropriate provision for HGVs and freight vehicles (including overnight parking). It will need to be located and laid out to allow safe and suitable access arrangements, minimising traffic congestion. Low emission vehicle charging and fuelling points need to be provided in line with parking standards and BDP policy TP43.

Secure and well lit cycle parking and shelters will be conveniently located close to the entrance of buildings. Cycle storage needs to be provided at high levels to support sustainable transport patterns and minimise vehicle transport impacts on the road network.

The design of Peddimore will be a defining feature of the development. The approach will create a high quality business environment that is functional, attractive, sustainable and integrated with the surrounding landscape and green infrastructure networks.

A site-wide masterplan, informed by pre-application discussions and design review, will be required to visualise and develop a common understanding of the place that Peddimore will become. It will make the most of the sites topography, retain and enhance existing valuable landscape and heritage assets, and consider and create a series of interesting views.

The layout of Peddimore must be within the developable area of the site (71ha), including all employment land uses. The BDP requires a minimum of 40ha to be safeguarded for general and light industrial uses (Use Class B1(c) or B2), and it is envisaged that this will be delivered through both phases of the scheme. There is no limit on the amount of floorspace that development can bring forward, either on a plot by plot basis or overall, as long as it follows the principles set out in this SPD and the BDP, including meeting the requirements of the Best Quality Employment Land Portfolio (BDP Policy TP17). Other enabling works (including utility requirements, infrastructure and landscaping), can fall outside the developable area where they relate to

measures to ensure the successful delivery of the site, are appropriately sited and mitigate visual impacts. The detailed locations for the requirements of this SPD will be agreed as part of the determination of planning applications.

Building design

New buildings at Peddimore will need to be designed to a high standard, contributing to a high quality environment. They should be of high architectural and sustainability standards, with active elements, such as offices, reception areas and stairwells; forming strong features that animate and add interest to the public realm. Glazing areas should be maximised and further interest provided by architectural detailing and use of materials. Design will need to be considered in line with BDP policy TP3 on sustainable construction.

The layout of Peddimore should utilise measures to soften the appearance and break up the scale of buildings to reduce the visual impacts of the development. Subject to topography and local context, buildings should not stand more than 20m high to haunch (giving a clear internal height of 20m) and not more than 23.5m to the apex of the roof (measured from the floor level). In the central parts of the site, taller buildings may be acceptable subject to addressing any adverse impacts, including visual amenity and historic environment considerations.

The use of green and brown roofs will be encouraged to integrate the roofscape into the landscape, and to support ecology networks and sustainable water management.

Plot layouts should be designed so that buildings generally hide service yards from public view, with additional screening provided by structure planting. Service yards will need to allow articulated vehicles to manoeuvre and leave in a forward direction. The need for security fencing should be minimised, and, where required, it should be of a relatively unobtrusive design (such as green mesh), kept as low as possible, set back a significant distance from streets and public spaces, and integrated with landscape treatment to mitigate its visual impact.

Heritage assets

Heritage assets around Peddimore include Listed Buildings at Forge Farm House, Wiggins Hill Farm and Peddimore Hall, where the moated site is a Scheduled Ancient Monument. There are also potential archaeological deposits in the area. Development will need to consider impacts on the settings of these assets and mitigation measures through building and landscape design, in line with national policy and BDP policy TP12. Prior to development, the archaeology of the site will also need to be appropriately examined, particularly on the eastern part of the site where intrusive investigations may be required.

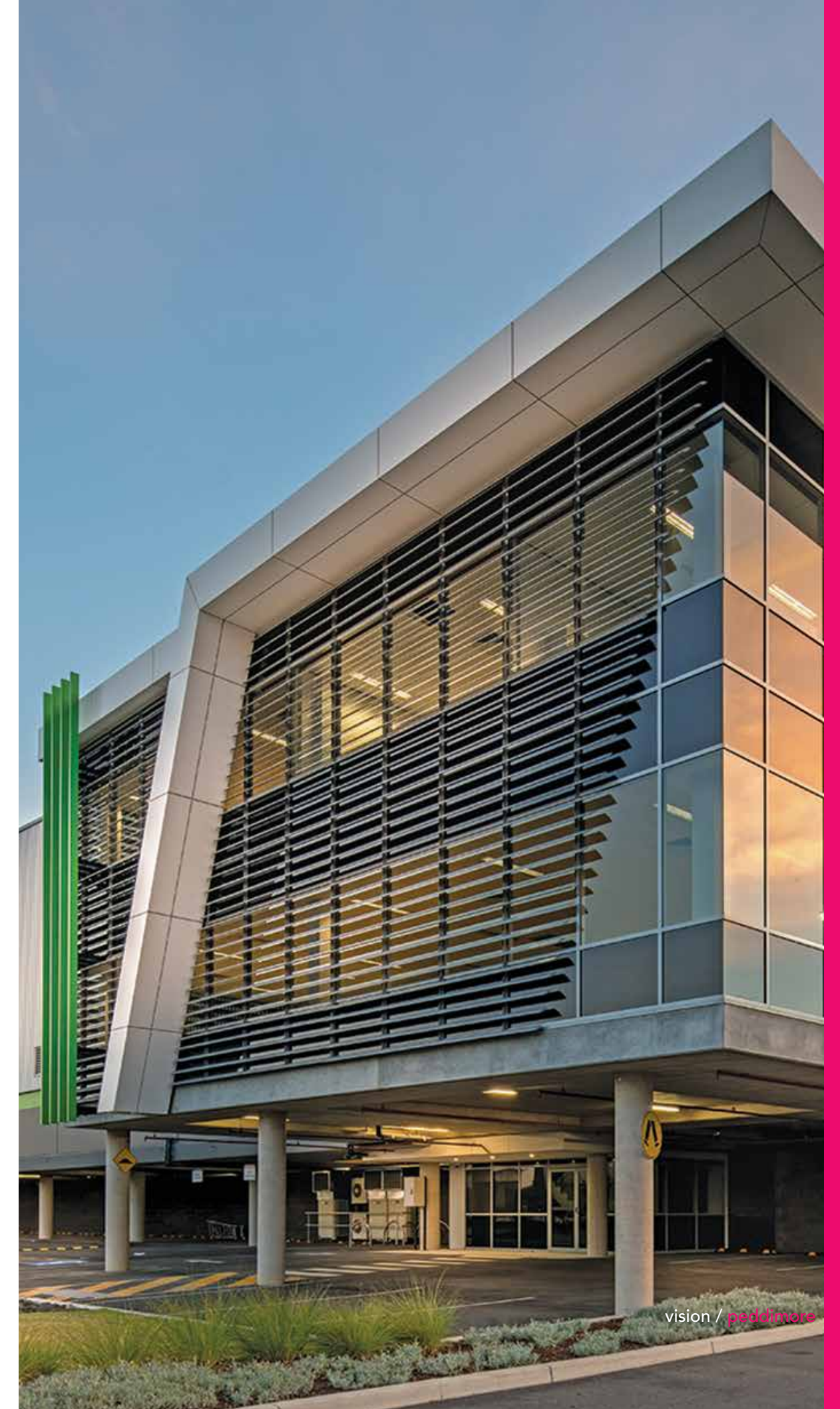
Lighting

Lighting should be appropriate to its purpose to meet the needs of occupiers, and must minimise impacts on the surrounding area, ecological receptors, landscape and visual amenity. It will need to utilise good quality 'dark sky' fittings, directed downwards and with no spillage above the horizontal to avoid light pollution. Consideration should be given to using responsive and solar powered lighting on walking and cycling routes.

For access roads and car areas, all mounting heights for lighting should be between 8m to 10m. For HGV loading, access and docking areas, all mounting heights should be between 10m to 12m. All units will have flat glass and mounted horizontally. Lighting should also comply with national lighting standards and best practice.

Public art

Public art can play a strong role in shaping places and contributing to local identity, supporting the implementation of BDP policy PG3. On Peddimore, public art will need to add to the development's identity, with key opportunities on the A38 gateway and integration into the landscape to mark footpaths and cycleways within and around the site. Feature lighting can be used to highlight building frontages and other site features.



Sustainability and green infrastructure are key elements in making sure that Peddimore is a success in the long term. The environment and buildings on the site all have a role to play in delivering a sustainable development which responds to the sites local context. An Environmental Impact Assessment will be needed for the site which will inform the development of the detailed masterplan.

Green infrastructure

Green infrastructure will be a defining feature of Peddimore, and has a crucial role in delivering high quality development. It will need to provide an attractive landscape setting that integrates development with the surrounding area, and provides for informal recreation, walking and cycling routes and wildlife habitats. A landscape framework will need to be established, and all these assets should be high quality and multi-functional.

Existing landscape and ecological assets should be protected far as possible, including mature trees and hedgerows. Peddimore Brook will be a key feature of the development, within a significant green corridor (around 40m-60m wide) running through the site. The approach will require the Brook to be re-aligned and naturalised, taking the opportunity to open up culverted sections where feasible. Other blue infrastructure, including wetland areas, need to be created throughout the site for sustainable drainage, and should be designed as valuable landscape and habitat features, preferably within publicly accessible green spaces.

Green infrastructure links and wildlife corridors will need to permeate the site and connect to the surrounding networks.

In addition to the main landscaped areas, green corridors should also feature within roads, on buildings and between plots. Measures should include green roofs, green walls, rain gardens as part of sustainable drainage, street trees and amenity planting.

As part of the approach to mitigate the effects of development, woodland planting around the edges of the site should be as naturalistic as possible, and hedgerow planting should reinstate areas of historic field patterns on the higher land north and east of Peddimore.

Planting should create key vistas, enhance the setting and appearance of buildings and screen elements of the development where needed (such as service yards). Planting should also have ecological value, including the use of locally native species, pollinator-friendly and climate-resilient plants, and be managed in an ecologically sensitive manner. Non-native species could be used to highlight key locations, such as site entrances. Features such as bat roost units, bird nesting boxes and refuges for invertebrates should be provided for additional wildlife value.

Habitat creation and enhancement should be informed by the ecological strategy for Birmingham and the Black Country, Birmingham and Black Country Nature Improvement Area themes, and the local Biodiversity Action Plan.

Planting design needs to be considered from the outset alongside utility easements, building layout and landform. This will ensure appropriate conditions, phased plant establishment and growth to fulfil its role, and ongoing management and maintenance arrangements.

Sustainable drainage and flood risk management

Peddimore will incorporate Sustainable Urban Drainage (SuDs) in line with BDP policy TP6. The surface water drainage strategy will be integral to the development masterplan and proposed measures should make a positive contribution to the green infrastructure, streets and buildings on the site.

The fluvial flood risk from Peddimore Brook will need to be assessed and opportunities taken to naturalise and re-align it, including de-culverting, to restore its natural character and integrate it into the landscape and walking and cycling routes on the site. The Brook should remain as an open water habitat running north to south, linking to off-site blue infrastructure to the north and Birmingham and Fazeley Canal to the south. Reduction in the risk of blockage should be achieved by minimising crossings over watercourses (where necessary, these should be a minimum of 600mm above the 1 in 100 year plus climate change flood level).

Initial Flood Risk Assessment and hydraulic modelling has identified the need for new ponds/wetlands, and these should be part of the landscape of the site.

Surface water discharge rates shall be limited to the equivalent site-specific greenfield runoff rates for all return periods up to the 1 in 100 year plus climate change event. Consideration will also need to be given to exceedance flows (greater than the 1 in 100 years plus climate change rainfall events). A perimeter drain should be installed around the site to intercept any runoff coming from higher ground, with the discharge route to be agreed with the City Council.

The overall strategy should also consider building and plot-level measures, such as rain water harvesting, and permeable paving. Surface water conveyance systems should give precedence to swales and filter trenches over traditional pipework. Information on the operation of the drainage network should be set out, outlining the details of the responsible party and the site specific management and maintenance schedules.

Energy and utilities

Enhancing the environmental performance of buildings on Peddimore is an important part of making sustainable development, and will have a number of benefits for occupiers in achieving lean and green future operations. Buildings will need to aim to achieve BREEAM excellent accreditation as a minimum in line with BDP policy TP3, and are expected to achieve an Energy Performance Certificate (EPC) A rating.

Developers will also need to ensure that other sustainability policies of the BDP are addressed by examining every aspect of building and infrastructure design and operation. Design and siting of energy and utility infrastructure needs to be considered from the outset to ensure it fits in with building and landscaping design. Developers should liaise closely with relevant agencies and service providers to ensure that sustainable power, water, waste and digital infrastructure services are delivered when required and maintained.

The masterplan and subsequent development proposals will need to demonstrate a site-wide energy strategy for the use of low/zero carbon energy generating technologies (BDP policy TP4). A holistic approach to energy consumption across buildings and transport should be deployed. This will need to include

consideration of how the power, heating and cooling demand can be met by on-site energy generation from low/zero carbon sources. Where possible, local renewable energy supply should be utilised and consideration should also be given to:

- Potential connection to off-site sources of local renewable energy supply.
- The use of solar photovoltaic panels, solar thermal, and air and ground source heat pumps.
- Alignment between building energy use and vehicle charging or fuelling infrastructure.
- Energy from gases from the Minworth sewage works.
- Monitoring and smart metering; lighting and boiler specification and controls.

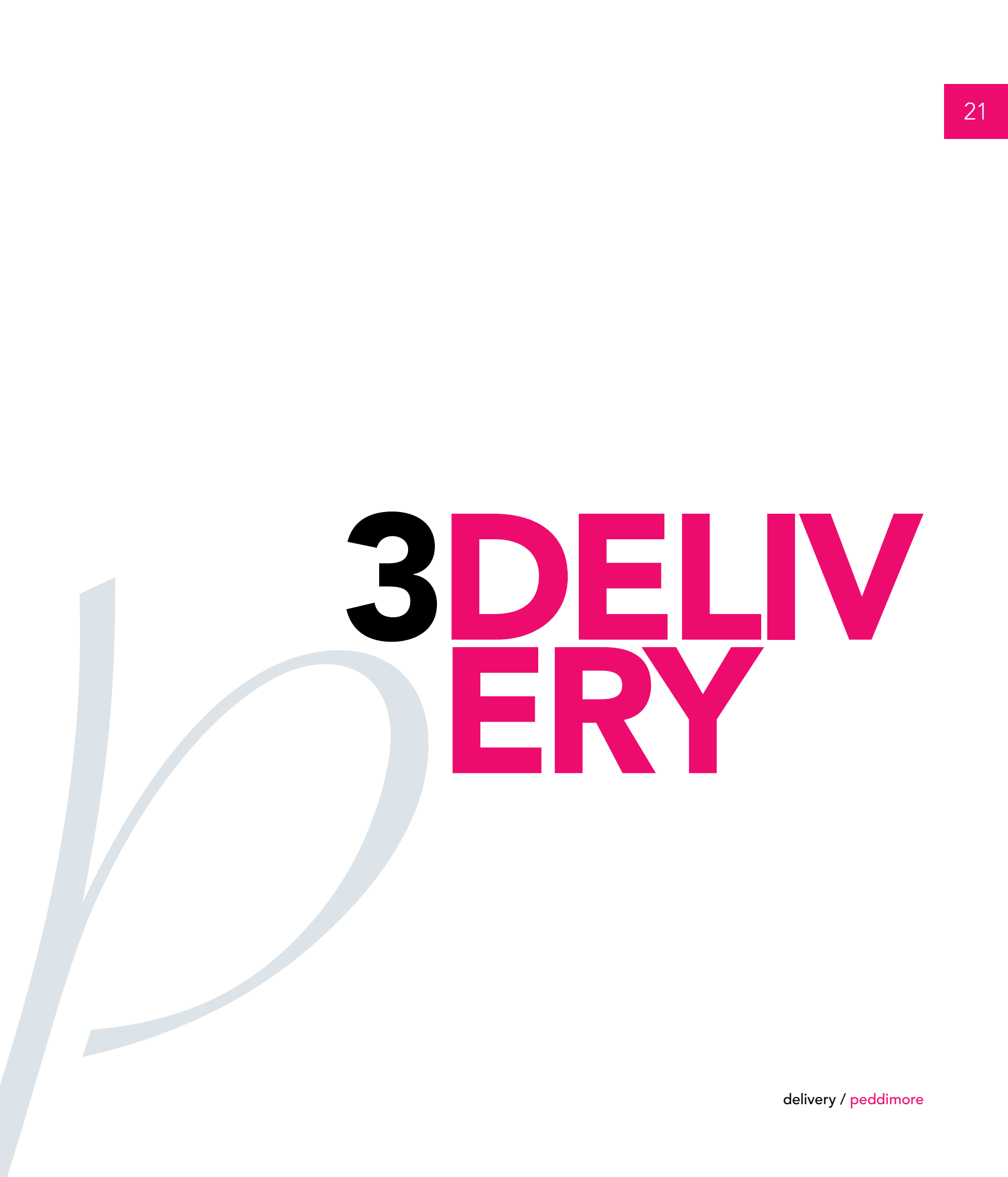
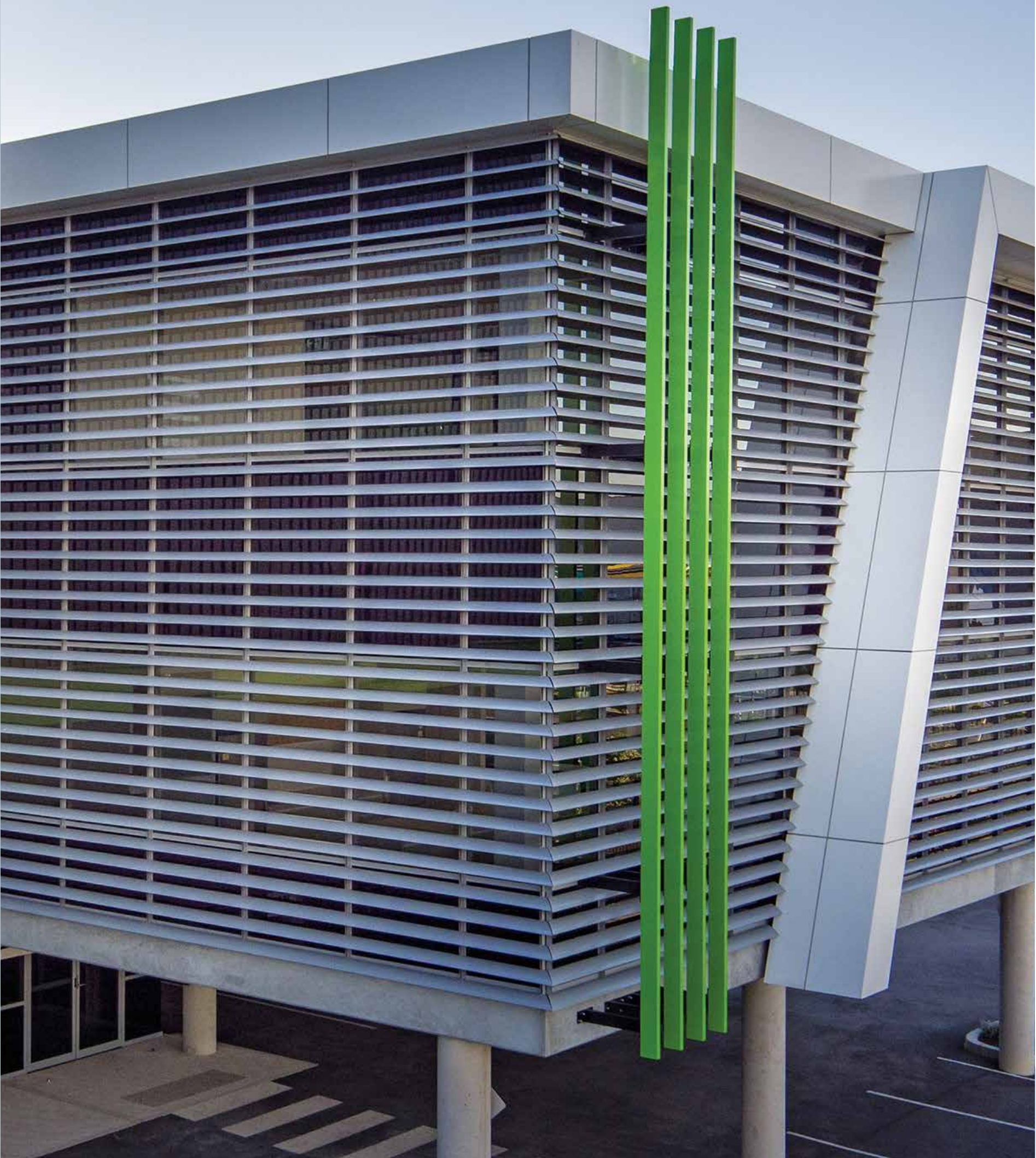
Air quality

Peddimore will need to take a proactive approach to its master planning and infrastructure development to make a positive contribution to managing air quality in the City (BDP policy TP44). This should be a clear requirement in promoting sustainable energy, green infrastructure and transport to reduce its environmental impact, and contribute to mitigating/reducing air quality exceedances in the City.

Waste as a resource

Development will need to support the City's waste strategy in prioritising reduction, reuse, recycling and then recovery of waste. This includes allowing appropriate space for waste collection arrangements for businesses on streets and plot layouts. Infrastructure on Peddimore should support the management of waste up the waste hierarchy, during construction and operation, with opportunities explored to link this to the site-wide energy strategy.





In order to achieve the quality of place that is required by the BDP and this SPD, a comprehensive approach to the sites planning, development, delivery and long term maintenance is needed. Making this happen requires commitment from developers, the City Council and other stakeholders to deliver this shared vision.

Working in partnership

The City Council, as the owner of the majority of the site, is implementing a delivery strategy to realise the development potential. IM Properties has been appointed as the development partner to bring forward key infrastructure and the first buildings on Peddimore, with the remaining land being kept within the City Councils ownership.

Working with key stakeholders (including other landowners/developers, the Town Council and local communities), the City Council will continue to have an important role in overseeing and co-ordinating all stages of the development. There is a need to:

- Ensure the infrastructure and phasing of development in accordance with relevant delivery plans, and coordinated with the development of Langley SUE.
- Require and monitor the delivery of consistent high quality of development in accordance with the guidance and principles set out in this SPD and the BDP.
- Agree the delivery of long term management and governance arrangements for the development.

There will need to be a Public Engagement Strategy for the site, setting out how local people and businesses will be encouraged to have a meaningful stake in the estate as it develops. Co-ordination should be made with the Langley SUE development to build community relations.

Development phasing and infrastructure delivery

New employment space at Peddimore will need to be accompanied by the timely delivery of infrastructure, including major highway works, public transport, health, green spaces and utilities. The development will come forwarded in phases, the first of which will provide the key infrastructure to serve the whole site. This will provide essential services for future occupiers, assist in place-making and establish Peddimore as a premier place to invest and work.

A Delivery and Phasing Plan will need to accompany proposals, and this should fix the key elements required from development and be flexible enough to respond to changing market conditions. Periodic reviews of this plan will be carried out by the City Council and partners to ensure that they remain relevant during delivery. This will be informed and supported by site-wide strategies covering key infrastructure to ensure a clear approach is in place to deliver the vision.

The costs of infrastructure will be met by developers and landowners, including the City Council from the value generated by the development. These are expected to be secured through appropriate planning conditions and/or captured in a section 106 agreement attached to planning permissions.

Management and maintenance

Through the site-wide strategies, developers will need to demonstrate that a long-term strategy and business plan is in place for the funding and management of infrastructure and assets.

Infrastructure to be adopted by the City Council must be built to appropriate standards, with funding provided by the developer to cover maintenance and other appropriate costs (such as the management, implementation and monitoring of Travel Plans), with the period of payments to be agreed with developers.

The City Council is likely to adopt all highway infrastructure of suitable standard. In the case of green spaces and landscaping, the City Council may not adopt these assets, or may do so on an interim arrangement, with a view to transferring the asset to a management company or other suitable organisation. Support will be given to communities to facilitate this process.

Where infrastructure is not adopted by the City Council, the developer will need to demonstrate that it is sustainable, City Council standards have been applied, it meets recognised quality standards, and it has long-term management and maintenance arrangements in place.

Business support and training packages

Local people in Birmingham have a wealth of skills and knowledge that will be invaluable to businesses located in Peddimore. As the development partner, IM Properties has made a commitment to support communities by helping disadvantaged people into work, funding people onto the Building Birmingham Scholarship, and directing 50 per cent of its spend with local suppliers and small and medium size enterprises. The City Council will explore further local employment opportunities through the use of targeted employment strategies to link training to employer demand (BDP policy TP26).

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