

Birmingham City Council

Planning Committee

06 June 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	2019/02287/PA 72-74 Boldmere Road Sutton Coldfield Birmingham B73 5TJ Change of use from bank (Use Class A2) to restaurant (Use Class A3) and erection of single storey rear extension with installation of extraction flue.

Committee Date:	06/06/2019	Application Number:	2019/02287/pa
Accepted:	18/03/2019	Application Type:	Full Planning
Target Date:	13/05/2019		
Ward:	Sutton Vesey		

72-74 Boldmere Road, Sutton Coldfield, Birmingham, B73 5TJ

Change of use from bank (Use Class A2) to restaurant (Use Class A3) and erection of single storey rear extension with installation of extraction flue.

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Consent is sought to change the use of the ground floor to restaurant (Use Class A3) with the first floor to form a staff rest room, store area, ancillary office and WC facilities. Side infill extensions are proposed to create a counter area, and WCs, and a passageway created within the flat roofed rear extension to access the rear parking area. Seating for 38 diners is indicated. Vertical extraction ducting is shown to the rear together with 5 car parking spaces.
- 1.2. The proposed opening hours would be 1700 hours to 2300 hours Monday to Saturday, no Sunday opening is proposed. 6 full-time and 2 part-time employment positions will be created.
- 1.3. The Planning Statement submitted with the application states that the unit has been vacant for over 8 years with little interest shown for a bank or retail use.

1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. This application relates to a vacant property (formerly occupied by Barclays Bank) located on the western side of Boldmere Road, some 32 metres north of its junction with Gate Lane.
- 2.2. The site is situated within Boldmere Neighbourhood Centre Shopping Area which contains a wide mix of uses including 18 No A3, A4 and A5 uses although A1 uses predominate.
- 2.3. There are some parking bays in Boldmere Road which are subject to parking restrictions between 0800 and 1800. There is also residential accommodation above many of the shops.

2.4. [Site location](#)

3. Planning History

- 3.1. 2010/06687/PA – Change of use from bank (Class A2) to cafe/restaurant (Class A3) and hot food takeaway (Class A5) - Approved

4. Consultation/PP Responses

- 4.1. Adjoining residents, Resident Associations and Ward Councillors consulted. Site Notice displayed – 12 letters (including 2 from the same household) of objections have been received, as summarised below:

- Surfeit of eating establishments which is at the limit specified in the SPD.
- Parking problems to the detriment of highway safety.
- Noise and disturbance to residents.
- Problems with odour and pests.
- Unmanaged parking to the rear will attract antisocial behaviour.

- 4.2. Regulatory Services – No objections, subject to conditions relating to extraction and odour control, noise levels (plant and machinery), amplification equipment, hours of opening, no food sales for off-site consumption.

- 4.3. Transportation Development – No objections as the site is in a sustainable location and as traffic generation will be similar to an A2 use.

- 4.4. West Midlands Police – No objections.

5. Policy Context

- 5.1. Relevant National Planning Policies:

- National Planning Policy Framework (2019)

- 5.2. Relevant Local Planning Policies:

- Birmingham Development Plan 2017;
- UDP (saved policies) 2005;
- Shopping and Local Centres – SPD;
- Car parking guidelines SPD.

6. Planning Considerations

- 6.1. The main considerations in the determination of this planning application are the principle of the proposal in this location, the effect upon residential amenity, highway implications and impact on visual amenity.

Principle of Use

- 6.2. This application falls within a primary shopping area. Having said this, it should be noted that the lawful use of the premises has been as a non-retail use and therefore a change from A2 to A3 use would not involve the loss of retail premises and policies relevant to safeguarding retail units in the primary shopping area will not be contravened. It is also acknowledged that permission for an A3 use has previously been granted (2010/06687/PA) but has since expired. Furthermore, the premises have been vacant for at least 8 years.
- 6.3. Shopping and Local Centres SPD advises that restaurants are appropriate in Neighbourhood Centres, as they offer a popular service to local communities, support the local economy and provide employment opportunities subject to the

avoidance of over concentration and the protection of living conditions. Policy 5 of the SPD seeks to prevent the clustering of restaurant uses. The Shopping and Local Centres Supplementary Planning Document sets out the criteria under Policy 1 (50% threshold) and Policy 5 (over concentration and clustering) against which such uses must be considered, these impacts are discussed below.

Impact on vitality and viability of the centre

- 6.4. Boldmere Neighbourhood Centre Shopping Area is a thriving and attractive shopping centre that provides a good balance of retail and non-retail uses for the local community. It contains 92 units in total and 61% are operating in retail use.
- 6.5. Of the 92 units within the local centre, currently 18 units (19%) are in A3, A4 or A5 use. 11 units are in A3 use which represents a 12% concentration. Other units are in use as sandwich/coffee bars but they fall within Class A1. If this application is approved food and drink uses would account for 20% of the total units. A3, A4 & A5 uses are spread throughout the centre, on both sides of Boldmere Road, rather than being concentrated in one area and consequently, a negative cumulative effect is unlikely to occur. Residents' concerns regarding the number of restaurants and takeaways in the centre are noted however 12% concentration of A3 uses is considered to be an acceptable proportion and the alternative in this instance would be continued vacancy.
- 6.6. In terms of the mix of uses, within the immediate shopping parade between Redacre Road and Antrobus Road, there are currently 2 hot food takeaways, 2 public houses and 5 restaurant/cafe premises operating out of approximately 44 commercial units. There is a good separation between the food or drink related uses to the application site on this side of Boldmere Road, and the nearest is the Deli Social to the north, and the Age Concern Cafe to the south.
- 6.7. It is therefore considered that the proposed restaurant would be in accordance with the guidance outlined in the National Planning Policy Framework, the adopted UDP 2005 and the Shopping and Local Centres SPD.

Impact on Residential Amenity

- 6.8. Concerns have been raised from local residents regarding potential smell, noise and litter/waste from the proposed use. However the proposal would not generate noise and disturbance that would be unusual in such a location. Regulatory Services have raised no objections to the proposed use and have requested a number of planning conditions seeking the provision of details for extraction & odour control, noise levels for plant and machinery, hours of use and site delivery hours. Subject to the imposition of necessary planning conditions I consider the proposal is unlikely to have a major detrimental impact on the amenities of neighbouring units that could support a reason for refusal.

Impact on Highway Safety

- 6.9. Transportation Development has no objections to the proposal as the site is in a sustainable location, and as traffic generation should not be greater than the previous use.

Visual Amenity

6.10. The proposed extraction flue would be located to the rear of the premises and would not have a public aspect. It would therefore not have a detrimental impact on the street scene, subject to a condition requiring approval of the details of the external appearance extraction flue. Set against the backdrop of the existing flat roofed rear extension the proposed extension and alterations to the rear would not adversely affect visual amenity.

6.11. Other Matters

6.12. Concern has been expressed about unmanaged parking to the rear of the premises. There is a lack of clarity whether parking to the rear is permissible under the terms of the lease, or indeed how it would be managed. However, as the application site is in a sustainable location the determination of the application is not dependent upon the provision of car parking, and the issue of the use and management of the rear car park is a private matter.

6.13. Ancillary takeaway facilities are acceptable in such a location and restrictions preventing food to be sold for off-site consumption is unreasonable on this occasion.

6. Conclusion

6.1. The proposed development would not compromise the vitality and viability of the existing centre. I am satisfied that the proposed development would not have a detrimental impact on visual or residential amenity or highway safety. Approval is therefore recommended.

7. Recommendation

7.1. 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 | Limits the hours of operation (1000-2300) |
| 4 | Limits delivery time of goods to or from the site (0800-2300) |
| 5 | Requires the submission of extraction and odour control details |
| 6 | Limits the noise levels for Plant and Machinery |
| 7 | Prevents the use of amplification equipment |
| 8 | Implement within 3 years (Full) |
-

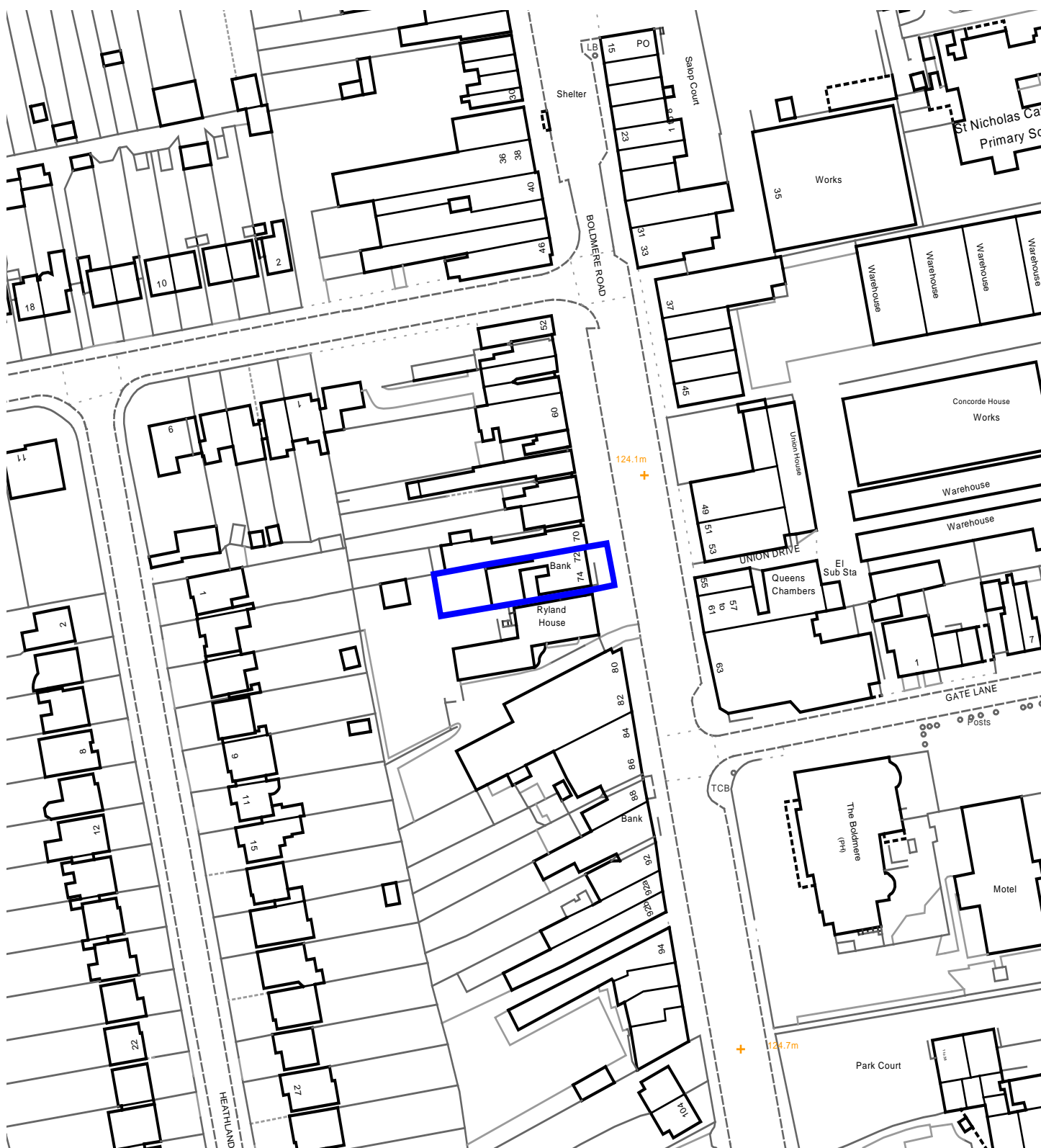
Case Officer: Satu Pardivalla

Photo(s)



Figure 1 : Front View

Location Plan



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

Birmingham City Council

Planning Committee

06 June 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 – Subject to 106 Legal Agreement	10	2018/09040/PA Former Midhire & UTC premises York Road Hall Green Birmingham B28 8LN Outline application with all matters reserved except for access for residential development for up to 87 dwellings

Committee Date:	06/06/2019	Application Number:	2018/09040/PA
Accepted:	18/04/2019	Application Type:	Outline
Target Date:	18/07/2019		
Ward:	Hall Green North		

Former Midhire & UTC premises, York Road, Hall Green, Birmingham, B28 8LN

Outline application with all matters reserved except for access for residential development for up to 87 dwellings

Recommendation

Approve Subject to a Section 106 Legal Agreement

1. Proposal

- 1.1. The application proposes an outline residential scheme with all matters reserved apart from access. It would provide for in the region of 87 dwellings, an area of public open space including a children's play area, the provision of drainage infrastructure, and ancillary works. An illustrative layout has been provided which indicates how 87 dwellings might be provided at a density of 35 dwellings per hectare, and reflecting site constraints including the adjacent railway line, retaining wall and site levels, and a culvert. A previous outline application was withdrawn to enable additional market testing from which has flowed the current housing-led application, without apartments. The illustrative layout would provide a mix of 2, 3 and 4 bed units and policy-compliant level of on-site open space.
- 1.2. Vehicular access would be provided by modifying the existing access onto York Road into a priority junction, and an additional pedestrian and cycle access would be provided onto Cateswell Road in replacement of a gated secondary access currently located there. The application suggests an illustrative parking provision of 156 spaces which would constitute 1.8 spaces per dwelling across the development.
- 1.3. Recently a revised red edge application plan has been submitted in relation to neighbouring land ownership along Cateswell Road. A reconsultation exercise to properties in Cateswell Road has been undertaken.
- 1.4. The following documents have been provided in support of the application – Planning Statement, Design and Access Statement, revised Flood Risk and Drainage Strategy, Transport Statement, Travel Plan, Tree Survey Report, and a revised Remediation Strategy.
- 1.5. Site area is 2.6 hectares and density would be 35 dwellings per hectare.
- 1.6. The application has been screened for EIA and it has been concluded that due to the characteristics of the development, the relative insensitivity of the proposed location, and the rendering of only local significance for its environmental effects a formal EIA is not required.

1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is located at the junction of Cateswell Road and York Road and has an area of 2.6 ha. The site is located adjacent to a railway line to the east (part of the Snow Hill line to Stratford upon Avon) with the rear gardens of residential properties fronting Cateswell Road to the west. Car parking serving Hall Green Railway Station is located to the south. The surrounding area is predominantly residential in character with industrial and commercial elements – the former Hall Green Greyhound Stadium is to the east of the railway line and is currently being built out for residential development.
- 2.2. The site was formerly the location of Rolls Royce (1.63 ha) which designed, tested and manufactured machined aircraft components, and the location of Midhire Van Hire (0.97ha). Rolls Royce have relocated this element of the business to new facilities at Birmingham Business Park.
- 2.3. The previous buildings on the site have been demolished and the site cleared under prior approval application 2017/07267/PA. The site has been subsequently fenced and secured by the applicant.
- 2.4. The site is listed within both the Brownfield Register, and SHLAA as suitable for residential purposes.

2.5. [Site Location Plan](#)

3. Planning History

- 3.1. 6/06/18 - 2018/03573/PA - Application to determine the details of condition number 1 (contamination remediation scheme) attached to planning approval 2018.00924/PA. Approved.
- 3.2. 26/4/18 – 2018/00924/PA – Engineering works to remove ground obstructions and contamination. Approved subject to conditions.
- 3.3. 19/12/17 - 2017/10432/PA - Outline application for up to 87 dwellings with all matters reserved except access. Withdrawn.
- 3.4. 9/1/18 - 2017/10080/PA - Application to determine the details of condition 1 (Traffic Management Plan) attached to planning approval 2017/07267/PA. Approved.
- 3.5. 22/9/17 - 2017/07267/PA - Demolition of existing buildings on the site. Prior approval required and approved with conditions.
- 3.6. 9/6/11 - 2011/01704/PA - Retention of 13 portacabins and containers. Approved subject to conditions.
- 3.7. Prior to the above applications the site's history includes a number of applications in relation to previous engineering and industrial operations, ancillary development, and signage etc. which range over several decades.

4. Consultation/PP Responses

4.1. Public Participation

4.2. Residents, Resident Associations, Councillors consulted and the local MP were consulted and press and site notices were posted. A specific reconsultation exercise within Cateswell Road in relation to the revised red edge plan was also undertaken.

4.3. 6 letters of concern and objections on the following grounds:-

- Queries regarding tenure
- Traffic congestion
- Schools and health centre is already over capacity
- Overconcentration of new residential development in the immediate area
- Health implications from land contamination
- Noise and traffic disturbance
- Concern of construction period duration and associated impacts
- Importance of retaining embankment trees and wildlife habitat, and the need for a positive attitude to be taken to new tree provision, protection and maintenance within the development

- To the revised red edge plan: one original objection regarding trees has been resubmitted

4.4. Consultation responses

4.5. Regulatory Services – following further submissions and detailed discussion, no objections subject to conditions requiring implementation of the recommendations in the revised Noise and Vibration Report, details of glazing and ventilation products, and additional remediation details, especially for gas protection measures.

4.6. Network Rail – no objection subject to a condition in relation to details of ground levels, earthworks and excavations near the railway boundary, and general advice in relation to works adjacent to the railway line.

4.7. Housing Services – “fully supportive of a scheme which provides 35% affordable housing in line with policy. As this is an outline application we would normally look to secure 35% affordable housing consisting of Social/Affordable Rent, Shared Ownership and Low Cost Home Ownership in a manner which allows flexibility for the developer and the receiving Registered Provider.”

4.8. LLFA – initial objections but following review of the amended Sustainable Drainage Assessment (28 January 2019), the LLFA accept the principles of the proposed development and recommend conditions details of surface water drainage and SUDS, and a Sustainable Drainage Operation and Maintenance Plan.

4.9. Leisure Services – “No objections as such to the outline application. In principle and subject to the final residential mix being confirmed providing 0.49 hectares of on-site POS with a 1225m2 junior play area is acceptable. However this is subject to the following being demonstrated at full application stage:

- 1) The POS and play area should meet BCC recreational amenity standards and should be fully accessible to both the residents of the proposed development and surrounding areas, safe for all users and secure from illegal vehicle incursion .

- 2) The junior play area needs to provide a minimum of 7 pieces of active play equipment. Items like boulders, logs and balancing beams and other natural play facilities are ancillary to the key 7 play items, which need to provide swings, slides, climbing, spinning and rocking activities. The equipment will need to be robust enough and include at least one item of fully accessible inclusive play.
- 3) We would need to be sure that any attenuation tank or other SUDS facility located within the POS did not detract from its recreational function or landscape design of the space.
- 4) A BCC Landscape Clerk of Works supervision fee be included in any agreement with the developer during the construction phase to ensure that the POS is constructed to the highest standards.
- 5) BCC would not take on the management /maintenance of any POS or play facility post completion so the applicant would have to set up their own management arrangements going forward."

- 4.10. Environment Agency – no objections subject to a land contamination verification condition.
- 4.11. West Midlands Police – no objections and provide advice on secured by design and crime prevention measures.
- 4.12. Transportation – no objections in principle to the access with all other matters reserved, subject to conditions for amended junction highway works (including TRO's) to be covered by S278 agreement, and pedestrian visibility splays of 3.3m x 3.3m x 600mm high to be incorporated into each driveway. The Private Development Section also provides advice on detailed highway design and layout.
- 4.13. Severn Trent – no objections subject to a foul and surface water drainage condition and advice in relation to public sewers.
- 4.14. Education and School Places – The contribution is estimated below (subject to surplus pupil place analysis):

Nursery	Primary	Secondary	Total
£11,179.99	£287,625.70	£309,569.99	£608,375.68

5. Policy Context

- 5.1. National Planning Policy Framework (2019), National Planning Policy Guidance (2014).
- 5.2. Birmingham Development Plan (2017); Birmingham UDP- saved policies (2005). Car Parking Guidelines SPD, Places for Living SPG, Places for All SPG, Lighting Places SPG, Loss of Industrial Land to Alternative Uses SPD, Public Open Space in New Residential Development SPD, Affordable Housing SPG, Nature Conservation Strategy for Birmingham SPG and Sustainable Management of Urban Rivers and Floodplains SPD.

6. Planning Considerations

- 6.1. Principle of development
- 6.2. Policy TP27 of the BDP requires all new development to demonstrate that it is meeting the requirement of creating sustainable neighbourhoods. This is

characterised by a wide choice of housing types, access to facilities (being shops, schools, leisure and work), access to sustainable travel, a strong sense of place with a high design quality, and promoting environmental sustainability. Policy TP3 of the BDP requires new development to be designed and constructed to sustainable standards which maximise energy efficiency, conserve water and reduce flood risk, consider the source of materials, minimise waste and maximise recycling during construction, have flexible and adaptable spaces and enhance biodiversity.

- 6.3. The site is the former UTC Aerospace Research centre and has recently been demolished and cleared. It is bounded to the east by a railway line and by housing to the west. Hall Green railway station lies to the south. Planning Policy colleagues advise that the site is deemed no longer suitable for industrial purposes, lending itself better as a sustainable residential site close to the Stratford Road Neighbourhood Centre. The site also appears on both the Brownfield Land Register and the SHLAA as suitable for residential development. They therefore raise no objections to residential redevelopment of the site, subject to policy compliance in relation to the Council's commitment to a 60% reduction in total carbon dioxide (CO₂) emissions produced in the city by 2027 from 1990 levels (Policy TP1) and a number of other policies in the plan which seek to contribute to achieving this: namely Policy TP2 (Adapting to climate change) requires residential schemes to demonstrate ways in which overheating is minimised; Policy TP3 (Sustainable construction) sets out a number of criteria which should be considered to demonstrate sustainable construction and design; TP4 requires new development to incorporate low and zero carbon forms of energy generation, unless it is unviable to do so, and; TP6 requires a Sustainable Drainage Assessment and Operation and Maintenance Plan for all major developments. Assessment under these policies is undertaken in the sections below.
- 6.4. In light of this advice, the site is considered suitable in principle for residential redevelopment. The previous employment/industrial use has ceased with the previous occupiers relocating elsewhere and the building has been demolished and the site cleared. The site does not fall within Core Employment Land, but is instead included in the SHLAA as suitable for residential development. It is also closely surrounded by significant residential development and its previous industrial use could arguably be considered relatively non-conforming.
- 6.5. Design and appearance
- 6.6. Paragraph 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".
- 6.7. Paragraph 122 of the NPPF states "Planning policies and decisions should support development that makes efficient use of land, taking into account:
e) the importance of securing well-designed, attractive and healthy places".
- 6.8. Paragraph 127 of the NPPF states "Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

- 6.9. Paragraph 130 of the NPPF states “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.
- 6.10. Policy PG3 of the BDP seeks to create a positive sense of place with designs that respond to site conditions, local context, creates safe environments, provides attractive environments, make sustainable design integral, and supports the creation of sustainable neighbourhoods. Furthermore Policy 3.14 of the UDP (Saved Policies) states that a high standard of design is essential to the continued improvement of Birmingham as a desirable place to live, work and visit. It also requires developers to consider the site in context and states that to avoid problems of piecemeal and incremental development, comprehensive master plans should be prepared. Paragraph 124 of the NPPF states, “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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.”
- 6.11. Notwithstanding the illustrative nature of the submitted layout Urban Design officers comment that the layout forms a sensible and viable hierarchy integrating into its local existing context, resulting in a good relationship with the properties fronting on to York Road with buildings proposed forming a similar building line and active frontages to the existing dwellings on to York Road. The overlooking into private spaces has been kept to a minimum, with adequate garden plots and some corner properties have been proposed which has avoided flank walls and ensured active frontages. The Urban Designer also considers the proposed road and access has been designed to respond to the needs of the development and is a legible network forming safe shared streets and vehicular junctions, and the residential housing has been designed so that it is neatly enclosing the site and ensuring all streets are

legible and overlooked with an active frontage. The POS is strategically located where by the use and overlooking as a surveillance measure is encouraged. Parked vehicle provisions do not dominate the street scene, and spaces in front of properties are not aligned as such to be a focus in front of properties.

- 6.12. In relation to crime prevention West Midlands Police advise they have no objections and provide advice on Secured by Design and crime prevention measures. Network Rail also has no objections subject to a condition in relation to details of ground levels, earthworks and excavations near the railway boundary, and general advice in relation to works adjacent to the railway line. Officers consider that these conditional requirements can reasonably be added to this effect to inform the final scheme layout and detailing.
- 6.13. The current layout plan is illustrative at this stage but nevertheless has been revised at pre-application stage following input from Urban Design and Planning Officers. Whilst the Landscaping Officer is currently querying whether the landscaping could be centrally located and overlooked on all sides by housing, the illustrative layout has evolved in light of site constraints including necessary easements to the railway line, culvert, retaining wall along the north eastern part of the site and related site levels issues, and the wooded bank in the south western corner of the site. Noise and vibration issues in relation to the railway line also suggest the benefits of rear gardens facing onto the railway line. Pre-application design input has resulted in the open space/play area being consolidated into one area, and located to the north of the site where it is more readily accessible by the wider residential area. Additionally SUDS would be provided underground, frontage parking reduced, garden sizes and separation distances increased and a cul de sac created terminating at the southern end of the spine road. The pedestrian/cycle link is provided at an existing gated accessway into the site along Cateswell Road, to provide added permeability but without direct linkage to the railway station to the south. This should avoid the promotion of overspill railway parking within the residential layout.
- 6.14. In summary it is considered that the illustrative layout presents an acceptable layout in principle which can be used to inform a later reserved matters submission, and it adequately addresses the urban design imperatives set out in the NPPF and BDP Policies PG3 and TP27.
- 6.15. Housing Mix
- 6.16. BDP Policy TP30 states that proposals for new housing should deliver a range of dwellings to meet local needs and support the creation of mixed, balanced and sustainable neighbourhoods. It also identifies that new housing should be provided at a target density responding to the site, its context and housing need. The redevelopment of the site would deliver additional housing on a brownfield site which is identified in the SHLAA as suitable for housing development and which is also listed in the Brownfield Register.
- 6.17. The City's housing evidence base indicates that there is a need for larger properties but this is with reference to Birmingham's strategic housing area as a whole. The proposed density at 35 dwellings per hectare is not high but reflects the character of the immediate locality and is wholly housing-led without any flats. Whilst not fixed at this stage the applicants suggest the scheme will provide a mix of 2, 3 and 4 bedroomed units. It is also noted that BDP policies PG1 and TP29 identify the importance of housing need/delivery and it is considered that this scheme would positively contribute towards the achievement of these aims. The proposal is therefore considered acceptable in line with housing mix policy, noting Planning

Strategy colleagues also raise no objections in principle to the scheme and the final scheme mix can be finalised through the reserved matters application.

6.18. Residential Amenity

6.19. At this outline stage the detailed layout and dwelling design have not been established, however the illustrative layout suggests that a form of development can be provided which acceptably addresses the residential amenity of future occupiers and adjoining residents. The requisite guidelines set out currently in Places for Living SPG include internal and external separation distances, and garden areas which appear to be achievable in the illustrative layout. The actual level of compliance can be addressed at reserved matters stage, as can dwelling and bedroom sizes in relation to the Nationally Described Technical Space Standards.

6.20. Regulatory Services have sought further submissions and undertaken detailed discussion and on the basis of these now raise no objections subject to conditions requiring implementation of the recommendations in the revised Noise and Vibration Report, details of glazing and ventilation products, and additional remediation details, especially for gas protection measures. The Environment Agency also seeks a contamination Verification Report. Members are advised that further work is on-going in these areas given the extent of site clearance and remediation which has already been undertaken and an update on these matters will be provided at the meeting.

6.21. In so far as can be illustratively established at this stage the proposal is considered to acceptably address internal and external requirements for residential amenity and the illustrative layout forms an acceptable basis for reserved matters submission.

6.22. Transportation matters

6.23. Policy TP44 of the BDP seeks the City to make optimum use of infrastructure across all modes and managing travel through a number of measures including the availability and pricing of car parking and ensuring the delivery of a sustainable transport network. The application has been supported by a Transportation Assessment and Travel Plan.

6.24. Transportation Development advise, "This application is an outline application with all matters reserved except for access for residential development for up to 87 dwellings. There are no objections in principle to the proposal. Vehicle access will be gained from a priority junction with York Road which will be achieved by modifying the existing site access. The TA demonstrates that the proposed change in land use from B2 to C3 residential would not result in a significant increase in two-way trips in the AM & PM peak periods. The cycle/pedestrian access has been noted, the design of which can be discussed on receipt of a full application." Accordingly they raise no objection in principle to the access with all other matters reserved, subject to conditions for the amended junction and highway works (including TRO's) to be covered by S278 agreement, and pedestrian visibility splays of 3.3m x 3.3m x 600mm high to be incorporated into each driveway.

6.25. Transportation's Private Development Section has made comments on the design of the indicative layout including suggesting potential build-outs to reduce traffic speeds, footways provided all the way around the turning head(s), and tracking analysis to confirm that the turning heads can accommodate a refuse vehicle. A Section 278 Agreement or a Bellmouth Making Agreement will be required for the Highway works and the developers should consider extending the yellow lines along

York Road into the site to reduce the chance of vehicles parking close to the new access. This advice has been shared with the agent's to inform reserved matters layout design.

- 6.26. Subject to these conditions Transportation are content with the proposed development which is therefore considered to accord with Policy TP44 of the BDP.

6.27. Ecology and Trees

- 6.28. Policy TP8 of the BDP states that “development which directly or indirectly causes harm to...species which are legally protected, in decline or rare within Birmingham or which are identified as national or local priorities will only be permitted if it has been clearly demonstrated that; there is a strategic need that outweighs the need to safeguard, the damage is minimised and mitigation put in place, or where appropriate compensation is secured”. This is also reinforced at paragraph 118 of the NPPF.

- 6.29. The Tree Officer advises there are virtually no impacts to trees in this proposal due to the position of POS and the hard landscape occupied by the existing factory. The trees that are retained will benefit from the removal of existing hard surfacing. Care will be needed in removing buildings, surface and any local level changes and this will involve further arboricultural input which can be required through condition at outline approval, as can up-to-date tree details at reserved matters stage. The current tree survey should be updated after 5 years but would be suitable for a 3 year reserved matters submission. It is noted that the site has now been cleared in line with previous demolition and remediation consents.

- 6.30. The City Ecologist similarly advises of no overriding objections to this proposal at this outline stage. He requests a reasonable ecological enhancement scheme for the site to include both the soft landscaping and the inclusion of bat and bird boxes incorporated into the fabric of the new builds. Existing Category B trees to be retained should be fully protected and new tree planting should complement the local treescape without the use of same species in order to build in resilience. New tree planting should also have access to sufficient rooting volume (and root accessible soils).

- 6.31. These conditions can be added to secure compliance with BDP Policy TP8 and the proposal is therefore considered acceptable in terms of tree and ecological impact.

6.32. Drainage and Flood Risk

- 6.33. Policy TP3 of the BDP states that new development should be designed and built to sustainability standards which include conserving water and minimising flood risk. Furthermore Policy TP6 of BDP states that developers must demonstrate how surface water drainage would not exacerbate existing flooding and seeks a minimum of 20% reduction in peak flows between the existing and proposed water flows. It is also a core principle of the NPPF (paragraph 7) to take full account of flooding issues in decision making.

- 6.34. The City Council as Lead Local Flooding Authority initially objected but following negotiation and subsequent review of an amended Sustainable Drainage Assessment (28 January 2019), the LLFA accept the principles of the proposed development and recommend conditions for details of surface water drainage and SUDS, and a Sustainable Drainage Operation and Maintenance Plan.

- 6.35. Severn Trent also confirm no objections to the proposal subject to a condition for drainage plans for the disposal of foul and surface water flows, and advice in relation to public sewers, and the Environment Agency raise no objections subject to a land contamination verification condition. Subject to the imposition of these conditions the proposed development complies with the requirements of BDP policies TP3 and TP6.
- 6.36. Sustainable construction
- 6.37. BDP Policies TP2 (Adapting to climate change), TP3 (Sustainable construction), TP4 (Low and zero carbon energy generation), TP5 (low carbon economy) and TP8 (Biodiversity and geodiversity) set out the Council's sustainability expectations. It is anticipated that these detailed specifications can be secured through Reserved Matters submissions for the detailed design of the dwellings, tying also into the requirements of the Building Regulations in the form of materials and construction techniques, glazing choices, orientation to maximise solar gain, natural daylight and ventilation, and the use of high efficiency lighting and heating. Design details of the dwellings will be secured within a forthcoming reserved matters application and the development is considered likely to be able meet these broad policy objectives for sustainability.
- 6.38. Other Matters
- 6.39. West Midlands Fire and Rescue advise that suitable water supplies for firefighting should be provided. This shall be subject to consultation with West Midlands Fire Service once a Water Scheme plan has been produced and approved by the relevant Water Company. A vehicle access route to meet the requirements of ADB Volume 2, Table 20, noting that WMFS appliances require a carrying capacity of 15 tonnes, will be required. Dead end/cul-de-sac access routes must not exceed 180 metres in length unless an emergency vehicle access is provided, or the carriageway width is increased to 7.3 metres from the entrance to the dead-end route to the point where it is 180 metres to the end of the dead-end. This advice has been passed on to the applicant's agent for attention in scheme layout design for Reserved Matters.
- 6.40. Compliance with Planning Obligations
- 6.41. Policies 8.50-8.54, of the UDP (Saved Policies) relates to the use of Planning Obligations and states that the Council will take all appropriate opportunities to negotiate planning obligations and will determine the type, scale and mix based on several factors including Policy, local commentary and any specific local needs.as does. Policy TP47 of the BDP also relates to developer contributions and provision to make a development acceptable in planning terms, mitigate its impact, and provide for physical, social and green infrastructure to meet the needs associated with the development. Furthermore Paragraph 56 of the NPPF states that Planning Obligations should be sought when they meet the following tests;
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 6.42. The proposal generates a Policy requirement for the provision of Public Open Space (BDP Policy TP9), and Affordable Housing (BDP Policy TP31).

- 6.43. Housing colleagues are fully supportive of a scheme which provides 35% affordable housing in line with policy. As this is an outline application they look to secure 35% on-site affordable housing consisting of an appropriate mix of Social/Affordable Rent, Shared Ownership and Low Cost Home Ownership. The Affordable/Social Rent (in the region of 15%) should include 2, 3 and 4 bedroom houses – particularly larger family homes as this is in line with the greatest demand across the city. Shared Ownership (in the region of 10%) should mainly be 2 and 3 bed houses, and Low Cost Home Ownership (in the region of 10%) should comprise 2 bed houses available at discount (70% of OMV) for first time buyers on lower incomes. The terms of the Section 106 obligation however can be flexible to enable wider take up options for the developer and the receiving Registered Provider. It is noted that this is a case where Homes England are the land owner and are hoping to sell the site with a planning permission.
- 6.44. The applicants have agreed to the provision of a fully Policy-compliant 35% of affordable housing to be secured within a Section 106 Legal Obligation, in compliance with BDP policy TP31.
- 6.45. Leisure Services advise they have no objections as such to the outline application. In principle and subject to the final residential mix being confirmed providing 0.49 hectares of on-site POS with a 1225m² junior play area is acceptable. However this is subject to the following being demonstrated at full application stage:
- 1) The POS and play area should meet BCC recreational amenity standards and should be fully accessible to both the residents of the proposed development and surrounding areas, safe for all users and secure from illegal vehicle incursion.
 - 2) The junior play area needs to provide a minimum of 7 pieces of active play equipment. Items like boulders, logs and balancing beams and other natural play facilities are ancillary to the key 7 play items, which need to provide swings, slides, climbing, spinning and rocking activities. The equipment will need to be robust enough and include at least one item of fully accessible inclusive play.
 - 3) We would need to be sure that any attenuation tank or other SUDS facility located within the POS did not detract from its recreational function or landscape design of the space.
 - 4) A BCC Landscape Clerk of Works supervision fee be included in any agreement with the developer during the construction phase to ensure that the POS is constructed to the highest standards.
 - 5) BCC would not take on the management /maintenance of any POS or play facility post completion so the applicant would have to set up their own management arrangements going forward.
- 6.46. This level of on-site provision is also policy-compliant and meets with the requirements of BDP Policy TP9. This extent and form of on-site open space and its future maintenance requirements can be secured by appropriate planning conditions and detailed design and layout at reserved matters stage.
- 6.47. The Employment Access Team has made a request for local employment provision via either Section 106 or planning condition. Such a provision would accord with the requirements of BDP Policy TP26 in relation to local employment and it is therefore recommended for inclusion within the heads of terms for the Section 106 recommended below.
- 6.48. In terms of the Community Infrastructure Levy, the site is within an area defined as 'low' residential value meaning that a zero charge is set. With respect to the request for funding towards education, this is now covered by the Community Infrastructure

Levy (CIL) rather than by Section 106. However as the proposal is a non-CIL liable development it does not attract a CIL contribution. Health care provision, as mentioned by one objector, is not covered by CIL but it is not considered such a request would meet the tests for Section 106 contributions, in particular the necessity test (Regulation 122.(2)(a) necessary to make the development acceptable in planning terms). The interval from approval to occupation of the proposed development, along with published information (such as the BDP and SHLAA), gives sufficient information for health care providers to plan for population growth. Discussions with the relevant Trusts are continuing on this matter in order for Officers to understand more fully their planned investments in the City and how Planning and Regeneration might best be able to support that.

7. Conclusion

- 7.1. The outline principles of the scheme constitute sustainable development which has undergone pre-application negotiation and which would contribute to housing delivery on a site identified in the SHLAA as suitable for housing purposes. Subject to suitable details and conditional controls for delivery at reserved matters stage the development will not have an adverse impact on highway safety, ecology, residential amenity for existing neighbours or future occupiers, drainage or flood risk. A policy-compliant provision of affordable housing, POS/play space, and local employment and skills provision is also proposed. The proposal is therefore in accordance with the aims and objectives of both local and national planning policy and should be approved in outline subject to conditions and a legal agreement.

8. Recommendation

- 8.1. That consideration of application 2018/09040/PA be deferred pending the completion of a Section 106 legal agreement to secure:
- 8.2. a) 35% on-site affordable housing comprising a mix of Social/Affordable Rent, Shared Ownership and Low Cost Home Ownership, in a mix and with triggering of payments to be agreed
- b) The delivery of 0.49 ha of on-site Public Open Space, including a 1225m² junior play area, and including a Plan for the management and maintenance arrangements thereof to ensure it is maintained to an 'adoptable' standard and be made available in perpetuity for the public to gain unfettered access. The POS and play area shall meet BCC recreational amenity standards and shall be fully accessible to both the residents of the proposed development and surrounding areas, safe for all users, secure from illegal vehicle incursion and no attenuation tanks or other SUDS facility shall be located within the POS in a manner which would detract from its recreational function or landscape design of the space. The junior play area shall provide a minimum of 7 pieces of active play equipment. Items including boulders, logs and balancing beams and other natural play facilities shall be ancillary to the key 7 play items, which must provide swings, slides, climbing, spinning and rocking activities. The equipment shall be robust and include at least one item of fully accessible inclusive play. Timing of laying out and bringing into use of the POS and junior play area to be agreed
- c) Local Employment and Skills Agreement
- d) Payment of a £1,500 monitoring and administration fee associated with the legal agreement.

- 8.3. In the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority by 30th June 2019, planning permission be refused for the following reasons:
- 8.4. In the absence of a legal agreement to secure the provision of affordable housing and a Local Employment and Skill Agreement the proposal conflicts with BDP Policies TP47 (Developer contributions), TP31 (Affordable housing), TP9 (Public Open Space), and TP26 (Local employment) of the Birmingham Development Plan 2017, the Affordable Housing SPG, the Public Open Space in New Residential Development SPD, and the NPPF
- 8.5. That the City Solicitor be authorised to prepare, seal and complete the appropriate legal agreement.
- 8.6. That in the event of an appropriate legal agreement being completed to the satisfaction of the Local Planning Authority by 30th June 2019, planning permission be APPROVED subject to the conditions listed below:-“

-
- | | |
|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of reserved matter details following an outline approval |
| 3 | Limits the maximum number of dwellings to not exceed 87 |
| 4 | Requires the submission of a contaminated land verification report |
| 5 | Requires the prior submission of a contamination remediation scheme |
| 6 | Details of a glazing and ventilation strategy. |
| 7 | Requires the prior submission of a sustainable drainage scheme |
| 8 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 9 | Requires the prior submission of a drainage scheme |
| 10 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures |
| 11 | Requires the submission of hard and/or soft landscape details |
| 12 | Requires the submission of boundary treatment details |
| 13 | Requires the submission of a landscape management plan |
| 14 | Requires the submission of a lighting scheme |
| 15 | Requires the prior submission of a construction method statement/management plan |
| 16 | Requires the submission of sample materials |
-

-
- 17 Requires the prior submission of level details
 - 18 Requires the prior submission of earthworks details
 - 19 Requires the prior installation of means of access
 - 20 Requires the submission and completion of works for the S278/TRO Agreement
 - 21 Requires pedestrian visibility splays to be provided
 - 22 Tree Survey and Arboricultural Implication Assessment
Submission Required (Outline Application)
 - 23 Arboricultural Method Statement and Tree Protection Plan - Submission Required
 - 24 Implement within 3 years (outline)
-

Case Officer: Tracy Humphreys

Photo(s)

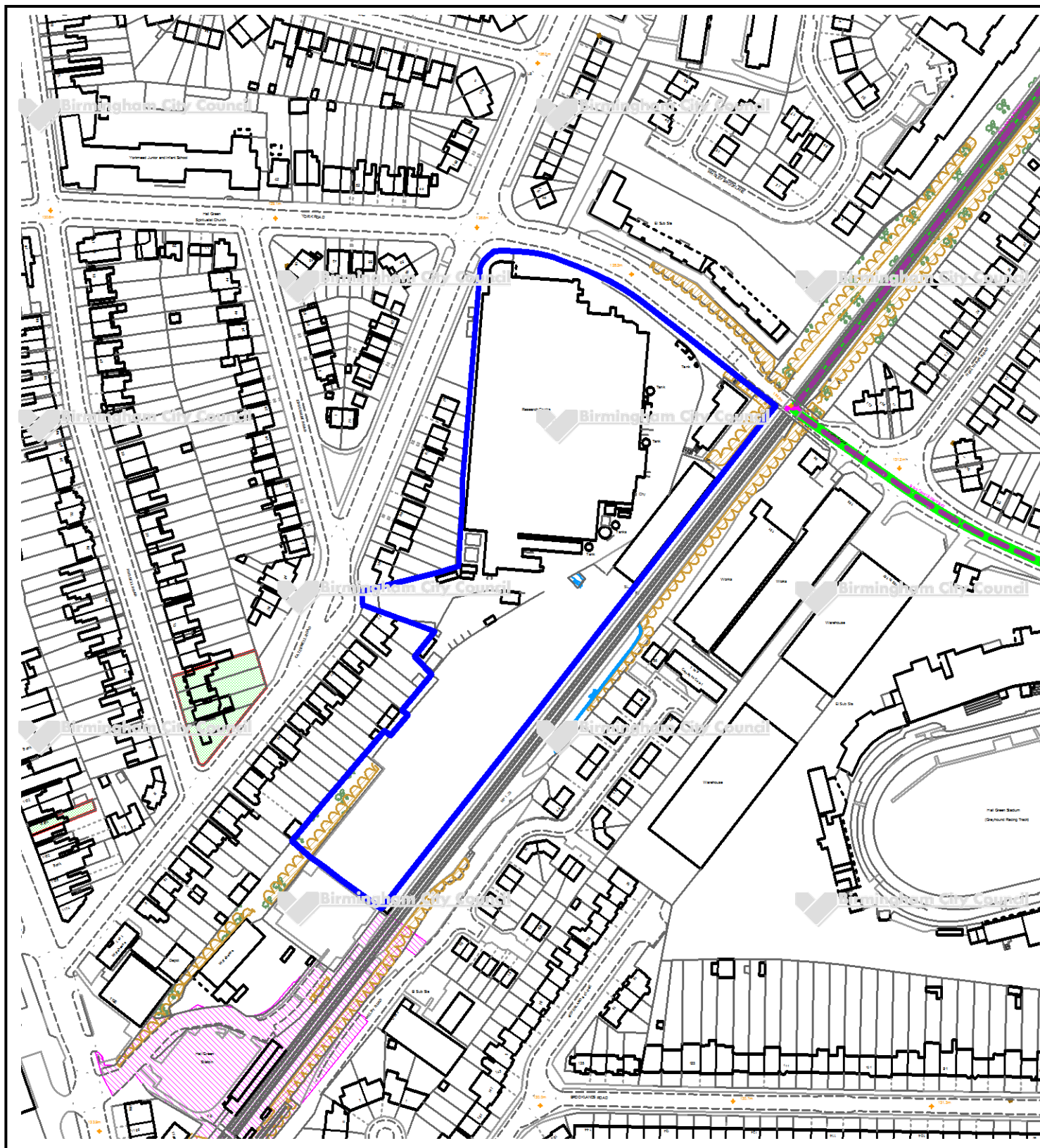


View from Hall Green Station overflow car park looking northwards across the site



View from Railway bridge looking southwards across the site

Location Plan



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

Birmingham City Council

Planning Committee

06 June 2019

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	11	2019/03098/PA 191 Sheldon Heath Road Sheldon Birmingham B26 2DR Change of use of former police station (Sui Generis) to Supported Living Centre (Use Class C2)
Approve - Temporary	12	2019/02755/PA Persnore Road, between Edgbaston Road & Belgrade interchange Edgbaston Birmingham B5 7EF Display of 34 no. non-illuminated Pvc lamp post banners

Committee Date:	06/06/2019	Application Number:	2019/03098/PA
Accepted:	10/04/2019	Application Type:	Full Planning
Target Date:	05/06/2019		
Ward:	Garretts Green		

191 Sheldon Heath Road, Sheldon, Birmingham, B26 2DR

Change of use of former police station (Sui Generis) to Supported Living Centre (Use Class C2)

Recommendation

Approve subject to Conditions

1. Proposal

1.1 This proposal seeks planning permission for a change of use of the former Sheldon police station to form a 20 No. bedroom supported living centre (C2 use) with associated shared facilities for B Living Group.

1.2 The proposed accommodation and associated facilities are set out over two floors and comprises the following:

20 bedrooms (11 bedrooms on the ground floor and 9 on the first) as follows:

- Ground Floor
Bedroom 1: 8sqm, Bedroom 2: 15sqm, Bedroom 3: 9.2sqm, Bedroom 4: 11.2sqm, Bedroom 5: 10sqm, Bedroom 6: 12.5sqm, Bedroom 7: 9.5sqm, Bedroom 8: 12.2sqm, Bedroom 9: 9.6sqm, Bedroom 10: 25sqm, Bedroom 11: 17.2sqm.
- First Floor
Bedroom 12: 14.8sqm, Bedroom 13: 9sqm, Bedroom 14: 7.7sqm, Bedroom 15: 13.1sqm, Bedroom 16: 15.3sqm, Bedroom 17: 8sqm, Bedroom 18: 12.7sqm, Bedroom 19: 13.8sqm, Bedroom 20: 9.5sqm
- Office (Ground Floor) 23sqm
- 3 No. shared kitchens (ground and first) and 2 tea points
- 7 shower rooms (incl toilets) Ground and First, and 4 toilets (Shared)
- Parking (courtyard 4 spaces, including disabled), access from Hengham Road and not Sheldon Heath Road
- Courtyard amenity space 50sqm, roof gardens of 30 and 33sqm, external amenity space of 204sqm
- Living room (Ground Floor) 23sqm, 2 Living rooms (First Floor) of 14sqm.
- Pedestrian access (main door facing island) (3 fire escape routes)
- Meeting rooms, storage and maintenance and boiler room (Ground, first and lower Ground)
- There is an outbuilding to be used for recreation as well as functional services.

1.3 The applicant has stated that the proposed accommodation would be for 'supported living' to provide accommodation/services to prevent homelessness to a range of users. These users will include:

- homeless persons
 - individuals who have experienced domestic violence
 - people with specialist needs (i.e. mental health)
 - substance misuse
 - and asylum seekers
- 1.4 The centre will provide a facility to encourage individuals to live within the community rather than relying on services. It is envisaged that this will encourage people to both maintain and sustain permanent living accommodation.
 - 1.5 Prior to individuals being housed within the centre, a thorough assessment of referred individuals are undertaken to ensure that the centre will meet their needs and to ensure that residents are compatible with one another. Higher-risk individuals are guided to more appropriate centres and residences.
 - 1.6 The centre will be staffed by up to seven members of staff including an Administrator, Two Support Workers, Two security staff (Part-time), Part time Maintenance Staff, part time cleaner.
 - 1.7 The premises will further be protected by CCTV and the management of the building will control visitors arriving through the main entrance and visitors must leave by 9pm and no overnight stays are allowed.
 - 1.8 The proposed use will be self-contained inside the existing building/ external store, amenity space and existing parking courtyard. No external changes are proposed as the works will involve internal works (such as the insertion of partition walls) to effect this conversion. The appearance of the building from the outside would remain unchanged.
 - 1.9 The application is supported by the following documents: Planning Statement, Plans - Existing ground floor and First floor plans, Proposed Lower, Ground and First Floor Plans, Site layout Plan, B Living Group Management Statement.

[Link to Documents](#)

2. Site & Surroundings

- 2.1 The premises subject to this application is an existing building that occupies a prominent location set back from the roundabout. The building is two storeys high and the shape is roughly in a 'u' shape with a courtyard in the centre. To the rear is a compound which is surrounded by high walls and is the main vehicle access.
- 2.2 The premises are currently vacant but appear in reasonable condition as it was formerly a police station and has been maintained externally. The building is of brick construction with what appears to be a parapet/flat roof arrangement set over 2 floors. The main access is made from the front of the building from a series of steps up to the building through 'brick detail' feature door. The frontage has a symmetrical design with windows spread evenly down either side of the building at ground and first floor. The building is set within its own plot with a small area of grass around the perimeter which is set behind a brick wall. The land slopes up towards the rear of the building. At the rear is small brick outbuilding within a tarmac courtyard parking area/compound to the rear. Vehicle access points are made from both Sheldon Heath Road and Hengham Road.

- 2.3 The building is located within a well-established residential area of Sheldon.

[Site Location Plan](#)

3. Planning History

- 3.1 04.06.2018. 2017/10747/PA Change of Use of former police station (Sui Generis) to Supported Living Centre (Use Class C2). Refused due to 1) inadequate amenity space, 2) configuration of bedrooms and 3) harm to residential amenity of adjoining occupiers. Appeal dismissed (on grounds 1 and 2) 22.03.2019.

4. Consultation/PP Responses

- 4.1 MP, Ward members, residents associations and neighbouring residents notified. Site notice posted. Responses include the following points:

- 4.2 9 Objections received outlining the following concerns:

- Concerned over safety and security in the vicinity
- The plans have only been slightly amended from the previous application
- The external amenity space is not weather proof and would result in noise and disturbance for neighbours
- Unsuitable for vulnerable people
- The plans also remove the only natural light, through the removal of a skylight in the office space, resulting in loss of amenity to this space
- Inadequate toilet and washing facilities

Cllr Mike Ward raised the matter of the impact of the proposal on neighbouring residents.

Cllr Neil Eustace raised concerns over suitability of the building due to its lack of facilities and communal areas, noise, nuisance and disturbance to local residents and lack of off street parking.

Jess Phillips MP and Cllr Saddak Miah raised the matters of the management of the site, lack of engagement with local residents, appropriateness of housing the groups together and inadequate amenity space.

- 4.3 Transportation - No objections subject to conditions in relation to cycle parking and the closure of the vehicular access on Sheldon Heath Road.
- 4.4 Regulatory Services – No objections.
- 4.5 West Midlands Police - No objections.

5. Policy Context

- 5.1 Birmingham Development Plan 2017 and Birmingham Unitary Development Plan 2005 (Saved Policies); Car Parking Guidelines 2012 SPD; Places for Living SPG

6. Planning Considerations

Planning History/Background

- 6.1 Members will be aware that planning permission for the change of use of the building to a 24 bedroom supported living centre (Sui Generis use) was refused on 04th June 2018 (2017/10747/PA). The applicant appealed the decision and the appeal was dismissed in relation to the proposed layout and configuration of rooms and inadequate amenity space. The Inspector considered that the principle of development was acceptable and, subject to appropriate management, would not result in material harm to the residential amenity of local residents.
- 6.2 The current proposal has been amended from the previous refused consent in that the number of bedrooms has been reduced from 24 to 20. The bedrooms on the ground floor which previously overlooked the internal courtyard have been removed and replaced with a living room. There will be a door from the living room linking to the internal courtyard allowing internal and external recreation. The windows serving the living room have been increased in size to allow sufficient light into the room. It is proposed to provide a courtyard garden to the rear of the building, within part of an existing car park. There are also two additional living rooms proposed on the first floor.
- 6.3 The main issues for consideration of this proposal are whether the principle of the proposed use is acceptable in this location, whether the configuration of the building would provide sufficient amenity space for residents, the potential impact on highway safety and the amenity of neighbouring occupiers.

Principle

- 6.4 The National Planning Policy Framework (NPPF) indicates that sustainable development is in three definite strands, these being 1 - Economic, 2 - Social and 3 - Environmental. There should be a presumption in favour of sustainable development where a proposal accords with the Development Plan.
- 6.5 The adopted Birmingham plan identifies the main areas of growth in the plan period. This envisages that housing provision and delivery will be made city wide. Policy PG1 and PG3 suggest a housing mix is required, all new development should demonstrate a high design quality and contribute positively to a strong sense of place. Moreover the development should respond to site conditions and local context. Policy TP27 further encourages a sustainable approach in the type and location of housing provision.
- 6.6 The proposal seeks to re-use an established building. The application site is a large detached ex-police station and is of substantial construction situated within its own plot and is considered 'in principle' an appropriate type of re-use for the building. The appeal decision also endorses the reuse of the building for supported living purposes and the economic benefits of the proposal and the benefits of the reuse of the building were accorded weight in the appeal decision. The proposal is located within walking distance of shops and public transport routes (routes 71 and 72). Lea Hall Rail Station is located within 20 minutes walk. Therefore the proposal amounts to the

beneficial reuse of a redundant building in a sustainable location and the principle of development is considered acceptable.

Internal and external space standards

- 6.7 The main concerns expressed in the refusal of the previous application and the subsequent dismissal of the appeal were whether the proposed bedrooms located centrally in the building and overlooked the courtyard would provide a sufficient level of amenity for the occupiers of these rooms. The rooms contained high level windows only. In the current proposal, these bedrooms have now been replaced by a living room with enlarged windows and a door provided to the courtyard amenity space. It is considered that all of the rooms are afforded with adequate natural light. I consider that the amendments fully address the concerns outlined in the previous decisions to reject the proposal. The bedroom sizes comply with the requirements of the Specific Needs Residential Uses SPG.
- 6.8 The Inspector raised concern in relation to the quantity and quality of private amenity space when the UDP and Specific Needs Residential Uses SPG recommended the provision of a minimum of 16sqm per room. Therefore 320sqm of private amenity space needs to be provided and the revised scheme provides 50sqm in the central courtyard, 204sqm in the rear curtilage and 66sqm in roof terraces (320sqm in total). In addition, it is noted that green space exists around the building. The arrangement of linking the courtyard garden to a proposed living room is beneficial and the overall provision of a series of smaller private amenity spaces (smaller living rooms and courtyard) would meet the needs of proposed supported living centre. Given the reduction in the number of bedrooms, the quantity and quality of private amenity space provision is considered acceptable.

Highway Matters

- 6.9 There are currently two access points from Hengham and Sheldon Heath Road. The proposal would seek to close the Sheldon Heath Road access and retain the Hengham Road access. There would be four parking spaces (including one disabled space) provided to the rear of the building. Transportation has no objections to the level of car parking provision on the site and the associated access arrangements. Conditions have been attached in relation to the closure of an existing access and to cycle parking provision.
- 6.10 Concerns have been raised in the Third Party Representations in relation to the level of parking provision. However, the proposal would be in a sustainable urban location with public transport provision. There are no objections raised by Transportation in relation to the proposal and the matter did not carry weight in the previous decision and appeal which related to a larger number of bedrooms.

Amenity of neighbouring residents

- 6.11 The representations received during the consultation exercise are noted. Local residents have raised the matters of noise, disturbance and security arising from the proposal. One of the representations also raised concern in relation to the internal layout. This matter has been addressed in paragraphs 6.7 and 6.8 above. Jess Phillips MP and Cllr Saddak Miah raised the matters of the management of the site, appropriateness of housing the groups together and inadequate amenity space. In terms of management, the previous application (2017/10747/PA) was not refused on that basis nor was the matter considered unacceptable in the subsequent appeal in relation to the previous proposal for a larger number of residents. The current

proposal must be considered in relation to spatial planning matters and on its individual merit and it is not considered that the principle of the proposal would be unacceptable. In terms of public engagement, there is no statutory duty to undertake additional public consultation outside of the planning application process and it is noted that full consultation has been undertaken in relation to the previous proposal and subsequent appeal. In terms of the private amenity space proposed, this has been considerably increased to address the concerns expressed in the appeal proposal and is now considered to provide functional and inclusive spaces. The quantity of private amenity space complies with the Specific Needs Supplementary Planning Guidance and the Birmingham Unitary Development Plan 2005 (Saved Policies) (para 8.29).

In terms of noise and disturbance, it is accepted that the use of the property as a supported living centre is likely to attract coming and goings in excess of the surrounding residential properties. However, the property has a history of non-residential use as a police station which was likely to attract similarly higher levels of movement. On this basis, I am satisfied that there would not be an undue increase in noise and disturbance to local residents as a result of the proposal. Regulatory Services have expressed no objections.

- 6.12 In terms of the matter of security, the application is accompanied by a Management Plan which sets out detailed arrangement for monitoring and security of the site. There are no objections raised by WM Police and a suitable condition has been imposed to ensure compliance with the management plan. Members should note that the appeal was dismissed on the inadequacy of the proposed living environment for future residents. The impact on the amenity of the neighbourhood, in respect of the larger proposed number of bedrooms in application (2017/10747/PA), was considered acceptable.

7. Conclusion

- 7.1 It is considered that the revised site layout provides adequate useable on site amenity space for the residents and the quantity and quality of private amenity space is now considered acceptable. The number of bedrooms has been reduced and the internal layout reconfigured to address the reasons for the dismissal of the previous appeal. The proposal would enable the retention and viable reuse of a prominent former public building and the proposal complies with the adopted development plan and the NPPF.

8. Recommendation

- 8.1 Approve subject to conditions.

-
- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the provision of cycle parking prior to occupation |
| 3 | Requires the parking area to be laid out prior to use |
| 4 | Vehicular Access Closure |
-

-
- 5 Development in accordance with Management Plan
 - 6 Use of Outbuilding to accord with Management Plan
 - 7 Requires the submission of hard and/or soft landscape details
 - 8 Occupancy Restriction (20 Residents)
 - 9 Implement within 3 years (Full)
-

Case Officer: David Kelly

Photo(s)

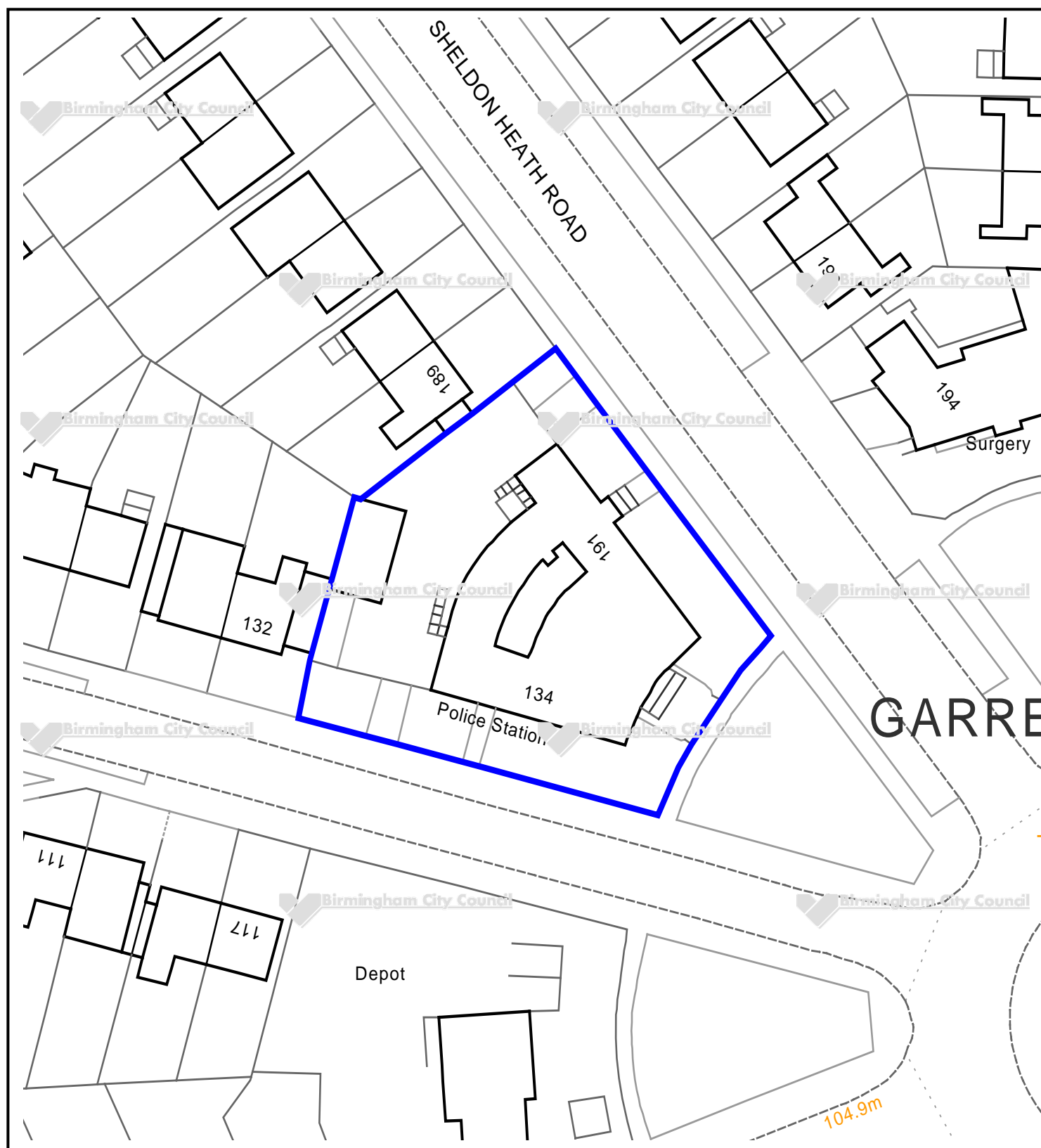


Fig. 1: Front of Building



Fig. 2: Rear Curtilage

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:	06/06/2019	Application Number:	2019/02755/PA
Accepted:	01/04/2019	Application Type:	Advertisement
Target Date:	27/05/2019		
Ward:	Balsall Heath West		

Pershore Road, between Edgbaston Road & Belgrade interchange,
Edgbaston, Birmingham, B5 7EF

Display of 34 no. non-illuminated PVC lamp post banners

Recommendation

Approve Temporary

1. Proposal

- 1.1. Consent is sought for 34no. non-illuminated lamp post banner signs located along the stretch of Pershore Road between the junction of Edgbaston Road in the Southwest and Belgrade Interchange in the Northeast. The site locations are numbered as follows: 1, 8-11, 18-25, 27, 29, 31-33, 35-37, 39 & 42-53.
- 1.2. The banners would be non-illuminated finished in PVC. The banners would measure 2.2 metres x 0.785 metre and would be fitted at 2.8 metres above ground level. The banners would be mounted on a flex arm system which is retrofitted to the existing column. This flex arm would protect the columns when under forces by the wind and the advertisements are only fitted to modern columns suitable for the loading required by the banner. There would be a 3 point banding system at the top to form damp proofing to protect the column.
- 1.3. The proposed adverts would be in conjunction with Cricket World Cup, as agreed with Birmingham City Council under the terms of a separate Contract agreement.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises 34no. lighting columns situated on Pershore Road opposite Calthorpe Park and in close proximity to Edgbaston Cricket Ground. These lighting columns form part of the general highway infrastructure along this main road.
- 2.2. The immediate area around the site is predominantly residential in character and has various street furniture including lighting columns, guard rails, bollards, crossing points, road signage, and street trees.

[Site Map](#)

3. Planning History

3.1. No relevant planning history.

4. Consultation/PP Responses

4.1. Calthorpe Estate consulted – No response received.

4.2. Transportation Development – No objections subject to a condition to ensure that the adverts are no closer than 500mm from the edge of the carriageway. They have also specified that the advertisements would require highways license/ permit agreements.

5. Policy Context

5.1. Adopted Birmingham Development Plan (2019); Birmingham Unitary Development Plan 2005 (Saved Policies); National Planning Policy Framework (2019).

6. Planning Considerations

6.1. The main considerations in the determination of this proposal are:

6.2. **Policy:** Paragraph 132 of the National Planning Policy Framework 2019 indicates that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

6.3. **Visual amenity:** The proposed banners are non-illuminated and following negotiations, would provide advertising for the Cricket World Cup only. Subject to the temporary period to the end of July, to provide for the World Cup and two weeks for removal of the banners, I consider that the banners are acceptable. However, a longer approval period is not considered acceptable as the banners would result in street clutter and proliferation of advertisements.

6.4. **Public safety:** The street lighting columns are situated at varying distances from the kerb edge along this stretch of Pershore Road. The proposed advertisement banners would form part of the highway environment and an appropriate level of forward visibility is provided in order for drivers to assimilate the contents of the advert. Transportation Development have no objections to the banners subject to a condition to ensure the new banners do not interfere with the free flowing nature of the highway in this location. Consequently, it is considered the proposal is acceptable in terms of public safety.

7. Conclusion

7.1. This proposal is acceptable for the temporary period of the Cricket World Cup as there would be limited impact on amenity and public safety.

8. Recommendation

8.1. Temporary Approval

-
- 1 Requires the scheme to be in accordance with the listed approved plans
 - 2 Requires permission be obtained for siting the advertisement
 - 3 Advertisement not to hinder road signage and use
 - 4 Advertisement condition to be maintained
 - 5 Advertisement condition not to endanger public
 - 6 Maintain condition of site after advertisement removal
 - 7 Requires banners to be situated either at 500mm from kerb or no closer to highway.
 - 8 Limits the approval to 31.07.2019 (advert)
-

Case Officer: Mohammed Akram

Photo(s)

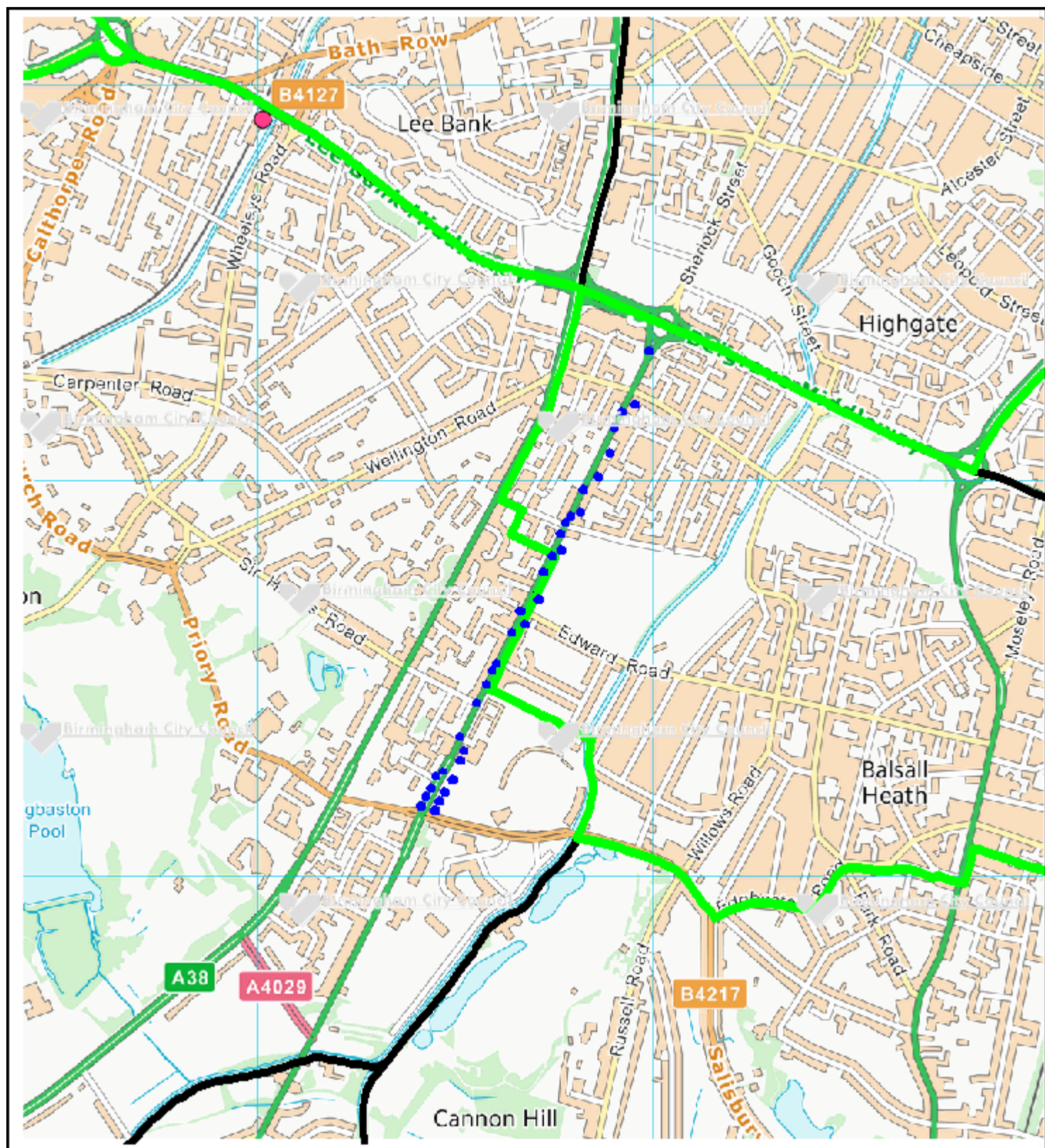


Figure 1: Pershore Road



Figure 2: Pershore Road at junction of Speedwell Road

Location Plan



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

Birmingham City Council

Planning Committee

06 June 2019

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 - Temporary	13	2019/02754/PA Sherlock Street Birmingham B5 6NB Display of 13 no. non-illuminated PVC lamp post banners
Approve - Temporary	14	2019/02753/PA Hurst Street City Centre Birmingham B5 6SD Display of 6 no. non-illuminated PVC lamp post banners

Committee Date:	06/06/2019	Application Number:	2019/02754/PA
Accepted:	01/04/2019	Application Type:	Advertisement
Target Date:	27/05/2019		
Ward:	Bordesley & Highgate		

Sherlock Street, Birmingham, B5 6NB

Display of 13no. non-illuminated PVC lamp post banners

Recommendation

Approve Temporary

1. Proposal

- 1.1. Consent is sought for 13no. non-illuminated lamp post banner signs located along the stretch of Sherlock Street between the junction with Hurst Street to the north and the junction of Belgrave Middleway to the south. The site locations are numbered as follows: 12, 14, 15, 16, 19, 23, 24, 26, 27, 28, 34, 35, 36.
- 1.2. The banners would be fixed to lamppost columns and be non-illuminated finished in PVC. The banners would measure 2.2 metres x 0.785 metre and will be fitted at 2.8 metres above ground level. The banners would be mounted on a flex arm system which is retrofitted to the existing column. This flex arm would protect the columns when under forces by the wind and the advertisements are only fitted to modern columns suitable for the loading required by the banner. There would be 3 point banding system at the top to form of damp proofing to protect the column.
- 1.3. The proposed adverts would be in conjunction with the Cricket World Cup, as agreed with Birmingham City Council under the terms of a separate Contract agreement.
- 1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises 13no. lighting columns situated on the footway on Sherlock Street. These lighting columns form part of the general highway infrastructure along this main road.
- 2.2. Sherlock Street and the wider surroundings consist of a mix of uses from restaurants, bars, community centre, storage units, apartments, houses and development plots.
- 2.3. [Site map](#)

3. Planning History

- 3.1. No relevant planning history.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objections to a temporary consent, subject to a condition to ensure that the adverts are no closer than 500mm away from the edge of the carriageway. They have also specified that the advertisements would require highways license/ permit agreements.

5. Policy Context

- 5.1. Adopted Birmingham Development Plan (2019); Birmingham Unitary Development Plan 2005 (Saved Policies); National Planning Policy Framework (2019).

6. Planning Considerations

- 6.1. The main considerations in the determination of this proposal are:
- 6.2. **Policy:** Paragraph 132 of the National Planning Policy Framework 2019 indicates that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 6.3. **Visual amenity:** The proposed banners are non-illuminated and, following negotiations, would provide advertising for the Cricket World Cup only. Subject to the temporary period to the end of July, to provide for the World Cup and two weeks for removal of the banners, I consider that the banners are acceptable. However, a longer approval period is not considered acceptable as the banners would result in street clutter and proliferation of advertisements.
- 6.2. **Public safety:** The street lighting columns are situated at varying distances from the kerb edge along this stretch of Sherlock Street. The proposed advertisement banners would form part of the highway environment and an appropriate level of forward visibility is provided in order for drivers to assimilate the contents of the advert. Transportation Development have no objections to the banners subject to a condition to ensure the new banners do not interfere with the free flowing nature of the highway in this location. Consequently, it is considered the proposal is acceptable in terms of public safety

7. Conclusion

- 7.1. This proposal is acceptable for the temporary period of the Cricket World Cup as there would be limited impact on amenity and public safety.

8. Recommendation

- 8.1. Temporary approval.

-
- | | |
|---|--|
| 1 | Requires permission be obtained for siting the advertisement |
| 2 | Advertisement not to hinder road signage and use |
| 3 | Advertisement condition to be maintained |
-

-
- 4 Advertisement condition not to endanger public
 - 5 Maintain condition of site after advertisement removal
 - 6 Requires the scheme to be in accordance with the listed approved plans
 - 7 Requires banners to be situated either at 500mm from kerb or no closer to highway.
 - 8 Limits the approval to 31.07.2019 (advert)
-

Case Officer: Ayesha Ali

Photo(s)

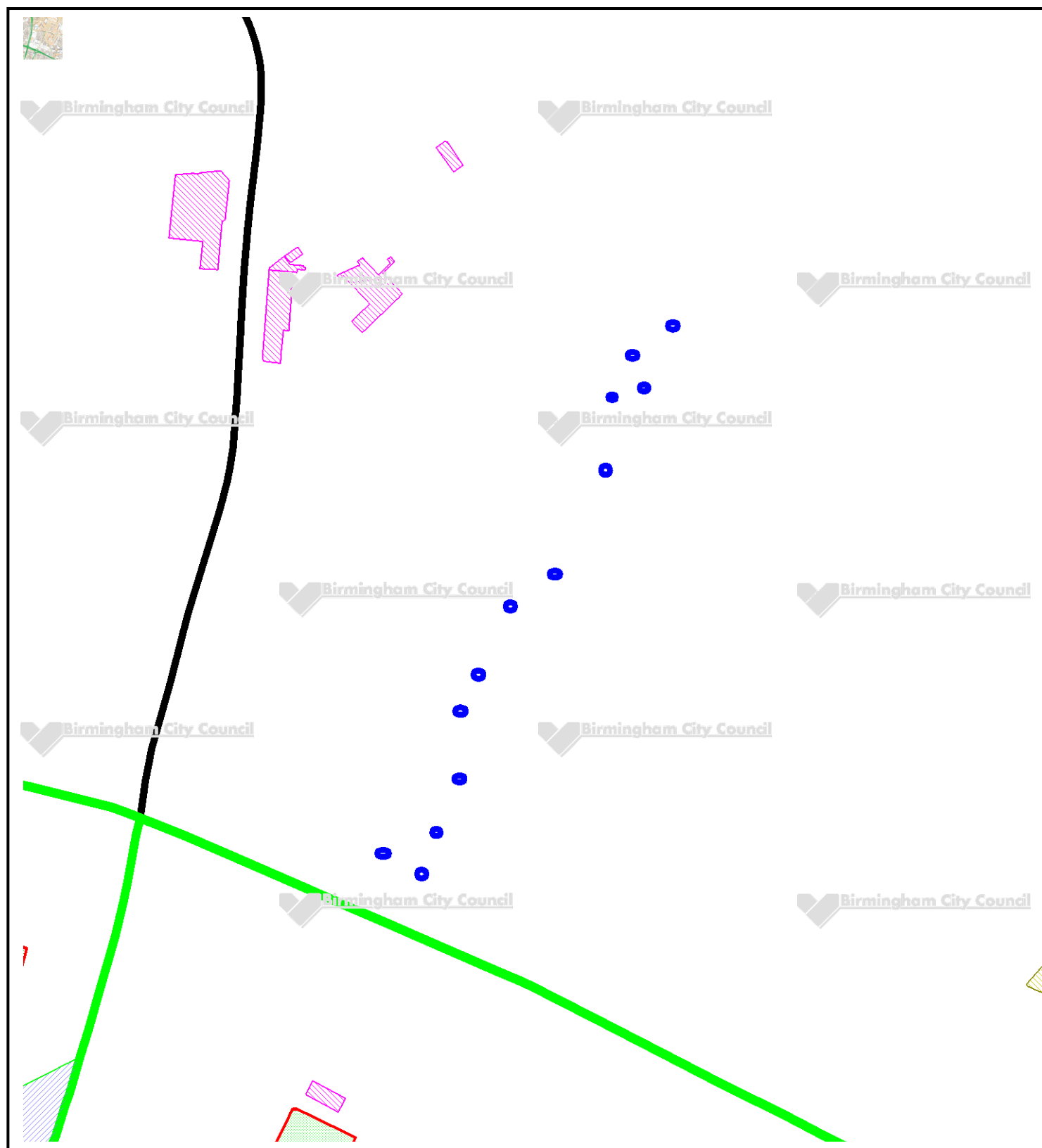


Street View



Mock up of two of the proposed banners

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:	06/06/2019	Application Number:	2019/02753/PA
Accepted:	01/04/2019	Application Type:	Advertisement
Target Date:	27/05/2019		
Ward:	Bordesley & Highgate		

Hurst Street, City Centre, Birmingham, B5 6SD

Display of 6no. non-illuminated PVC lamp post banners

Recommendation

Approve Temporary

1. Proposal

- 1.1. Consent is sought for 6no. non-illuminated lamp post banner signs located along the stretch of Hurst Street between the junction with Bromsgrove Street to the north and the junction of Sherlock Street to the south. The site locations are numbered as follows: 29, 30, 32, 33, 34, 26.
- 1.2. The banners would be fixed to lamppost columns and be non-illuminated finished in PVC. The banners would measure 2.2 metres x 0.785 metre and will be fitted at 2.8 metres above ground level. The banners would be mounted on a flex arm system which is retrofitted to the existing column. This flex arm would protect the columns when under forces by the wind and the advertisements are only fitted to modern columns suitable for the loading required by the banner. There would be 3 point banding system at the top to form of damp proofing to protect the column.
- 1.3. The proposed adverts would be in conjunction with the Cricket World Cup, as agreed with Birmingham City Council under the terms of a separate Contract agreement.
- 1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises 6no. lighting columns situated on the footway on Hurst Street. These lighting columns form part of the general highway infrastructure along this main road.
- 2.2. Hurst Street and the wider surroundings consist of a mix of uses from restaurants, bars, nightclubs, apartments, gyms and a car park.
- 2.3. [Site map](#)

3. Planning History

- 3.1. No relevant planning history.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objections to a temporary consent, subject to a condition to ensure that the adverts are no closer than 500mm away from the edge of the carriageway. They have also specified that the advertisements would require highways license/ permit agreements.
- 4.2. Birmingham Improvement District Southside – No comments.

5. Policy Context

- 5.1. Adopted Birmingham Development Plan (2019); Birmingham Unitary Development Plan 2005 (Saved Policies); National Planning Policy Framework (2019).

6. Planning Considerations

- 6.1. The main considerations in the determination of this proposal are:
- 6.2. **Policy:** Paragraph 132 of the National Planning Policy Framework 2019 indicates that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 6.3. **Visual amenity:** The proposed banners are non-illuminated and, following negotiations, would provide advertising for the Cricket World Cup only. Subject to the temporary period to the end of July, to provide for the World Cup and two weeks for removal of the banners, I consider that the banners are acceptable. However, a longer approval period is not considered acceptable as the banners would result in street clutter and proliferation of advertisements.
- 6.2. **Public safety:** The street lighting columns are situated at varying distances from the kerb edge along this stretch of Hurst Street. The proposed advertisement banners would form part of the highway environment and an appropriate level of forward visibility is provided in order for drivers to assimilate the contents of the advert. Transportation Development have no objections to the banners subject to a condition to ensure the new banners do not interfere with the free flowing nature of the highway in this location. Consequently, it is considered the proposal is acceptable in terms of public safety

7. Conclusion

- 7.1. This proposal is acceptable for the temporary period of the Cricket World Cup as there would be limited impact on amenity and public safety.

8. Recommendation

- 8.1. Temporary approval.

1 Requires permission be obtained for siting the advertisement

2 Advertisement not to hinder road signage and use

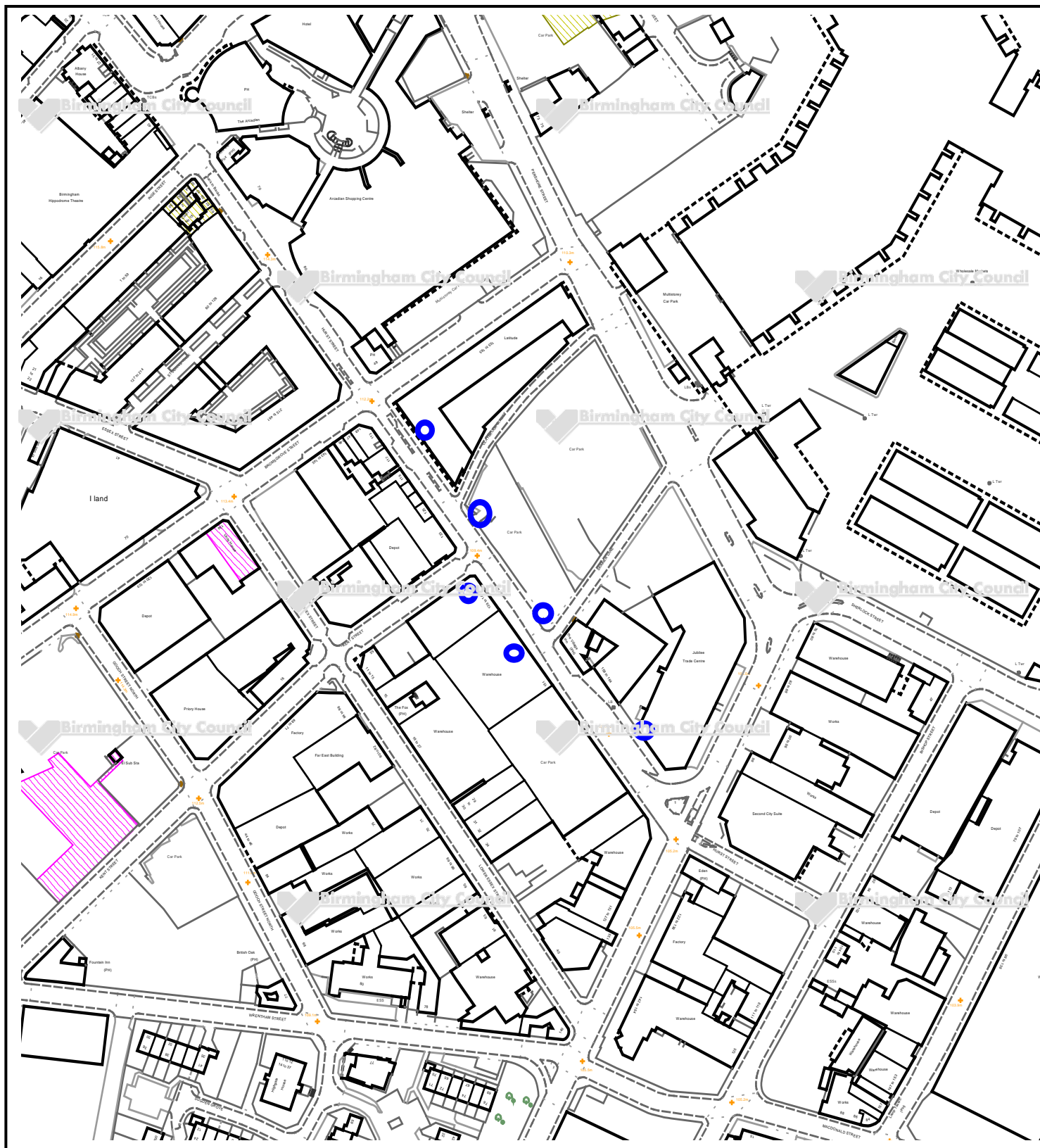
-
- 3 Advertisement condition to be maintained
 - 4 Advertisement condition not to endanger public
 - 5 Maintain condition of site after advertisement removal
 - 6 Requires banners to be situated either at 500mm from kerb or no closer to highway.
 - 7 Requires the scheme to be in accordance with the listed approved plans
 - 8 Limits the approval to 31.07.2019 (advert)
-

Case Officer: Ayesha Ali

Photo(s)



Location Plan



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

BIRMINGHAM CITY COUNCIL

REPORT OF THE CORPORATE DIRECTOR, INCLUSIVE GROWTH

PLANNING COMMITTEE

6th June 2019

Planning Management Service Improvement Review

1. SUBJECT OVERVIEW

- 1.1 This report informs Members of the Inclusive Growth Directorate Service Redesign which seeks to increase capacity through creating 21 additional posts by utilising the additional income raised through the 20% increase in planning fees. Alongside the service redesign a Systems Service Review has been undertaken by an internal team using best practice and peer review. The review's prime objective is to deliver changes that will improve efficiency and deliver a better service to customers.

2. Recommendations

- 2.1 That Members note the contents of this report.

3. CONTACT OFFICER

Andrew Fulford, Principal Planning Officer, Planning and Economy
andrew.fulford@birmingham.gov.uk

4. BACKGROUND

- 4.1 The Council receives over 10,000 planning applications each year which vary greatly in terms of application type and complexity. Householder applications make up the largest proportion with almost 40% of applications received in 2018 falling within this category. All applications are dealt with by the Planning Management Service which forms part of the Inclusive Growth Directorate. As the city continues to grow and experience increasing levels of investment the Planning Management Service will need to be able to respond and adapt.
- 4.2 To address this situation a holistic approach is being taken to the operation of the Planning Management Service. Firstly a service re-design is proposed which responds to Birmingham City Council's 5 priorities and will ensure that there are sufficient resources to respond to the increasing workload and improve the service provided. Alongside the service re-design there will be a phased review of the planning management processes and procedures which will bring the Council in line with best practice and legislation. This report will address the first of two phases of the review.

5. ACTIONS TO BE IMPLEMENTED

5.1 Part A) Service Redesign

- 5.2 A revised structure is being proposed in the context of the need to strengthen capacity, aligned to the Government's agreement to a 20% increase in planning fees on the basis that all monies generated are invested back in to the Planning service to improve efficiency in the determining of planning applications. A total of 21 posts have been created with the key changes outlined below.

5.3 Householder Applications

- 5.4 The creation of 11 new posts to process householder applications consisting of a manager, 3 x Principal Planning Officers and 7 x Senior Planning Officers.

5.6 Area Planning Management Teams

- 5.7 The creation of 6 x Principal Planning Officer posts in the Area Planning Management Teams to provide increased capacity to deal with complex planning applications.

5.10 Enforcement

- 5.11 The creation of a Principal Enforcement Officer post to provide increased capacity in the Enforcement Team to lead on the larger, more complex enforcement cases and prosecutions.

5.12 Project Based Posts

- 5.13 The creation of 3 specialist planning management roles to lead on Langley & Peddimore, Athletes Village and HS2 to reflect the scale, timescales and complexity of dealing with major planning issues and provide additional capacity.

5.18 B) Service Process and Procedures Review

- 5.19 To supplement the service redesign a team has been set up to conduct a review of the current service and improve systems and practices. This includes bringing the Council in line with the Development Management Procedure Order. The following outlines the key changes that are to be implemented as part of the first phase. The majority of changes were initially focussed on householder development as they represent the greatest proportion of applications received each year, although some future changes do apply to a wider range of application types.

- 5.20 The Review Team have identified a number of changes that will streamline the planning process leading to benefits for customers creating a more effective and efficient process. The changes are set out below.

5.21 Revised Local Validation Criteria for Householder Applications

- 5.22 The validation criteria have been amended as set out within Appendices 1A and 1B. The changes simplify the checklist bringing it in line with the Development

Management Procedure Order as well removing criteria that generally do not apply to householder applications. Alongside these proposed changes the Planning and Development Service are currently updating the Statement of Community Involvement (SCI) which sets out how the Council will engage with people in the planning process. The revised SCI is proposed for adoption later on in 2019.

5.23 *Changes to Consultation Procedure*

5.24 It is proposed that the extent to which the Council consults should be brought in line with Development Management Procedure Order.

5.29 *New Response Template for Internal Consultees*

5.30 A new Consultation Response Form has been designed (Appendix 2) which would be utilised by Conservation, City Design, Ecology, Landscape and Transportation Officers.

5.31 *Revised Report Template*

5.32 Two new template reports have been drafted, one for householder reports and one for advertisements. The templates should enable reports to be completed more efficiently whilst still enabling more detail to be added where a complex issue needs to be described in more detail.

5.33 Conclusion

5.34 In combination the service re-design and service review will create a more effective and efficient service delivering a number of benefits. These benefits include providing better customer relations, speeding up the decision making process and enhancing the quality of decision making.

6. TIMESCALES

6.1 Unless otherwise stated in this report, the recommended changes within this report will be implemented in summer 2019.

7 IMPLICATIONS FOR RESOURCES

7.1 The changes suggested do not place any additional financial costs on the Council.

8. PUBLIC SECTOR EQUALITY DUTY

8.1 An equality analysis on the strategic plan for the City, the Birmingham Development Plan, has been undertaken which concluded that the approach and policies contained within the BDP would contribute to equality of opportunity for all by supporting additional homes and employment space. Additional work now needs to be undertaken to assess how the application of the planning management service positively contributes to the Public Sector Equality Duty.

9. IMPLICATIONS FOR POLICY PRIORITIES

- 9.1 The delivery and implementation of the Birmingham Development Plan (BDP) is one of the Council's main priorities. The improvements to the planning management service will help to deliver the aims and objectives of the BDP by enhancing the speed and quality of decisions.

APPENDIX 1A – Current Registration Manual with Tracked Changes Added

APPENDIX 1B – Revised Registration Manual

APPENDIX 2 – Consultation Template

Appendix 1A: Householder Application for Planning Permission for Works or Extension to a Dwelling

VALIDATION CHECKLIST

National Application Requirements

Application Form

- Householder Application for Planning Permission for Works or Extension to a Dwelling (if submitted on a full planning form – acceptable)

Certificates

- The completed ownership certificate (A, B, C or D) as appropriate (This now includes the Agricultural Holdings Certificate)
 - If ownership certificate B is completed, Notice 1 is required
 - If ownership certificate C is completed, Notices 1 and 2 are required
 - If ownership certificate D is completed, Notice 2 is required

Application Fee

Details of current fees for all application types can be found at www.birmingham.gov.uk/planningfees

If BCC are the applicant and Acivico are the agents they can pay by IDT

If BCC are NOT the applicant and Acivico are the agents then they cannot pay by IDT

Extension to flats to be charged as per householder fees but allocated to the area teams as these are not categorised as Householder Applications

Location Plan

- At an identified scale, notably At a typical scale of 1:1250 or 1:2500 (the sScale must be annotated on the plan)
- Site must be clearly identified be outlined in red (A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site)
- Show the direction of North

Site Plan

- Only for enlargements to dwelling(s), detached structures and new vehicular access at an identified scale, notableAt a scale of 1:500 or 1:200 (the scale must be annotated on the plan)
- Show the direction of North
- Show the development in relation to adjoining properties

Design and Access Statement

Required only for

- ~~All Listed Buildings Consent Applications~~
- ~~Where the provision of one or more dwelling houses is in a conservation area~~
- ~~The provision of a building or buildings where the floor space created by the development is 100 square metres or more within a conservation area.~~

~~Further information can be obtained here – See Design and Access Guidance Note~~

Local Application Requirements

Additional Plans and Drawings

- On paper size less than A2 and at a typical scale of 1:50 or 1:100, (existing & proposed should be at a similar scale to aid comparative study) scale annotated on the plan (**Do Not Hold the application if this hasn't been done**)
- Existing drawings** - will not be required provided that the proposed drawings clearly show the proposed works
- Proposed drawings**
 - a) All sides of the proposal should be shown
 - b) Where a proposed elevation adjoins another building or is in close proximity, the drawings should show this relationship
 - c) Plan showing elevations and layout details for all visible elevations
- If boundary treatment is proposed**
 - a) Details of the proposed boundary treatment should be shown on the 1:500 or 1:200 site plan e.g. fencing
 - b) Details including the height/design and materials
- ~~**If a Vehicular Access is proposed**
 - a) Details of the position of the crossing access can be shown on the 1:500 or 1:200 site plan~~

Archaeological Assessment

- ~~When any proposed development includes new building or ground disturbance on or adjoining a heritage asset of archaeological interest (regardless of the need for a Design and Access Statement)~~

CIL Form

- ~~All full applications creating over 100sqm of new floorspace, 100sqm of change of use floorspace or a new dwelling~~

Parking and Access Details

- ~~All applications where parking / access are part of the proposal.~~

Photographs and Photomontages

- ~~Where the proposal involves the demolition of an existing building or development affecting a conservation area or a listed building and all telecommunication mast applications.~~

Tree survey / Arboricultural Statement

- ~~All planning applications where the application involves works that may affect any trees on or off the site.~~

Works to Trees – Specification of Works and Photographic Evidence

Formatted: List Paragraph, Line spacing: single, Bulleted + Level: 2 + Aligned at: 1.9 cm + Tab after: 2.54 cm + Indent at: 2.54 cm, Tab stops: Not at 1.02 cm, Position: Horizontal: Left, Relative to: Column, Vertical: In line, Relative to: Margin, Horizontal: 0 cm, Wrap Around

Formatted: Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers

Formatted: Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm

Formatted: Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm

- ~~Where works are required to a protected tree (TPO or tree in Conservation Area)~~

REGISTRATION CHECKLIST

Comments

Have you run a full constraint search, checked planning history, checked enforcement history

~~If the application is for a footway crossing/vehicular access the description should read — Installation of a footway crossing~~

Paper file to be created

Statutory Return Code and Application Type

Statutory Return – Householder

Application Type - Householder

NOTIFICATION, CONSULTATION AND PUBLICITY CHECKLIST

Member, Residents Associations and Amenity Societies

~~Residents Association~~

~~Only consult~~

- ~~Mr Thursfield (FRICS) on any Four Oaks Estate applications.~~
- ~~The Moseley Society if the property is a Listed Building~~

~~Councillors~~

- ~~Always notify~~
- ~~Delete MP~~

~~Local Amenity Societies~~

~~Sutton Coldfield Civic Society~~

- ~~Any application involving a Listed building anywhere in Sutton Coldfield~~
- ~~Any applications within any Sutton Coldfield Conservation Area~~

•

Consultation

~~Allotments – Adrian Stagg~~

- ~~If the property abuts an allotment site~~
- ~~If the property affects the loss of an allotment site~~

Formatted: Normal, Line spacing: single, Bulleted + Level: 1 + Aligned at: 0 cm + Tab after: 0.63 cm + Indent at: 0.63 cm, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: Not at 1.02 cm

<p>Canals and River Trust</p> <ul style="list-style-type: none"> Development likely to affect any inland waterway (whether natural or artificial) or reservoir owned or managed by the British Waterways Board; or Development likely to affect any canal feeder channel, watercourse, let off or culvert 	
<p>Canal side development</p> <ul style="list-style-type: none"> If development adjoins a canal 	Formatted: Default, Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm
<p>Conservation</p> <ul style="list-style-type: none"> If the property is a Listed Building If the property is within a Conservation Area except <ul style="list-style-type: none"> Renewals of consents, unless the site is now in a CA or listed when it wasn't before <ul style="list-style-type: none"> Non material amendments Replacement windows/doors on householder applications 	Formatted: Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm
<p>Enforcement</p> <ul style="list-style-type: none"> If current/relevant enforcement on site address and it is being handled by the Enforcement Team (to be reviewed) If current/relevant enforcement on site address and it is being handled by the Area Team <p>Please choose the relevant Enforcement Officers individual consultation entry from M3</p> <p>You no longer need to update the actions tab within the Enforcement Module — This will be done by the Enforcement Officers</p>	
<p>Health & Safety Executive</p> <ul style="list-style-type: none"> Please refer to the constraint search <p>If a HAZ Consent application — send a full set of plans to the HSE</p> <p>If it is not a HAZ consent application — select the HSE padhi+ consultation — this will fire off an email to the registration mailbox for actioning by the Team Leader using the online consultation database</p>	Formatted: Header, Tab stops: 0.63 cm, Left
<p>Historic England</p> <ul style="list-style-type: none"> If the building is or affects the setting of a Grade I or II* listed building If development involves demolition in whole or part or the material alterations of grade I or II* listed building If development is likely to affect a grade I or II* park or garden on Historic England's register of Historic Parks and Gardens of Special Historic Interest in England If development would affect the character or appearance of a conservation area where the development involves the erection of a new building or the extension of an existing building, and the area of land in respect of which the application is made is more than 1,000 square metres If development is likely to affect the site of a scheduled monument All applications by local planning authorities for demolition of an unlisted building in a conservation area 	Formatted: Indent: Left: 0 cm
<p>HS2</p> <ul style="list-style-type: none"> Always consult if the site falls within the HS2 safeguarding zone – check the constraints 	
<p>Network Rail</p> <ul style="list-style-type: none"> If site is adjoining railway line If development is visible from a train line If the development effects a level crossing over a railway or train line 	Formatted: Normal, Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm, Tab stops: Not at 0.63 cm
<p>Ramblers Association</p> <ul style="list-style-type: none"> If a footpath is affected by the development 	Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.27 cm + Indent at: 1.27 cm, Tab stops: 0.63 cm, Left

The Gardens Trust
<ul style="list-style-type: none"> If the proposal affects all grades of parks and gardens
Transportation
<ul style="list-style-type: none"> If a new or revised footway crossing is proposed If new boundary fencing, walls, gates or railings to the front of a property or on a corner If a new detached or integral garage is proposed and associated access (check with officer 1st) •
Tree Officers (except for replacement windows/doors on householder applications)
<ul style="list-style-type: none"> If there is a TPO on the site or within 10m (Check Constraints) If the property is within a Conservation Area If they have selected the answer "Yes" in section 15 of the Planning Application form - Are there trees or hedges on the proposed development site •
Tyler Parkes
<ul style="list-style-type: none"> Any application that will affect the setting of a Police Station or Police Building
Wayleaves (Previously Central Network Services)
<ul style="list-style-type: none"> If the development effects an electricity substation

Formatted: Bulleted + Level: 1 +
Aligned at: 0.63 cm + Tab after: 1.27
cm + Indent at: 1.27 cm

Formatted: Bulleted + Level: 1 +
Aligned at: 0.5 cm + Tab after: 1.14
cm + Indent at: 0.77 cm

In All Cases inc front extensions/development

- Occupiers of properties with a boundary directly adjoining the application site to either side of the property **MUST** be notified. Even if the application is for a side extension, occupiers of properties on **BOTH** sides of the site should be notified

~~Rear/Side Extensions or side extensions with habitable windows in the rear elevation~~

- ~~Occupiers of all properties with a boundary directly adjoining the rear of the site in addition to properties on each side of the site and the property directly opposite must be notified~~

~~Rear Extensions including rear dormers and outbuildings~~

- ~~Occupiers of all properties with a boundary directly adjoining the rear and side of the site must be notified~~

Front Extensions including development within the front curtilage – e.g. front boundary wall or vehicular access

- ~~Occupiers of properties on both sides of the site must be notified (see (a) above), but it is not necessary to consult properties which adjoin the rear curtilage of the application property (on the basis that the proposed development would not be visible from those properties).~~
- ~~Occupiers of properties facing the site on the opposite side of the road should be consulted in addition to the properties on each side of the site in the case of any development which would project forwards of the original house, or a large side extension which could materially alter the outlook from a facing property or substantially change the street scene~~
- ~~As general guidance, the two nearest facing properties to the proposed development should be notified, but judgement will need to be exercised in individual cases~~

It is really important not to over PP (as a general rule anything more than 6 properties is considered excessive for a householder application) – some examples of how to negate this are:

- If separated by an access road, railway, canal, dual carriageway etc – do not do properties beyond these
- Small blocks of flats opposite or at the rear or adjoining could be notified by way of a site notice

Note - if in doubt check with the Householder Team on any of the issues above – we would rather you check than send out unnecessary letters.

Please Note – If the application is next to student accommodation do not carry out individual notification to the student flats – A site notice or a letter to the caretaker is sufficient.

Publicity – Site and Press Notices

If the site is Listed or development affects the setting of a Listed Building

- Always do a Press and Site notice

If the site is within a Conservation Area or adjacent to a Conservation Area

- Always do a Press and Site Notice
- ~~A Press Notice should only be done if~~
 - ~~1. You consider the development to be significant eg – if the development is on the front, if the property is visible (on a corner plot);~~

~~If the application is accompanied by an environmental statement, departure from the development plan~~

- ~~Always do a Press and Site notice~~

If the development affects a public right of way

- Always do a Press and Site notice under Article 8 of the Town & Country Planning (General Development Procedure) Order 1995

Appendix 1B: Householder Application for Planning Permission for Works or Extension to a Dwelling

VALIDATION CHECKLIST

National Application Requirements

Application Form

- Householder Application for Planning Permission for Works or Extension to a Dwelling (if submitted on a full planning form – acceptable)

Certificates

- The completed ownership certificate (A, B, C or D) as appropriate (This now includes the Agricultural Holdings Certificate)
 - If ownership certificate B is completed, Notice 1 is required
 - If ownership certificate C is completed, Notices 1 and 2 are required
 - If ownership certificate D is completed, Notice 2 is required

Application Fee

Details of current fees for all application types can be found at www.birmingham.gov.uk/planningfees

If BCC are the applicant and Acivico are the agents they can pay by IDT

If BCC are NOT the applicant and Acivico are the agents then they cannot pay by IDT

Extension to flats to be charged as per householder fees but allocated to the area teams as these are not categorised as Householder Applications

Location Plan

- At an identified scale, notably 1:1250 or 1:2500 (the scale must be annotated on the plan)
- Site must be clearly identified
- Show the direction of North

Site Plan

- Only for enlargements to dwelling(s), detached structures and new vehicular access at an identified scale, notable 1:500 or 1:200 (the scale must be annotated on the plan)
- Show the direction of North
- Show the development in relation to adjoining properties

Local Application Requirements

Additional Plans and Drawings

- On paper size less than A2 and at a typical scale of 1:50 or 1:100, (existing & proposed should be at a similar scale to aid comparative study) scale annotated on the plan **(Do Not Hold the application if this hasn't been done)**

- **Existing drawings** - will not be required provided that the proposed drawings clearly show the proposed works
- **Proposed drawings**
 - a) All sides of the proposal should be shown
 - b) Where a proposed elevation adjoins another building or is in close proximity, the drawings should show this relationship
 - c) Plan showing elevations and layout details for all visible elevations
- **If boundary treatment is proposed**
 - a) Details of the proposed boundary treatment should be shown on the 1:500 or 1:200 site plan e.g. fencing
 - b) Details including the height/design and materials

REGISTRATION CHECKLIST

Comments

Have you run a full constraint search, checked planning history, checked enforcement history?

Paper file to be created

Statutory Return Code and Application Type

Statutory Return – Householder

Application Type - Householder

NOTIFICATION, CONSULTATION AND PUBLICITY CHECKLIST

Member, Residents Associations and Amenity Societies

- None

Consultation

Conservation

- If the property is within a Conservation Area except
 - Non material amendments
 - Replacement windows/doors

Enforcement

- If current/relevant enforcement on site address and it is being handled by the Enforcement Team (to be reviewed)

Please choose the relevant Enforcement Officers individual consultation entry from M3

HS2

- Always consult if the site falls within the HS2 safeguarding zone – check the constraints

Network Rail

- If site is adjoining railway line

Transportation

- If a new or revised footway crossing is proposed
- If new boundary fencing, walls, gates or railings to the front of a property or on a corner

Tree Officers (except for replacement windows/doors on householder applications)

- If there is a TPO on the site or within 10m (Check Constraints)
- If the property is within a Conservation Area

Public Participation

In All Cases inc front extensions/development

- Occupiers of properties with a boundary directly adjoining the application site to either side of the property **MUST** be notified. Even if the application is for a side extension, occupiers of properties on **BOTH** sides of the site should be notified

It is really important not to over PP (as a general rule anything more than 6 properties is considered excessive for a householder application) – some examples of how to negate this are:

- If separated by an access road, railway, canal, dual carriageway etc – do not do properties beyond these
- Small blocks of flats opposite or at the rear or adjoining could be notified by way of a site notice

Note - if in doubt check with the Householder Team on any of the issues above – we would rather you check than send out unnecessary letters.

Please Note – If the application is next to student accommodation do not carry out individual notification to the student flats – A site notice or a letter to the caretaker is sufficient.

Publicity – Site and Press Notices

If the site is Listed or development affects the setting of a Listed Building

- Always do a Press and Site notice

If the site is within a Conservation Area or adjacent to a Conservation Area

- Always do a Press and Site Notice

If the development affects a public right of way

- Always do a Press and Site notice under Article 8 of the Town & Country Planning (General Development Procedure) Order 1995

Appendix 2



Conservation Consultation Form	
Application number:	
Site Location:	
Proposed Development:	

Legislation and Policy:

Planning (Listed Buildings and Conservation Areas) Act 1990

- Section 16 (Works to a listed building)
- Section 66 (Development to a listed building or in its setting)
- Section 72 (Development of buildings or land in a conservation area)

National Planning Policy Framework (NPPF) (2018) Section 16: Conserving and enhancing the historic environment

- Paragraph 189-202

National Planning Practice Guidance (PPG) (2014)

Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment - Historic England (2015)

Good Practice Advice Note 3: the setting of Heritage Assets – Historic England (2017)

Birmingham Unitary Development Plan (Saved Policies 2008)

Birmingham Development Plan (2017)

- Policy TP12 (Historic Environment)

Conservation Areas Character Appraisal and Management Plans

Description of site and heritage designation affected (direct or indirect)

Issues raised

Recommendation

- **Approval subject to conditions**
- **Approval subject to amendments/further information**
- **Refusal**

Conditions