

Birmingham City Council

Planning Committee

11 April 2019

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	2018/10301/PA Land on Longley Avenue Sutton Coldfield Birmingham B76 9RA Erection of five dwellinghouses with associated car parking & landscaping
Approve - Conditions	10	2019/00525/PA Land at 199 Park Lane Nechells Birmingham B6 5DD Erection of a new office building with associated storage space, surface level car parking and associated infrastructure (Sui Generis)
Approve - Conditions	11	2018/10406/PA Ambulance Station 27 Tower Hill Great Barr Birmingham B42 1LG Change of use of former ambulance station to MOT station and associated repairs (Sui Generis)

Committee Date:	11/04/2019	Application Number:	2018/10301/PA
Accepted:	20/12/2018	Application Type:	Full Planning
Target Date:	11/04/2019		
Ward:	Sutton Walmley & Minworth		

Land on Longley Avenue, Sutton Coldfield, Birmingham, B76 9RA

Erection of five dwellinghouses with associated car parking & landscaping

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. This application is for full planning permission for the erection of 5 no. dwellings for affordable social rent on vacant land on the southern corner of Longley Avenue, Sutton Coldfield.
- 1.2. The proposed dwellings would be for social rented, owned by the City Council and developed as part of the Council's Stock Replacement Programme, on behalf of Birmingham Municipal Housing Trust (BMHT).
- 1.3. The scheme comprises 4 no. two-bed semi-detached dormer bungalows and 1 no. two-bed detached dormer bungalow.
- 1.4. The layout proposes 5 no. dwellings fronting Longley Avenue. The detached dwelling (plot 5) would be positioned approximately 3m forward of the 4 no. semi-detached dormer bungalows (plots 1-4). The dwellings would have tandem parking space to the front with soft landscaping and small rear private gardens and a communal garden area to the rear of the site.
- 1.5. All proposed boundary details are provided; showing 0.9m high hit and miss fence between the properties and to rear gardens; 0.9m high metal railings to front boundaries; 1.8m high close boarded fencing with 0.3m high trellis to the rear boundary of the site including native hedge planting.
- 1.6. 10 no. designated off-street parking spaces are provided at the front for the proposed dwellings – (2 spaces each).
- 1.7. The 4 no. semi-detached dormer bungalows (plots 1-4) provide 87.0 sq.m. of accommodation – 54.8 sq.m. at ground floor level, comprising of an open plan living / dining / kitchen, shower room, hall-way, one double bedroom (13.6 sq.m) and two storage spaces. At first floor level (32.2 sq.m total floor area) comprising of a double bedroom (16.2 sq.m.), bathroom and one storage space.
- 1.8. The 1 no. detached dwelling (plot 5) would have a total floor area of 93.3 sq.m – 54.9 sq.m at ground floor level, comprising of open-plan living / dining / kitchen, shower room, one storage space and one double bedroom (12.3 sq.m). At first floor

level (38.4 sq.m total floor area) comprising of a double bedroom (17.2 sq.m), bathroom and two storage spaces.

- 1.9. The bungalows would be a contemporary design, with brick walls of light red brick, grey tiled roofs, flat roofed dormers and grey uPVC frames. Each would have one dormer window in the front elevation roof-space. There would be two roof-lights in the rear elevations of plots 1-4. Plot 5 would have one roof-light in the front elevation and one roof-light in the rear elevation.
- 1.10. The application is accompanied by a Design & Access Statement, Affordable Housing statement, Tree Survey, Ecological Assessment, Utilities Report, Ground Investigation Report and Open Space Assessment.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is open space grassed land situated in Minworth, Sutton Coldfield. The site is north of Birmingham and Fazeley Canal and A4097 Kingsbury Road.
- 2.2. The site area is 0.17 hectares and is relatively flat. There are two existing mature trees fronting Longley Avenue and one mature tree to the south-west of the site which falls outside the red-line boundary. The tree located to the north-east of the site is to be removed as part of the proposed works.
- 2.3. The surrounding area is residential with a mix of dwelling types and styles. Longley Avenue predominately consists of post-war 1950s and 1960s semi-detached and terraced properties. To the west of the site is a combination of two storey and single storey blocks of properties which form part of an existing city council sheltered housing scheme. To the east of the site are three attached residential dwellings with rear gardens which adjoin the application site. To the south of the site is Birmingham and Fazeley Canal and residential dwellings comprising of semi-detached and detached properties.
- 2.4. The site has good accessibility to public transport services with regular bus services along Longley Avenue and Cottage Lane with good transport links to Sutton Coldfield Town Centre and Birmingham City Centre.

[Site location](#)

3. Planning History

- 3.1. None.

4. Consultation/PP Responses

- 4.1. Local Ward Councillors, MP, Residents Associations and adjoining occupiers were notified; a site notice was displayed outside the site.
- 4.2. Four letters of representation have been received raising the following concerns:
 - Loss of open green space for local residents
 - Devaluation of properties

- Impact on air quality.

- 4.3. Councillor David Barrie – is in support of the proposed scheme because the design fits in well with the local area.
- 4.4. Transportation Development – No objection. Conditions recommended for pedestrian visibility splays and construction management plan,
- 4.5. Regulatory Services – No objection. Conditions recommended for contamination remediation scheme, contaminated land verification report and vehicle charging points.
- 4.6. Severn Trent Water – No objection. Condition recommended requiring details of foul and surface water drainage.
- 4.7. Canal & River Trust – No objection. Condition recommended for boundary treatment details to the southern site boundary to include native hedgerow.
- 4.8. West Midlands Police – no objections.

5. Policy Context

- 5.1. Birmingham Development Plan (2017); Unitary Development Plan (2005) (saved policies 3.14 – 3.14D & Chapter 8); Places for Living SPG (2001); Car Parking Guidelines SPD (2012); and National Planning Policy Framework (2018).

6. Planning Considerations

- 6.1. The main considerations are whether the proposed development would be acceptable in principle and whether it would result in a detrimental impact on local character, residential amenities, highway safety or trees and biodiversity.

Principle of development

- 6.2. The National Planning Policy Framework (NPPF) states that ‘to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed’ and that ‘the needs of groups with specific housing requirements are addressed’ (paragraph 59). It also states that ‘planning policies and decisions should support development that makes efficient use of land, taking into account ... the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it’ (paragraph 122).
- 6.3. Policy PG1 of the Birmingham Development Plan 2017 (BDP) sets the overall level of growth for the Council area, including affordable housing. Policy PG3 states that all new development is expected to demonstrate high quality design, contribute to a ‘strong sense of place’ and ‘make best use of existing buildings and efficient use of land in support of the overall development strategy’.
- 6.4. Other key policies include Policy TP27, which requires new housing to contribute to making sustainable places; Policy TP28, which sets out criteria for the location of new housing; Policy TP30, which supports the creation of mixed, balanced and sustainable neighbourhoods; and Policy TP31, which is the specific policy for

affordable housing and sets a target of 35% affordable homes for all sites of 15 or more dwellings.

- 6.5. An Affordable Housing Statement has been provided within the Planning Statement, which notes the relevant policies and confirms that the proposal is a BMHT scheme for social rent. The development proposes a 100% affordable social rent scheme which will contribute to the overall housing mix of the wider area. With the continued increase in the size of the population of the city newly arising need for affordable housing is apparent across the range of property types and sizes.
- 6.6. The proposal is intended to respond to a specific need for rented accommodation for elderly people. It defines the elderly as being persons over the age of 50. The site is adjacent to an existing city council sheltered housing scheme and the new homes are to be included within this scheme.
- 6.7. Policy TP9 of the Birmingham Development Plan 2017 (BDP) states that planning permission will not normally be granted for development on open space and provides four exceptions: The applicant and agent are seeking to rely on the first exception:
- 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 criteria.
- 6.8. Concerns have been raised by local residents in regard to loss of open green space. It is acknowledged that the proposed development would result in the loss of this open space; however a supporting statement has been submitted titled 'Open Space Assessment' by the applicant which addresses the requirements of policy TP9 of the Birmingham Development Plan 2017. The land has been identified as a potential housing site within the Council's Strategic Housing Land Availability Assessment (SHLAA) 2018. The assessment also identifies the Ward has in excess of the minimum standard of 2ha of open space per 1,000 population (13.21 ha of open space and 6.80 ha of public open space). There are also other local areas of public open space from Longley Avenue most notably at Wishaw Lane (approx. 0.3 miles), Minworth Green (approx. 0.2 miles) and Mid-Point Park (approx. 0.9 miles). The application site has been recognised as being of very limited amenity having less opportunity for sport and recreation. Planning Strategy have assessed the submitted information and raise no objections to the proposed scheme.
- 6.9. Overall, the site is within a residential area and the proposed use is acceptable in principle.

Layout, scale and design

- 6.10. It is considered that the scale and layout has been well-designed taking account of site context and constraints. The proposed scheme will provide a high quality street scene, respecting the existing character of the neighbouring properties, providing frontages to Longley Avenue and maintain and enhance landscape features. The proposed layout provides off-street parking, small private rear gardens and a substantial area of communal amenity space to the southern boundary of the site.
- 6.11. A path is proposed at the rear of the proposed bungalows (in the communal area next to the fencing) across into the rear of the existing sheltered properties to the gate. This would enable the proposed dormer bungalows to be linked to the existing adjacent housing sheltered scheme. This was requested by the local management

team and residents during pre-consultation by the applicant / developer in August 2018.

- 6.12. The designs of both house types are acceptable and of good quality that will fit well into the immediate area and wider context. I consider the proposed bungalows would enhance the visual character of the immediate area and would be an attractive living environment for residents. The scheme has been designed to meet Secured by Design standards.

Residential amenities

- 6.13. Places for Living SPG sets out a number of separation distances which are met between the existing and proposed houses and between the new units. As such, it is considered that the proposed development would not result in any adverse impact on the amenities of existing occupiers in terms of overlooking. The proposed development would retain a good standard of amenity for existing residents, in accordance with Policy PG3 of the BDP and the National Planning Policy Framework.
- 6.14. Internally, the room sizes and overall floor spaces proposed meet the requirements of the National Space Standards. The private rear gardens range from: (plot 1 - 40 sq.m), (plot 2 – 32 sq.m), (plot 3 – 36 sq.m) (plot 4 – 72 sq.m and (plot 5 – 68 sq.m). The minimum garden size for 2 bed houses is 52 sq.m. However, in addition, a communal garden area is proposed to the rear of the site containing a path system which measures approximately 615 sq.m in total; this equates to an additional 123 sq.m. of amenity space per dwelling. Accordingly, it is considered that the proposed development will provide an acceptable living environment for future occupiers.
- 6.15. Regulatory Services have raised no objection subject to conditions relating to land contamination remediation and verification and charging points for electric vehicles. A condition to secure contamination remediation and verification are attached. In regard to vehicle charging points, It is not considered necessary or reasonable however, given the fact that all houses have off-street parking and that if residents require them they can readily install them within their own property.

Highways and parking

- 6.16. Transportation Development note that the proposal is likely to increase traffic to / from the site compared with the existing use of the site. However, it is considered that this would not have an adverse impact upon the safety and free flow of traffic along Longley Avenue. The site also has a reasonable level of accessibility to public transport with a bus stop fronting the site on Longley Avenue.
- 6.17. In regard to parking provision, Birmingham Council Car Parking Guidelines SPD set maximum parking standards of 2 spaces per dwelling in such a location as this. The proposed scheme proposes 10 parking spaces (2 spaces per dwelling). The proposed drives would provide tandem parking (plots 1, 2, 4, 5) which comply with the minimum depth guidelines of 9.5m (4.75m per space) to ensure vehicles do not overhang the public footway. It is noted that the majority of properties along Longley Avenue have the benefit of some off-street parking provision. Overall, the proposal complies with the parking guidelines.
- 6.18. Transportation Development note that the existing lighting column and street bench located on the footway fronting the site would have to be relocated which will need to be done in agreement with the Highway Authority.

- 6.19. Transportation Development Officer recommends conditions for a construction management plan and pedestrian visibility splays. I concur with this view and conditions are attached.

Biodiversity, trees & landscaping

- 6.20. Policy TP7 of the BDP seeks to maintain and enhance green infrastructure and Policy TP8 is the relevant policy for biodiversity.
- 6.21. A Tree Survey has been submitted with the application. The Tree Officer has no objections to the proposed development. The amended landscape plan now shows the Common Ash tree (T5) located on the south-west boundary which falls outside the site boundary to be retained. The application can be accepted with conditions for an arboricultural method statement. I concur with these comments.
- 6.22. An Ecological Assessment has been submitted with the application. With regards to the impact on biodiversity, the City Ecologist has advised that the site is relatively low in biodiversity. The report submitted recommends the retention of trees and hedgerow on site and also gives some opportunities for ecological enhancement. The City Ecologist recommends native plant species along the southern boundary adjacent the canal corridor which is locally designated SLINC.
- 6.23. The City Ecologist accepts the survey's conclusions and recommendations and proposes a condition requiring ecological enhancements. It is considered that the condition is relevant and necessary to comply with Policy TP8.
- 6.24. The Landscape Officer is satisfied with the amended landscape plan which now shows proposed tree and hedge planting including native hedgerow within the site.

Other matters

- 6.25. Canal & River Trust have assessed the proposal in regard to the impact on the structural integrity of the canal due to the proximity of the works to the canal and drainage proposals and the impact on the character, appearance and natural environment of the waterway corridor. Canal & River Trust have no objections to the proposed scheme provided that the existing gate to access the adjacent land for operations and maintenance is retained and for the applicant/developer to install a drain along the southern boundary to catch any surface water from the embankment slope. The applicant/developer is advised to contact the Trust's Works Engineering Team to discuss these aspects further. A informative is attached on this application informing the applicant/developer of this matter.
- 6.26. Canal & River Trust recommend a condition for details of boundary treatment to the southern site boundary adjacent the canal corridor which also includes provision for a native hedgerow. I do not consider this condition is necessary because the amended landscape plan has made provision for native hedgerow and planting along this boundary and a condition is attached for ecological enhancements.
- 6.27. Concerns have been raised by local residents in regard to potential devaluation of property values from this proposed development. This issue is a non-material matter which cannot be taken into consideration in the assessment of this application.
- 6.28. The proposal represents a social housing scheme (BMHT) and as such is exempt from the Community Infrastructure Levy (CIL).

7. Conclusion

- 7.1. The proposed scheme for residential development accords with both national and local policy. The loss of the open space has been adequately justified. The proposal would constitute sustainable development, and add to the Council's stock of social rented housing for which there is a significant need. The proposed 5 dwellings can be accommodated without any adverse impact on existing residents or the local highway network. The proposal would provide a high quality development, which would make a positive contribution to the area.

8. Recommendation

- 8.1. Approve, subject to the following conditions:

-
- | | |
|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of sample materials |
| 3 | Requires the prior submission of a construction method statement/management plan |
| 4 | Requires the prior submission of level details |
| 5 | Requires the prior submission of a drainage scheme |
| 6 | Removes PD rights for extensions |
| 7 | Requires the prior submission of a contamination remediation scheme |
| 8 | Requires the submission of a contaminated land verification report |
| 9 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures |
| 10 | Arboricultural Method Statement - Submission Required |
| 11 | Requires pedestrian visibility splays to be provided |
| 12 | Implement within 3 years (Full) |
-

Case Officer: Ricky Chima

Photo(s)

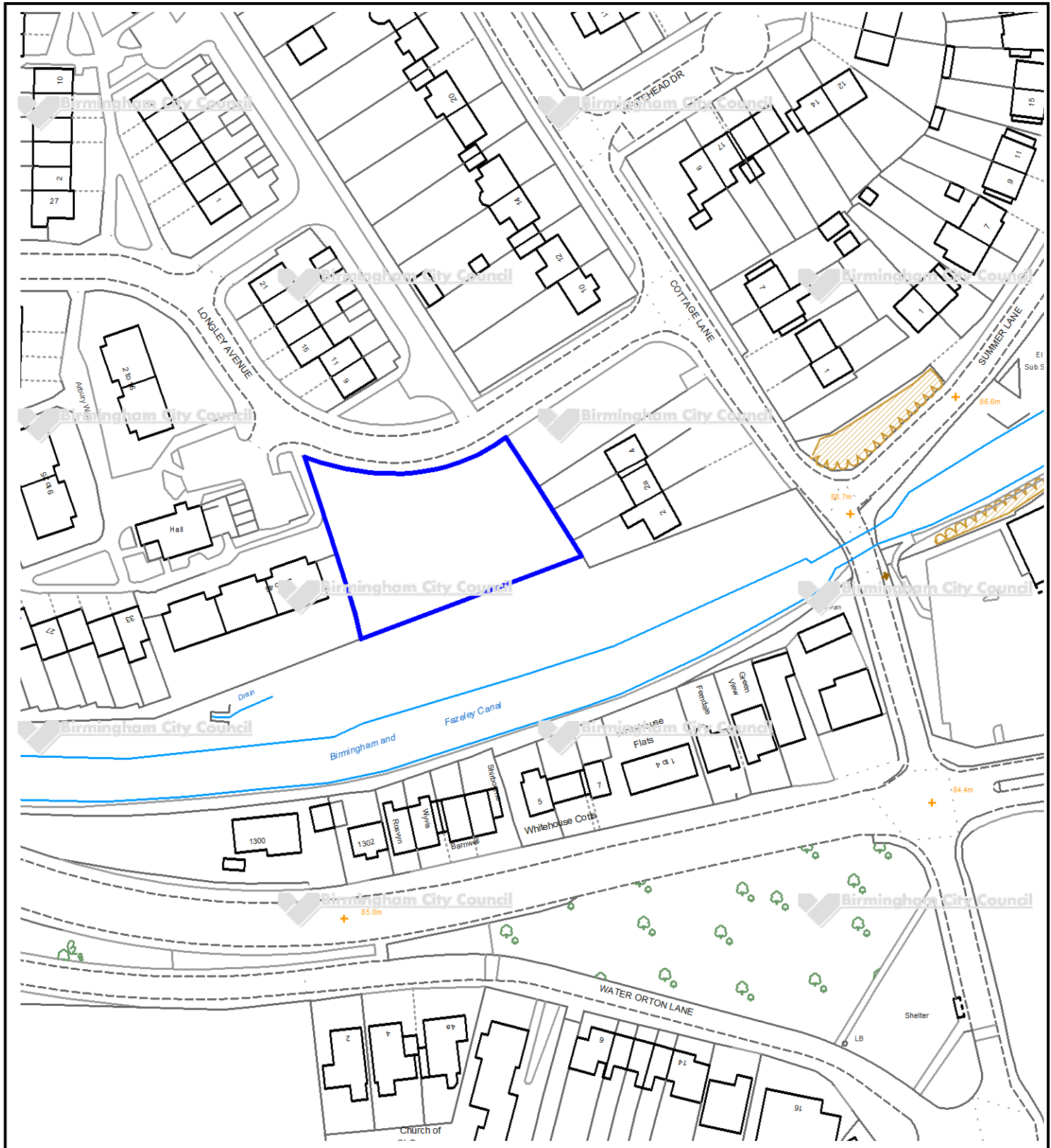


Photo 1 – Site from Longley Avenue



Photo 2 – Front of site

Location Plan



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

Committee Date:	11/04/2019	Application Number:	2019/00525/PA
Accepted:	04/02/2019	Application Type:	Full Planning
Target Date:	06/05/2019		
Ward:	Nechells		

Land at 199 Park Lane, Nechells, Birmingham, B6 5DD

Erection of a new office building with associated storage space, surface level car parking and associated infrastructure (Sui Generis)

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. The proposal is for the erection of a four storey building with rooftop plant which would provide 6,888sq.m of floor space. The proposed building would include open plan office areas, storage areas, meeting rooms and staff facilities for use by different police departments and would be in use 24 hours a day, 7 days a week.
- 1.2. The proposed building would be rectangular in shape and located in the southern part of the site, set back 12m from the Aston Expressway retaining wall. It would have a single entrance on the north elevation. The main building would be constructed of light grey acid etched concrete panels with the plinth in darker grey. The cores would be expressed in darker concrete with horizontal openings. Plant rooms are proposed at the northern and southern end of the buildings and would be set back from the building edge and screened with full height louvres. The openings would be a mix of aluminium framed windows and solid concrete panels. A radio mast is proposed on top of the building.
- 1.3. An external vehicle parking and loading area is proposed to the south and west of the building with approximately 45 car parking spaces. Some soft landscaping will be incorporated to the perimeter of the development site to provide screening.
- 1.4. The application is supported by a Design & Access Statement, Transport Statement, Noise Report, Bat Roost Assessment, Flood Risk Assessment and Drainage Strategy and Energy Statement.
- 1.5. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located within the West Midlands Police Transport Department facility at Park Lane, Aston. The site is triangular in shape and bounded by Park Lane to the north, Aston Road to the south-west and Aston Expressway to the west. The elevated section of the A5127 is located to the southern part of the site.

- 2.2. The principal site entrance is located on Park Lane and the site contains workshops and garages, together with a multi-storey car park, and an office building and two police training facilities. The site of the proposed new office building is cleared and formerly contained single storey stable buildings.
- 2.3. The site is located within the Aston Cross Core Employment Area and the surrounding area is predominantly commercial in nature.
- 2.4. [Site Location and Street View](#)
- 3. [Planning History](#)
 - 3.1. 15/04/2005. 2005/00387/PA. Erection of police training facility. Approved with conditions.
- 4. [Consultation/PP Responses](#)
 - 4.1. Transportation Development – no objections subject to conditions relating to an amended car park layout, parking spaces to be laid out and vehicular circulation area used for no other purpose, submission of a travel plan, provision of cycle parking and that phase 2 parking provision is provided prior to occupation..
 - 4.2. Regulatory Services – no objections subject to conditions requiring a site investigation, verification report and limit on noise levels from plant and machinery..
 - 4.3. Local Lead Flood Authority – no objections subject to conditions requiring the submission of details of a sustainable drainage scheme and operation and management plan.
 - 4.4. West Midlands Police – no objections.
 - 4.5. West Midlands Fire Service – no adverse comments.
 - 4.6. Highways Agency – no objections.
 - 4.7. MP, Councillors, residents associations and nearby occupiers notified. Site and press notice posted. No response received.
- 5. [Policy Context](#)
 - 5.1. Birmingham Development Plan 2017, Places for All SPG, Aston Cross Core Employment Area, Car Parking Guidelines SPD, Aston Newtown and Lozells Area Action Plan, NPPF (2019).
- 6. [Planning Considerations](#)
 - 6.1. **Principle** – The site is located within Aston Cross Core Employment Area, however, it is a long established facility for the West Midlands Police Transport Department. The proposed development for a 4 storey flexible office/storage building (Sui Generis) which would have a direct link to the existing use of the site and would also result in an increase in jobs based at the site and possible job creation. I raise

no objection to the principle of the development which I consider is appropriate in this location and in accordance with Policy TP19 of the Birmingham development plan.

- 6.2. **Design and Visual Impact** – The building is of functional, modern design and the proposed use of acid etched concrete panels as the predominant facing material is considered acceptable. Typical bay details show a modular elevational treatment with a mixture of windows and recessed panels and the roof top plant rooms would be recessed from the edge of the building and also screened by a polyester powder coated aluminium louvre system. I have no objection to the detailed design.
- 6.3. In terms of scale and massing, the applicants have submitted massing studies which indicate that the proposed building will be visible from Aston Road North (B5127 flyover), the Aston Expressway and to a lesser extent Thomas Road on the opposite side of the Aston Expressway. The proposed building would be located well within the site and views from the Aston Expressway would be less prominent due to the level changes and the existing Expressway retaining structure. Although the south and east elevations would be highly visible from the flyover and Aston Road North, the scale is acceptable in this area and there would be no adverse impact on the visual amenities of the area.
- 6.4. **Highways** - The applicants have submitted a Transport Statement in support of the application. It concludes that while the site is highly accessible by car it is also accessible by a number of sustainable modes of transport with numerous bus services and a choice of railway stations within reasonable walking and cycling distance from the site. The proposed development will provide 45 car parking spaces for operational vehicles and the site contains an existing multi-storey car park. It is likely that further phases of development including the demolition of the fleet garage will provide up to 218 additional car parking spaces on the site. Cycle parking and shower facilities will also be provided. The Transport Statement also concludes that a slight increase in trip generation as a result of the proposed development is not considered significant and will not impact adversely on the surrounding local highway network.
- 6.5. Transportation Development concur with the conclusions of the applicants Transport Statement and raise no objections to the proposal subject to conditions requiring parking spaces to be laid out prior to use, the provision of cycle parking, a commercial travel plan is provided and a structural assessment/method statement and risk assessment is submitted to demonstrate that the proposal would not have an impact on the existing A38(M) Expressway retaining wall.
- 6.6. Transportation Development have also suggested that a condition is attached requiring the proposed 218 car parking spaces which would be provided when the fleet garage is demolished in a future phase to be provided prior to the occupation of the building which is the subject of the application. Given the high level of parking on the site including 206 spaces in the existing multi-storey car park, surface level parking and the sustainable location of the site, I don't consider this is reasonable or necessary and would result in uncertainty for the applicants.
- 6.7. The Highways Structures section have requested a 3m clear zone to the A38 retaining wall. This would require amendments to the car park layout which the applicants are currently considering. A condition requiring an amended car park layout is recommended.
- 6.8. **Environmental** – An Acoustics report submitted with the application concludes that

windows should be non-opening and the building fully mechanically ventilated due to the noise climate. Glazing configurations and glazing attenuation requirements are detailed in the report. Although there are no particular noise sensitive uses in close proximity to the site and high ambient noise levels in the area, the report also recommends that target noise levels for the building services plant are not exceeded.

- 6.9. Regulatory Services raise no objections to the proposal, however, due to previous uses on the site recommend a site investigation is undertaken and verification report submitted prior to occupation, glazing complies with the recommendations of the Acoustic Report and noise from plant and machinery is limited.
- 6.10. **Other Issues** – A Flood Risk Assessment and Drainage Strategy was submitted in support of the application. The site is within the Environment Agency's Flood Zone 1 which would be at low risk of flooding. The Local Lead Flood Authority has commented that given the information provided, they are content with the proposed development subject to requiring the submission of details of a sustainable drainage scheme and operation and management plan.
- 6.11. The Energy Statement submitted with the application outlines that the proposed development aims to include a range of sustainability measures which contribute towards a high quality, energy and resource efficient building in line with Policy TP4 of the Birmingham Development Plan which promotes low carbon energy forms. The proposed development would incorporate passive design measures, efficient mechanical services, use of an air source heat pump and efficient lighting. I consider the proposed development would meet the sustainability policies and objectives of the Birmingham Development Plan.
- 6.12. A preliminary Bat Roost Assessment and Nocturnal Surveys have been submitted in support of the application. No bats were recorded emerging from the building although a low level of bat activity was observed in the surrounding area. The applicants are proposing that 2 bat boxes be incorporated into the new development. The Planning Ecologist raises no objections subject to conditions requiring ecological enhancement measures and the provision of bird/bat boxes within the development.

7. Conclusion

- 7.1. I consider the proposal is of an acceptable design and would not result in any detriment to visual amenity or have any unacceptable highway impacts. No objections have been raised and the proposal would comply with relevant local and national planning policies.

8. Recommendation

- 8.1. Approve Subject to Conditions.

-
- | | |
|---|---|
| 1 | Requires the prior submission of a contamination remediation scheme |
| 2 | Requires the submission of a contaminated land verification report |
-

-
- | | |
|----|--|
| 3 | Limits the noise levels for Plant and Machinery |
| 4 | Requires the submission of hard and/or soft landscape details |
| 5 | Requires the submission of sample materials |
| 6 | Requires the prior submission of a sustainable drainage scheme |
| 7 | Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan |
| 8 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures |
| 9 | Requires the prior submission of details of bird/bat boxes |
| 10 | Requires the submission of an amended car park layout |
| 11 | Requires the submission of a commercial travel plan |
| 12 | Requires the parking area to be laid out prior to use |
| 13 | Requires the submission of cycle storage details |
| 14 | Requires the prior submission of a structural assessment, method statement and risk assessment |
| 15 | Requires the scheme to be in accordance with the listed approved plans |
| 16 | Implement within 3 years (Full) |
-

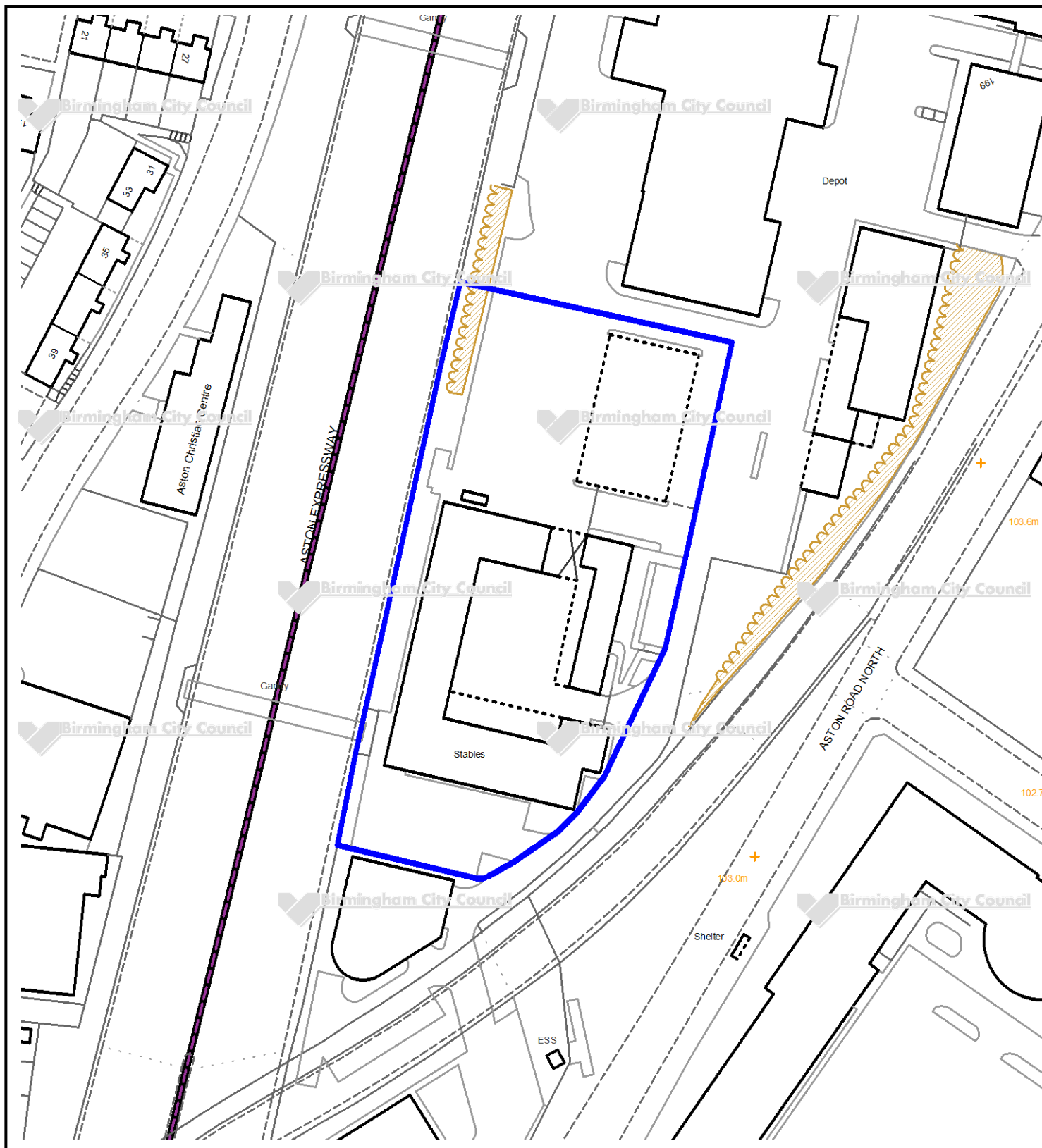
Case Officer: John Davies

Photo(s)



Figure 1 – View of site

Location Plan



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

Committee Date:	11/04/2019	Application Number:	2018/10406/PA
Accepted:	24/12/2018	Application Type:	Full Planning
Target Date:	18/02/2019		
Ward:	Perry Barr		

Ambulance Station, 27 Tower Hill, Great Barr, Birmingham, B42 1LG

Change of use of former ambulance station to MOT station and associated repairs (Sui Generis)

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. The applicant proposes the change of use of a former ambulance station to an MOT station and also providing associated repairs (Sui Generis).
- 1.2. The submitted drawings show the building would provide MOT testing bays; shower room, office, store room, kitchen/staff room, W.C's and cycle and bin storage. The forecourt would accommodate 5 car parking spaces.
- 1.3. It is proposed to operate from 0900 hours to 1800 hours daily and employ 1 person.
- 1.4. This application is supported by a Noise Assessment and Planning Statement.
- 1.5. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application premises is a vacant ambulance station. To one side of the premises on Tower Hill is a library to the other is a nursery. To the rear is external amenity area of a tower block situated in Bescot Croft cul de sac. There are 52 flats in that tower block and represent the only residential premises in that cul de sac. Across the road from the site on Tower Hill are residential dwellings and Badshah Palace which a banqueting premises.

2.2. [Site location plan](#)

3. Planning History

- 3.1. 30.04.2018- 2018/01764/PA- Change of use of former ambulance station to MOT station and associated repairs (Sui Generis)- Refused on the grounds that the proposed development would undermine the amenity of nearby occupiers and operators by reason of noise and disturbance and also potentially air pollution.

4. Consultation/PP Responses

- 4.1. Surrounding occupiers, local councillors as well as local Community Association and Neighbourhood Forum notified as well as site notices displayed- 13 responses

received (including one from Councillor Morriam Jan) which object to the scheme. The objections can be summarised as follows:-

- childrens nursery next door and fumes and noise from MOT station would be detrimental to the health and well being of those children,
- add to the problems caused by Badshah Banqueting Suite,
- adds to the smells from nearby takeaways,
- elderly residents of Bescott Court would be disrupted by the development,
- would add to traffic problems in the area,
- would not be in keeping with the area,
- already several other garages in the area people can go to,
- unnecessary,
- inappropriate development,
- disrupt the use of the adjacent library,
- will undermine pedestrian safety,
- this is a residential area,
- will attract the wrong type of people,
- insufficient parking
- not clear where the extract fan will go which can have implications for the adjacent library and nursery.

4.2. 42 responses received which support the application. The responses can be summarised as follows:-

- about time the site was used as it has laid vacant for a number of years which has led to fly tipping;
- productive use of site,
- no other service or MOT facility exists in the locality,
- convenient for local people,
- help create jobs,
- useful,
- will provide much needed alternative to other MOT facilities and other MOT facilities are located a distance away.

4.3. 10 responses received categorised as comments. The comments can be summarised as follows:-

- happy to have an MOT station,
- no objection to the MOT station,
- support the project,
- useful for the community,
- it has been shut for a long time and will be good to see this place in operation, good to have a local MOT station as currently have to travel a distance to do MOT tests.

4.4. 1 response received from Councillor Jon Hunt which sets out he has met the owners of this site and has also heard the concerns expressed by Tower Hill library and other local residents and explains the library is especially concerned about noise. His also raises the following matters:-

- that if permission is granted this does not open the way for more extensive motor vehicle operations such as body shop work (which poses significant environmental hazards) or tyre changes.

- the applicant has informed him that the MOT testing station will see a maximum of seven customers a day and will close at 5pm and requests if this could be enforced through the planning permission?.
 - any noise leakage into the library is unacceptable.
 - comments that the original use of this site was retail/banking.
 - the key question is whether it is feasible to prevent any permission for the site for this change of use leading to significantly unacceptable uses in the future.
- 4.5. Transportation- No objections subject to conditions requiring existing visibility at site access to remain, circulation area to be kept clear at all times, proposed operational hours to be confirmed and any highway works will be at applicants expense.
- 4.6. Regulatory Services- No objections to make subject to conditions that would control plant and machinery hours of operation, ensuring all activity occurs within the building only, providing sound insulation for plant/machinery, securing extraction details, limiting noise levels for plant and machinery, restricting hours of operation, ensuring the main roller shutter doors shall be kept closed whenever activities are taking place inside the premises (other than as immediately necessary for access and egress), limiting operations to MOT activity and associated vehicle repairs only and providing a scheme of noise insulation.
5. Policy Context
- 5.1. BDP (2017), SPD Car Parking Guidelines and NPPF.
6. Planning Considerations
- 6.1. The proposed development has been considered in light of the following issues:-
- 6.2. Mindful of the overarching issues (economic, social and environmental) that the NPPF requires Planning Authorities to take account of in arriving at planning decisions in respect of determining if a proposal would represent sustainable development, I will turn my assessment to and give due weight to the economic aspect of the proposal later in this report. I will first begin by reviewing the environmental impact of the proposal which also takes into account social factors such as impact on health and wellbeing of those to be affected.
- 6.3. Environmental- Part 117 of the NPPF states “Planning policies and 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.”.
- 6.4. Part 180 continues by stating “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse

impacts on health and the quality of life”

- 6.5. Part 182 of the NPPF continues by stating “Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”.
- 6.6. Policy TP37 (Health) of the BDP (2017) states “The City Council is committed to reducing health inequalities, increasing life expectancy and improving quality of life by:-.....Seeking to improve air quality and reduce noise within the City”.
- 6.7. A similar proposal was refused planning consent under planning application 2018/01764/PA on the grounds that the proposed development would undermine the amenity of nearby occupiers and operators by reason of noise and disturbance and also potentially air pollution. This revised application has been supported by a planning statement and noise assessment. Regulatory Services raise no objection to the proposal subject to safeguarding conditions. I concur with this view.
- 6.8. The noise assessment provides a thorough and comprehensive assessment of noise other than measured impacts on the amenity space for Bescot Court. However given the measured and modelled data, the internal layout and the shielding that the library building provides Regulatory Services were able to assess other potential impacts.
- 6.9. Whilst the proposal is in a sensitive location (adjacent to a nursery and library attached to a residential block) this needs to be contextualised by the noise data provided and potential mitigations. Based on our assessment of the information, there will undoubtedly be some impact on amenity however with the correct noise and vibration mitigation measures and effective operational controls it is considered that the use could be permitted without causing significant adverse impact. It is necessary to avoid any intensification of operations beyond those included in the application and ensure good acoustic design and I believe these and other areas of environmental concern such as fumes can be satisfactorily addressed using conditions to control plant and machinery hours of operation, ensuring all activity occurs within the building only, providing sound insulation for plant/machinery, securing extraction details, limiting noise levels for plant and machinery, restricting hours of operation, ensuring the main roller shutter doors shall be kept closed whenever activities are taking place inside the premises other than as immediately necessary for access and egress, limiting operations to MOT activity and associated vehicle repairs only and providing a scheme of noise insulation. I also recommend that the layout of the premises is adhered to as shown on the agreed drawings (where less noise intensive uses such as offices would abut the library). Furthermore, notwithstanding that there are intervening walls and doors between the car assessment and associated repair area and the existing windows to the rear of the application building, to help further reduce for noise escaping the building I recommend that details of the glazing to the rear are submitted for agreement.
- 6.10. The key change from that refusal has been the submission of a noise survey and discussion between Regulatory Services and the planning agent for the scheme in arriving at an agreed set of conditions.

- 6.11. The exhaust flue could be installed in a location which would not adversely affect sensitive land users such as to the front of the building through the installation of an appropriately sized and located flue (details to be agreed by condition).
- 6.12. I consider that with the attachment of the above conditions and adherence to them, no adverse environmental impact is expected to arise.
- 6.13. Parking- Transportation Development raises no objection to the proposal subject to safeguarding conditions. Those relating to visibility splays and that circulation space remains clear are attached as they meet the relevant tests and not already covered elsewhere.
- 6.14. Therefore, overall given the site is an ex-ambulance centre and located within easy walking distance to good public transport and a large local centre with a multitude of shops including large supermarket & unrestricted parking, It is deemed the development will not be detrimental to highway safety or affect free flow of the highway and any increase in traffic generation will easily be accommodated within the local area.
- 6.15. Design- No external modifications to the appearance of the building have been indicated and therefore there is no comment to make with respect to design and appearance.

7. Conclusion

- 7.1. The proposed development would subject to the application of appropriate conditions make allow for the use of a currently vacant building without giving rise to any adverse impact.

8. Recommendation

- 8.1. That the application is approved subject to conditions.

-
- | | |
|---|---|
| 1 | Limits the hours of operation (0900-1800 Monday to Friday) |
| 2 | Limits the hours that plant and machinery can be used (0900-1800 Monday to Friday) |
| 3 | Limits the approved activity to within the building only |
| 4 | Requires the submission of details of the sound insulation for plant/machinery |
| 5 | Requires the submission of extraction and odour control details |
| 6 | Limits the noise levels for Plant and Machinery |
| 7 | Requires the rollershutter doors to the front to be kept closed whenever the site is in operation |
| 8 | Limits to one the number of motors vehicles within the application building at any one time |
| 9 | Requires the prior submission of noise insulation details |
-

-
- 10 Restricts the use of the front car parking and manoeuvring areas to those purposes only
 - 11 Prevents operations involving panel beating, paint spraying, welding, car washing, polishing and or valeting.
 - 12 Defines the use of the approved operation
 - 13 Requires the scheme to be in accordance with the listed approved plans
 - 14 Requires details of the glazing to the rear elevation of the application property
 - 15 Implement within 3 years (Full)
-

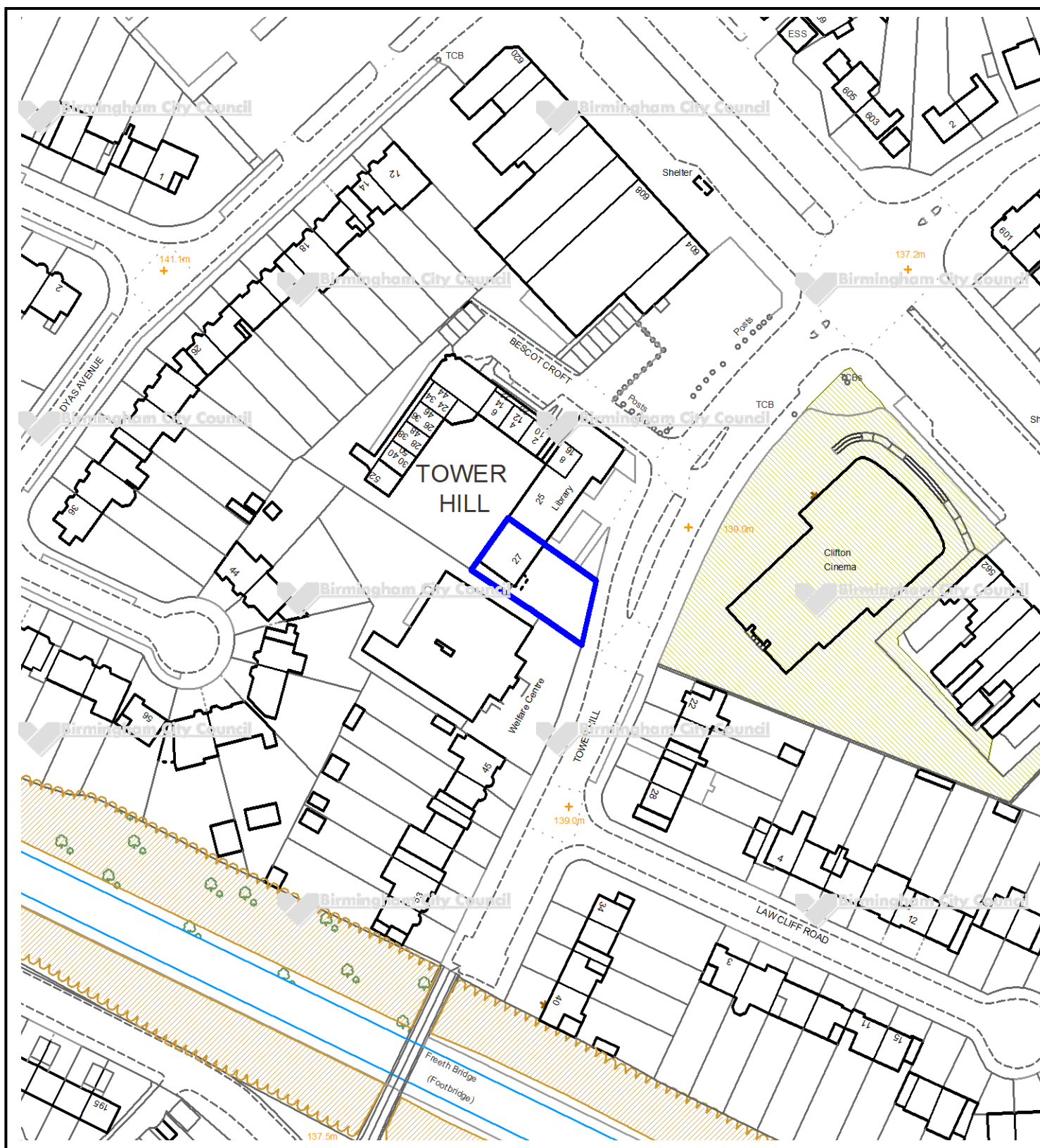
Case Officer: Wahid Gul

Photo(s)



Photo 1 - Front of site

Location Plan



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

Birmingham City Council

Planning Committee

11 April 2019

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	12	2019/00384/PA Stirchley Library 8 Bournville Lane Stirchley Birmingham B30 2JT Listed Building Consent for internal and external repairs
Approve - Conditions	13	2019/01058/PA 14 Langleys Road Selly Oak Birmingham B29 6HP Erection of two and single storey rear extension.

Committee Date:	11/04/2019	Application Number:	2019/00384/PA
Accepted:	17/01/2019	Application Type:	Listed Building
Target Date:	26/04/2019		
Ward:	Stirchley		

Stirchley Library, 8 Bournville Lane, Stirchley, Birmingham, B30 2JT

Listed Building Consent for internal and external repairs

Recommendation

Approve subject to Conditions

1. Proposal

1.1. Listed building consent is sought for a number of external and internal repairs to the grade II listed library. The applicant has indicated that external repairs would be undertaken first and these would consist of the following:

- Repair/replacement of roof tiles as appropriate;
- Repair lead flashings;
- Repair timber louvres;
- Remove UPVC windows and replace with timber framed windows;
- Render lower section of wall to prevent damp; and
- Insert new drainage channel adjacent to the building.

1.2. The internal changes consist of re-plastering ceiling and painting walls.

1.3. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site relates to a Grade II Listed Building known as Stirchley Library. The library was opened in 1905 and is constructed of red brickwork in a Flemish bond, with contrasting large stone features to the façade of the library. Slate pitched roofs with stone coped gable ends. The rainwater gutters and downpipes are in cast iron and there are leaded pane windows and timber glazed double doors to the entrance.

2.2. The site falls within Stirchely Local Centre but outside of the Primary Shopping Area. The building is located near to a range of commercial uses but residential properties also adjacent to the site on Bournville Lane and Bond Street.

2.3. [Site location plan](#)

3. Planning History

3.1. 01.10.2018 - 2018/05174/PA – Listed Building Consent for the installation of replacement boiler in basement, new internal pipework and associated internal and external works – Approved with conditions

4. Consultation/PP Responses

- 4.1. Local Councillors and residents association notified. Press and site notice posted. No response received.

5. Policy Context

- 5.1. Birmingham Development Plan 2017; The Birmingham Unitary Development Plan 2005 (saved policies), Conservation through Regeneration SPG; Grade II* Listed Building, National Planning Policy Framework.

6. Planning Considerations

- 6.1. Paragraph 190 of the NPPF refers to a need to assess the significance of a proposal on any heritage asset and paragraph 192 states that in determining applications, the local planning authorities should take into account the desirability of sustaining and enhancing heritage assets.
- 6.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.3. Policy TP12 of the Birmingham Development Plan states that great weight will be given to the conservation of the City's heritage assets.
- 6.4. A Heritage Statement has been submitted with the application which provides images of the building internally and externally which indicate that repairs are needed to the listed building.
- 6.5. The Conservation Officer is supportive of the proposed works which includes repairs to the roof, windows, area of external damp and internal painting and plastering. The intention to undertake the external works first is also supported as this will ensure that the building is watertight. The materials and methodology for the repairs is generally acceptable although natural slate tiles will need to be specified and lead flashing will need to be re-pointed in a suitable lime mortar and not silicone mastic.
- 6.6. In summary the proposal is welcomed as it will ensure the long term survival of this important landmark listed building in the local area and therefore the Conservation Officer raises no objection subject to conditions.

7. Conclusion

- 7.1. I consider the proposal would enhance and preserve the character and appearance of the Listed Building and therefore Listed Building Consent can be granted.

8. Recommendation

- 8.1. Approve Subject to Conditions

-
- 1 Requires the scheme to be in accordance with the listed approved plans
 - 2 Requires the submission of a full suite of materials
 - 3 Requires the submission of a schedule of full architectural and specification details details
 - 4 Requires the submission of a mortar mix
 - 5 Requires submission of full strategy of repair
 - 6 Implement within 3 years (conservation/listed buildings consent)
-

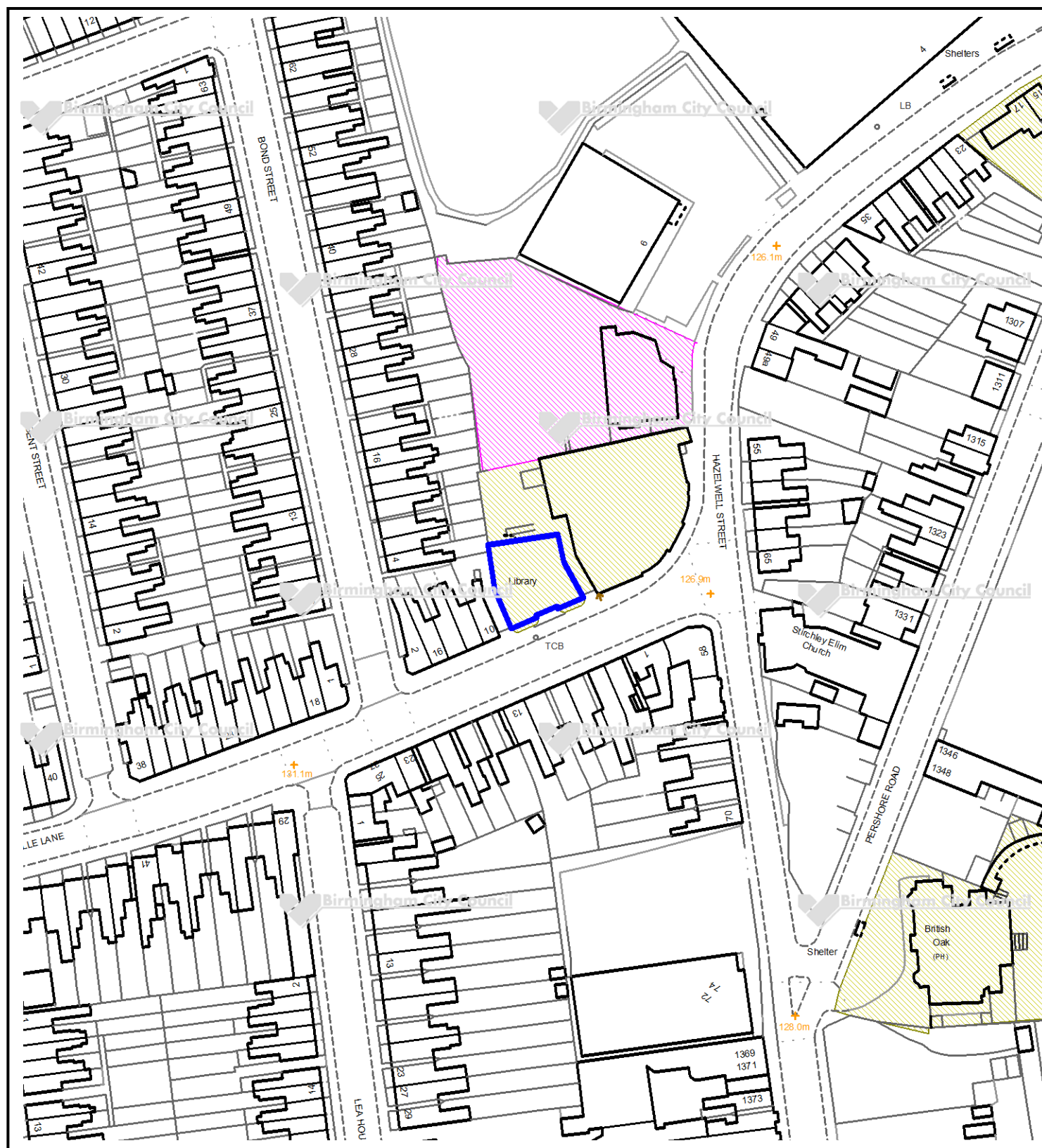
Case Officer: Andrew Fulford

Photo(s)



Photo 1: Front elevation of library on Bournville Lane

Location Plan



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

Committee Date:	11/04/2019	Application Number:	2019/01058/PA
Accepted:	11/02/2019	Application Type:	Full Planning
Target Date:	08/04/2019		
Ward:	Bournville & Cotteridge		

14 Langleys Road, Selly Oak, Birmingham, B29 6HP

Erection of two and single storey rear extension

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Consent is sought for the erection of a two and single storey rear extension at 14 Langleys Road, Selly Oak, B29 6HP.
- 1.2. The single storey extension would create a large shared kitchen and lounge area with an existing conservatory to be removed. At first floor the extensions would extend two existing bedrooms. The plans show a total of 8 bedrooms, which would not result in an increase on the existing layout.
- 1.3. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises a semi-detached property with a half hipped roof design located within a residential street comprising properties of a similar design and scale to the application site. The property has been previously extended with a single storey conservatory and dormer windows within the rear roof slope. Within the rear garden is an existing brick outbuilding with a shed to the rear. Neighbouring property No. 12 Langleys Road is of a similar design and scale to the application site, with a single storey outbuilding within the rear garden. To the rear elevation there is a set of patio doors at ground floor nearest the site with a kitchen window alongside. At first floor there are two bedroom windows. The boundary between the two properties is defined by low level close boarded fencing. To the adjacent side, No. 16 has a single storey brick outbuilding along the side boundary, with a ground floor kitchen window and first floor bedroom window nearest the site.
- 2.2. [Site Location Plan](#)

3. Planning History

- 3.1. No planning history
- 3.2. Enforcement History

- 3.3. 2013/0842/ENF – Alleged unauthorised use as a HMO – Case closed, property used as a 7 bedroom HMO since 2002. Property now used as an 8 bedroom HMO, however not expedient to pursue additional bedroom.

4. Consultation/PP Responses

- 4.1. Local Ward Members, Residents Associations and neighbouring properties have been consulted. 8 responses have been received raising the following objections:
- Use of the property as a HMO
 - Noise and disturbance from occupants
 - Impact on parking
 - Disruption during construction
 - Devalue neighbouring properties
 - Loss of light into neighbouring gardens
 - Loss of light and privacy
 - Party wall agreement
- 4.2. Councillor Grindrod has objected to the proposal on the grounds of potential increase in the number of bedrooms, overconcentration of HMOs in this article 4 area, noise and disturbance from occupiers impacting neighbours, and impact on parking provision.
- 4.3. Councillor Clements has objected to the proposal on the grounds of noise and disturbance from occupiers, impact on parking, impact on local services, disturbance during construction, impact on light and privacy.
- 4.4. Regulatory Services – No objections
- 4.5. Transportation – No objections subject to secure cycle storage

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 SPG (2001)
 - The 45 Degree Code SPG (1996)
 - Extending your Home SPG (2007)
- 5.2. The following national policies are applicable:
- NPPF- National Planning Policy Framework

6. Planning Considerations

- 6.1. This application should be assessed against the objectives of the policies as set out above.
- 6.2. The design and scale of the proposal is acceptable. I consider that the proposed extensions would not compromise the existing character or architectural features of the property, or have a detrimental impact on the general street scene. The resulting

building would not be out of scale or character with other properties within the locality, and would not be an over development of the site. The proposal would be in accordance with the principles contained within 'Extending Your Home' Supplementary Planning Document.

- 6.3. The proposed single storey rear extension would breach the 45 degree code from the ground floor rear window to No. 12 Langleys Road. However the Code allows for structures which are mainly made of glass as they allow light to pass through to neighbouring properties. The proposed single storey rear extension would be partially glazed to the side elevation at the location of the 45 Degree Code breach, above the line of the boundary treatment. Glazing would also be proposed to the rear elevation and within the roof slope of the extension. As such I do not consider the proposed extension would have a detrimental impact on the light to the neighbouring property. Consideration is also given to the existing conservatory which is in the same location as the proposed extension and which would already have an impact on the ground floor window to No.12. A condition is attached to ensure the glazing to the side elevation facing No. 12 is obscurely glazed to prevent any overlooking or loss of privacy.
- 6.4. All other development complies with the 45 Degree Code Policy, and minimum distance separation guidelines contained within 'Places for Living' and 'Extending Your Home' would be met. There would be no overlooking issue, or adverse impact on the amenities of the occupiers of the adjacent properties by virtue of loss of light or outlook.
- 6.5. Concern has been raised with regards to the use of the property as a large House in Multiple Occupation. The Enforcement history for the site states that the property has been used as a 7 bedroom HMO since 2002, therefore this is deemed a lawful use. In respect to the additional bedroom the Council's Enforcement Officer has advised it would not be expedient to pursue this additional bedroom. Therefore this application is solely for the proposed rear extensions. The extensions proposed would not result in any additional bedrooms so the existing use would be unaffected. Any increase would have to be investigated separately.
- 6.6. Concern has also been raised with regards to party wall agreements, disruption during construction, and impact on property values. However these are not material planning considerations and fall outside the remit of the planning department. I consider the remaining objections have been addressed above.
- 6.7. The proposed development does not attract a CIL contribution.

7. Conclusion

- 7.1. This application is recommended for approval as the proposal complies with the policies as outlined above.

8. Recommendation

- 8.1. Approve subject to the following conditions

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

-
- 2 Requires that the materials used match the main building
 - 3 Requires the submission of cycle storage details
 - 4 Requires the submission of obscure glazing for the conservatory Windows
 - 5 Implement within 3 years (Full)
-

Case Officer: Leah Russell

Photo(s)



Photo 1: Rear elevation of No. 12 Langleys Road

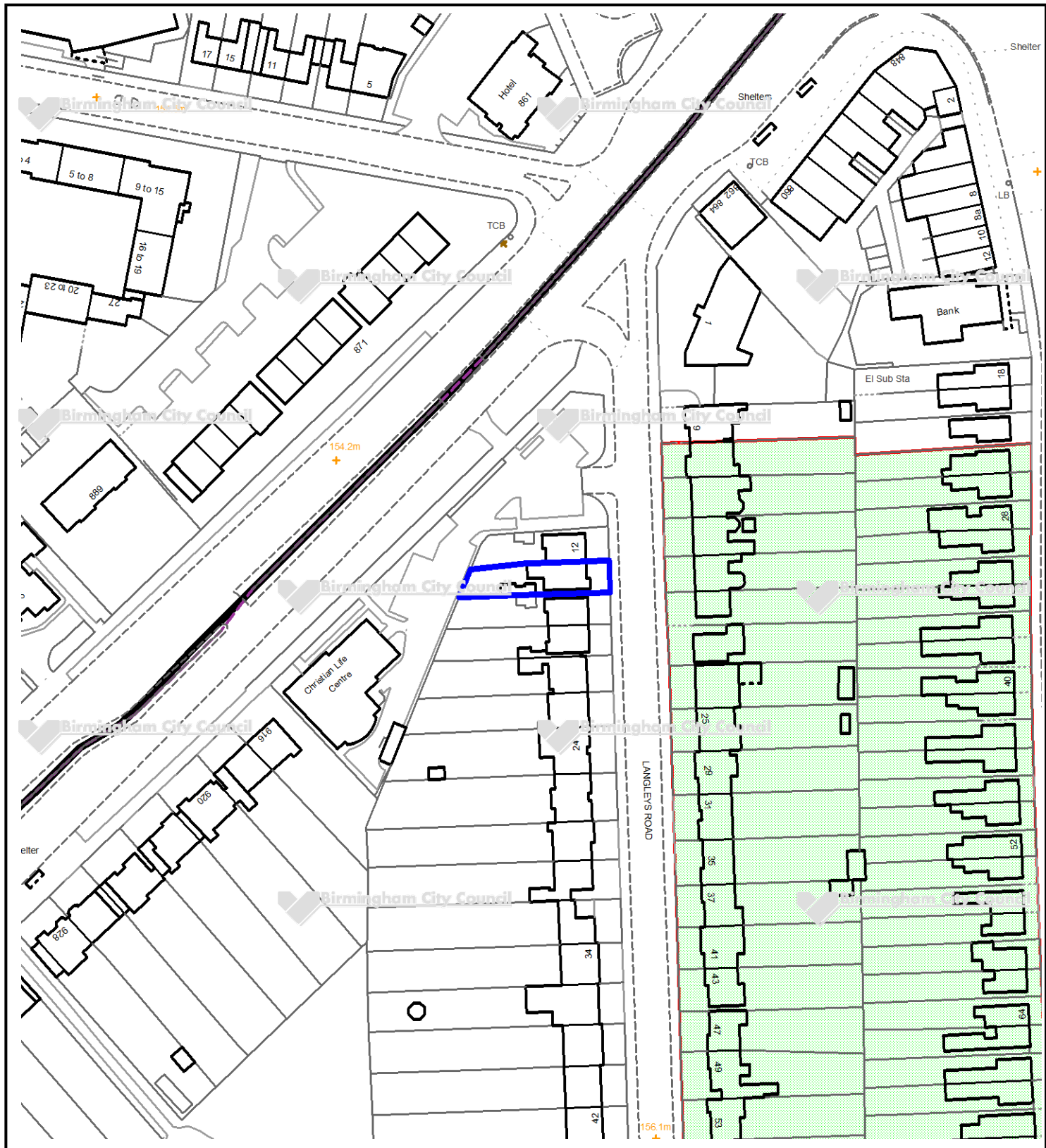


Photo 2: Rear elevation of 16 Langleys Road



Photo 3: Rear elevation

Location Plan



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