

# **Birmingham City Council**

## **Planning Committee**

**01 October 2015**

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	8	2015/06019/PA  Little Ripley Day Nurseries 2 and 4 Goldieslie Road Sutton Coldfield Birmingham B73 5PQ  Erection of single storey rear extension to 4 Goldieslie Road to enlarge children's play areas in association with use as a children's day nursery
Defer – Informal Approval	9	2015/05545/PA  277-311 Wellington Road Land to rear of Perry Barr Birmingham  Removal of conditions numbers 1 (Implementation by Cornerstone) and 27 (Provision of Affordable Housing) attached to planning application 2011/01254/PA
Approve – Conditions	10	2015/05231/PA  Land At Dovedale Road Perry Common Birmingham B23 5BP  Erection of 146 2-4 bedroom houses for social rent and outright sale, with associated highways, parking and landscaping works.
Approve – Conditions	11	2015/06508/PA  Land on Waverhill Road Handsworth Birmingham B21 0UE  Erection of 3 storey new building containing 3 ground floor retail units and 6 flats on upper floors

Approve – Conditions	12	<p>2015/06482/PA</p> <p>29-31 Hamstead Hill Handsworth Birmingham B20</p> <p>Erection of 5 new dwelling houses, new access road and associated works.</p>
Approve – Conditions	13	<p>2015/01523/PA</p> <p>9 Ebley Road Handsworth Birmingham B20 2LX</p> <p>Erection of first floor rear extension, conservatory to rear, installation of dormer window to rear and new pitched roof to side.</p>
Approve – Conditions	14	<p>2015/04666/PA</p> <p>51 Rocky Lane Perry Barr Birmingham B42 1PB</p> <p>Erection of single storey rear/side extension, erection of porch to front and retention of single storey detached building to rear</p>
Approve – Temporary	15	<p>2015/06652/PA</p> <p>Site of former King Edward VII Public House 426 Lichfield Road Aston Birmingham B6 7QE</p> <p>Display of 1. non illuminated free standing post mounted sign</p>

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Committee Date:	01/10/2015	Application Number:	2015/06019/PA
Accepted:	07/08/2015	Application Type:	Full Planning
Target Date:	02/10/2015		
Ward:	Sutton Vesey		

Little Ripley Day Nurseries, 2 and 4 Goldieslie Road, Sutton Coldfield, Birmingham, B73 5PQ

Erection of single storey rear extension to 4 Goldieslie Road to enlarge children's play areas in association with use as a children's day nursery.

Applicant:	Little Ripley Day Nurseries 4 Goldieslie Road, Sutton Coldfield, Birmingham, B73 5PQ,
Agent:	S A Spence Ltd 11 Four Oaks Road, Sutton Coldfield, Birmingham, B74 2XP,

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#### Recommendation

#### **Approve Subject To Conditions**

##### 1. Proposal

- 1.1. This application is for the erection of a single storey rear extension to 4 Goldieslie Road to enlarge the children's play areas in association with the use as a children's day nursery.
- 1.2. The proposed development would not increase children or staff numbers attending Little Ripley's Day Nursery.
- 1.3. The proposed extension would extend 3.5 metres beyond the recessed rear elevation adjacent to 6 Goldieslie Road and 1.18 metres beyond the single storey rear wing. It would measure 7.86 metres in width and would have a flat roof measuring 2.75 metres in height. The extension would be constructed in render and facing brickwork to match the existing building and would include two fully glazed rear doors and two roof lights. An existing ground floor window would be replaced by a new fire exit door.
- 1.4. A Design and Access Statement has been submitted in support of the application.
- 1.5. [Link to Documents](#)

##### 2. Site & Surroundings

- 2.1. The application site relates to an existing children's day nursery at 2 and 4 Goldieslie Road and is located on the corner of Goldieslie Road and Jockey Road. 4 Goldieslie Road is a two-storey detached building and comprises a hallway, three play rooms, toilets and storage space on the ground floor and at first floor there is an ancillary self-contained flat. To the rear of the building is a relatively large rear garden that is used by the residents of the first floor residential accommodation. The outdoor play area for the day nursery is located to the south of 2 Goldieslie Road

and adjoins the private rear garden of 4 Goldieslie Road. The rear garden to 4 Goldieslie Road and the outdoor play area to 2 Goldieslie Road are secured by a 1.8 metre high boundary fence and include trees and soft landscaping. The trees adjacent to 2 Goldieslie Road are subject to a tree preservation order (TPO 1101).

- 2.2. Vehicular access is gained from Goldieslie Road and there is a vehicular exit onto Jockey Road. The parking area for the day nursery comprises 20 off-street car parking spaces and a dedicated drop off zone adjacent to 2 Goldieslie Road.
- 2.3. The surrounding area is predominantly residential in character comprising mainly two-storey semi-detached and detached dwellinghouses. Sutton Coldfield Grammar School for Girls is located on the opposite side of Jockey Road. The site has good accessibility to public transport services.
3. Planning History
  - 3.1. 2 Goldieslie Road - 24 January 2005 - 2004/07698/PA - Non-determined application from change of use from dwellinghouse to children's day nursery for 32 children, with staff living accommodation and car parking. Subsequent appeal allowed.
  - 3.2. 2 Goldieslie Road - 20 April 2007 - 2006/07253/PA - Planning permission approved for amendment to planning approval N/07698/04/FUL to retain the entrance into the site in its existing position and variation of conditions 6 and 7 to reduce the number of parking spaces from 7 to 4, subject to conditions.
  - 3.3. 2 Goldieslie Road - 15 September 2008 - 2008/02463/PA - 1 Year temporary planning permission granted for variation of condition 8 attached to planning consent N/07698/04/FUL to increase the number of children from 32 to 40, subject to conditions.
  - 3.4. 2 and 4 Goldieslie Road - 10 December 2010 - 2010/04501/PA - Planning permission approved for change of use from residential at 4 Goldieslie Road (use class C3) to a day nursery at ground floor level (use class D1) with manager's flat to first floor, revised access and additional parking, subject to conditions.
  - 3.5. 2 Goldieslie Road - 31 March 2011 - 2011/00422/PA - Planning permission approved for retrospective variation of condition 8 attached to planning consent 2004/07698/PA to increase the number of children from 32 to 40, subject to conditions.
  - 3.6. 2 and 4 Goldieslie Road - 7 June 2011 - 2011/02982/PA - Non material amendment approved to reduce the width of the access from 5m to 3.5m.
  - 3.7. 2 Goldieslie Road - 18 April 2013 - 2012/08192/PA - Planning permission approved for variation of condition 1 (to increase the number of children from 40 to 51, variation of condition 8 (to allow an amended plan showing the use of the double garage as children's accommodation) and removal of condition 5 (which required the double garage to be used for staff parking) attached to planning approval 2011/00422/PA, subject to conditions.
  - 3.8. 2 Goldieslie Road - 7 May 2014 - 2013/03162/PA - Refused application for variation of condition 3 attached to planning permission 2012/08192/PA to allow use of external play area between 1000 hours and 1700 hours Monday - Friday. Subsequent appeal allowed.

- 3.9. 2 Goldieslie Road - 7 May 2014 - 2013/08167/PA - Refused application for variation of condition 5 to allow use of first floor residential accommodation as ancillary office accommodation to ground floor day nursery attached to planning approval 2012/01892/PA. Subsequent appeal dismissed.
- 3.10. 4 Goldieslie Road - 17 July 2014 - 2014/03494/PA - Planning permission granted to vary Condition 1 of planning application 2010/04501/PA in order to permit the use of two bedrooms at first floor level as ancillary offices, subject to conditions. This consent has yet to be implemented.
4. Consultation/PP Responses
- 4.1. Local Ward Councillors, Residents Associations and nearby occupiers were notified.
- 4.2. Goldieslie Area Residents Association - Objects to the application as the size of the extension is intrusive to near neighbours and would be an eyesore. It is also stated that from previous experience, retrospective applications have often been made by the day nursery and allowed by planners.
- 4.3. 5 letters of objection received from nearby residents stating the following concerns:
- There have been previous retrospective applications to increase children numbers and this will happen again once the extension is built, which would create more parking problems and cause traffic congestion.
  - The proposed extension would tower over neighbour's boundary fences and would be clearly visible and an eyesore.
  - The proposed large patio windows on the south elevation would create so much heat that would mean windows would need to be opened causing more noise pollution than at present.
  - Construction works would cause noise and on-street parking and highway problems.
  - Increase noise.
  - Reduce enjoyment of neighbouring gardens due to excessive screaming and shouting of children and babies.
  - Invasion of human rights.
  - No need to build an extension if the applicant only wants more light in the play rooms. It is suggested that the day nursery could trim back the tall trees within the rear gardens of 2 and 4 Goldieslie Road to gain more light into the play rooms.
- 4.4. Photos have been submitted by one resident objecting to the application which show how the proposal would look from their property and has asked if these photos could be presented to the committee.
- 4.5. Transportation Development - No objection subject to condition to restrict the number of children to be accommodated at any one time.
- 4.6. Regulatory Services - No objection.
5. Policy Context
- 5.1. Birmingham Unitary Development Plan (UDP) 2005, draft Birmingham Development Plan (BDP), Places for All SPG, 45 Degree Code SPD, Car Parking Guidelines SPD, the National Planning Policy Framework (NPPF) and TPO 1101.

6. Planning Considerations

- 6.1. The main considerations are whether the proposed rear extension would be acceptable in terms of design, impact on adjoining residential amenity and on highway safety.
- 6.2. Policy Context
- 6.3. The National Planning Policy Framework (2012) contains a presumption in favour of sustainable development and advises within the core planning principles, that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants and to support sustainable economic development.
- 6.4. Policies 3.8 and 3.10 of the adopted UDP seek to protect what is good in the City's environment and states that proposals, which would have an adverse effect on the quality of the built environment, would not normally be allowed.
- 6.5. Design
- 6.6. The proposed development would be at the rear of the building and would have no impact on the street scene. The extension would be well designed and constructed in materials to match the existing building. The large patio doors and roof lights would provide light into the play rooms and would provide a good quality environment. I have attached a condition to ensure the building materials match the existing building and the windows are constructed in powder-coated aluminium glazed windows as advised in the application form.
- 6.7. Impact on Adjoining Residential Amenity
- 6.8. The application site is adjoined to the south by a residential property at 6 Goldieslie Road. The extension would be sited approximately 2.1 metres from the side boundary shared with 6 Goldieslie Road and would not conflict with the 45 degree code in relation to the nearest ground floor habitable room window. It would also be well screened by the existing side boundary fence and trees/shrubs. I therefore consider that the proposed development would not cause any loss of light to 6 Goldieslie Road.
- 6.9. Concerns have been raised by nearby occupiers about an increase in noise disturbance when the large roof lights and doors of the proposed extension are open and that this would reduce the enjoyment of adjoining rear gardens and be intrusive and an invasion of human rights. I note that there are existing windows and doors to the play rooms and I do not consider that the proposed development would result in a significant increase in noise nuisance to adjoining residents. Conditions attached to the existing use of the property limit the number of children to no more than 28 at any one time, the day nursery opening times to between 7am and 6pm Monday to Fridays except Bank Holidays and prevent children from using the rear garden at 4 Goldieslie Road. In addition, Regulatory Services raise no objection to the planning application.
- 6.10. Impact on Highway Safety
- 6.11. The application site has adequate car parking to serve both 2 and 4 Goldieslie Road and a safe children's drop off and collection point. The proposed extension to the play rooms would not result in additional parking demand or traffic to the site.

Transportation Development has raised no objection to the proposed development subject to a condition to limit the children numbers as existing. This condition already applies to the site.

7. Conclusion

- 7.1. I consider that the proposed development to extend the existing play rooms at 4 Goldieslie Road would not have a detrimental impact on the visual amenity of the area, on the amenities of adjoining residents or upon highway safety. I therefore consider that the proposed development would comply with policies 3.8 and 3.10 of the adopted UDP, Car Parking Guidelines SPD and the NPPF.

8. Recommendation

- 8.1. I recommend approval subject to the following conditions.

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|---|--|
| 1 | Requires that the materials used match the main building               |
| 2 | Requires the scheme to be in accordance with the listed approved plans |
| 3 | Time limit (3 years).  |
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Case Officer:       Helen Hawkes

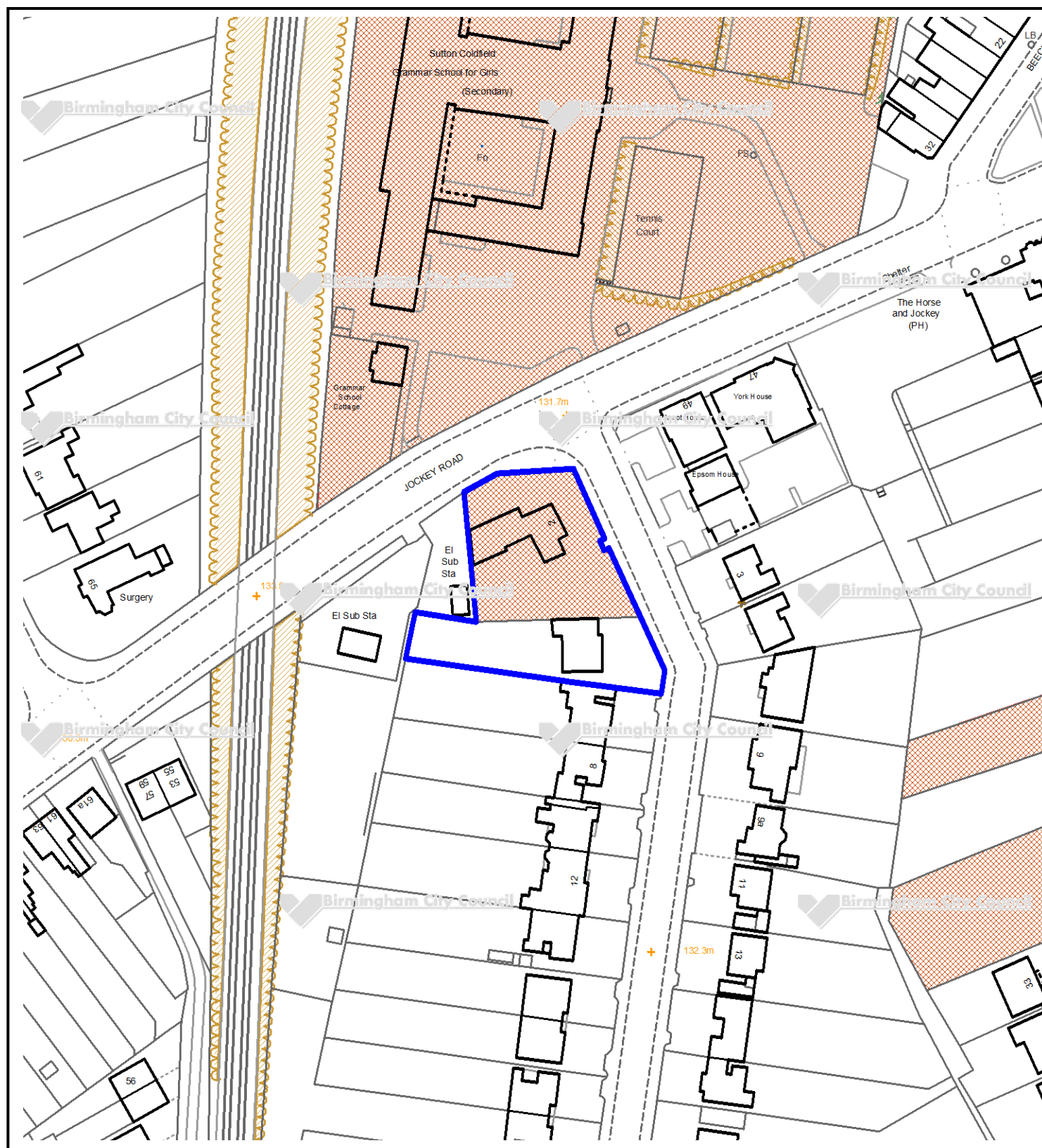
**Photo(s)**



**Rear Elevation of 4 Goldieslie Road**



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/05545/PA
Accepted:	06/08/2015	Application Type:	Variation of Condition
Target Date:	05/11/2015		
Ward:	Lozells and East Handsworth		

277-311 Wellington Road, Land to rear of, Perry Barr, Birmingham

Removal of conditions numbers 1 (Implementation by Cornerstone) and 27 (Provision of Affordable Housing) attached to planning application 2011/01254/PA

Applicant:	Cornerstone Regeneration & Trident Housing Association 337 Station Road, Dorridge, Solihull, B93 8EZ,
Agent:	Matrix Housing Partnership & Accord Housing Association 178 West Bromwich Road, West Bromwich, B70 6QG

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#### Recommendation

#### **Approve Subject To A Section 106 Legal Agreement**

##### 1. Proposal

- 1.1. This application relates to an approved and implemented planning consent for the erection of a residential development of 42 apartments with support facilities for the over 55's under planning application reference 2011/01254/PA.
- 1.2. The development was approved subject to conditions, which included two conditions that related to the implementation of the proposed development as affordable housing, in lieu of the completion of a section 106 agreement. The wording of the existing conditions is set out below :
- 1.3. Condition 1 stipulates that "This permission shall only be implemented by Cornerstone Regeneration and Trident Housing Association" who were the applicants for the scheme.
- 1.4. Condition 27 states that "Not less than 35% of the residential units hereby permitted shall be affordable homes and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it."
- 1.5. These conditions are similar to those used on BMHT schemes in lieu of a section 106 agreement.
- 1.6. Whilst the conditions were agreed with the applicant as a suitable approach at the time, and the development has been built, it transpires that the conditions raise issues in respect of the subsequent sale of the units. The applicant is concerned that the sale of units could be in breach of condition 1, where this is interpreted as a personal condition, and secondly that condition 27 does not include a mortgagee exemption clause, as a section 106 agreement normally would, stating that a lender will not be bound in the event of default by the borrower.

- 1.7. The applicant has explained that for these reasons, they would now wish to remove these conditions and to complete a section 106 agreement to secure the affordable housing provision, as would normally be the case for such developments. This application therefore seeks to secure these amendments to the approval.
- 1.8. The applicant has explained that they have prospective residents waiting to purchase the units, but that this cannot proceed until this matter is resolved as the lease cannot be concluded and the 5 shared ownership apartments cannot be sold. They advise that two of the elderly residents have sold their previous homes and are living temporarily with their families, hence their pressing need for the application to be determined as soon as possible.
- 1.9. [Link to Documents](#)
2. Site & Surroundings
  - 2.1. The site is a former social club with a dog legged shape with the majority of the site located to the rear of 277-311 (odds) Wellington Road, and with frontage access onto Wellington Road, at the eastern end of the site. The site has been developed for accommodation for the over 55's.
  - 2.2. The surrounding area contains a mix of residential and commercial properties. Immediately to the south are two storey semi-detached houses that front onto Wellington Road. These properties have long gardens that are split into two sections with some outbuildings in the rear part closest to the site. There is a vehicle repair workshop that adjoins the access to the east. The southern side of Wellington Road contains a predominance of shops. The site is in close proximity to the main four-way traffic island in Perry Barr centre approximately 100 metres to the east. The northern boundary of the site adjoins the Rugeley-Birmingham railline with Perry Barr station approximately 100 metres to the east.
  - 2.3. [Site location and street view](#)
3. Planning History
  - 3.1. 26/05/2011 – 2011/01254/PA – Residential development consisting of 42 one and two bedroom apartments with support/ancillary facilities for the over 55 community and construction of car parking spaces and access road (scale, appearance, layout and landscape matters reserved). – Approved subject to conditions.
  - 3.2. 12/04/2012 – 2012/01529/PA – Reserved matters application (layout, scale, appearance and landscaping) to discharge condition 25 of planning permission 2011/01254/PA comprising residential development consisting of 42 apartments with support/ancillary facilities for the over 55 community and construction of car parking spaces and access road. Approved subject to conditions.
4. Consultation/PP Responses
  - 4.1. Site and press notice. MP, Ward members, residents associations and neighbouring occupiers notified. One representation received on behalf of occupiers of 7 properties in Willmore Road, commenting that they do not know if the proposed

change will mean more building works and if it did they wish to object, as they were greatly inconvenienced for 2 years whilst the original build took place, as they were unable to park their cars and that some people are elderly, disabled or have children and all were negatively impacted.

- 4.2. Housing – No objections.
- 4.3. Regulatory Services – No objections.
- 4.4. Lead Local Flood Authority – No comments.
- 4.5. Transportation Development – No comments.
- 4.6. West Midlands Police – No comments.

5. Policy Context

- 5.1. Adopted UDP 2005, Draft BDP, Affordable Housing SPG, NPPF.

6. Planning Considerations

- 6.1. The City Council's policy on provision of affordable housing, as set out in the adopted UDP and the Affordable Housing SPG is that 35% provision is normally sought from proposed residential developments, subject to the consideration of the viability of the scheme. In this case, 35% provision was agreed to be secured through the imposed planning conditions. However, as I have set out above, due to unforeseen circumstances, the applicant is having difficulty completing the legal transactions with the current planning conditions in place, and so instead is seeking to remove these two conditions, with the affordable housing provision secured through a section 106 agreement, which would be the usual mechanism to secure such provision.
- 6.2. The proposal accords with the Council's affordable housing policies and it is therefore recommended that conditions 1 and 27 can be removed, subject to the completion of an appropriately worded section 106 agreement. As the development has been implemented and the other planning conditions have been discharged there is no need to re-impose these conditions again (with the exception of a travel plan condition which has therefore been recommended to be re-imposed).

7. Conclusion

- 7.1. The proposal accords with the Council's affordable housing policies as the same level of affordable housing will still be provided, simply this application alters the mechanism for its delivery to use a section 106 agreement instead of the previously imposed planning conditions. I therefore recommend approval subject to the completion of a suitably worded section 106 agreement to secure the provision of 35% affordable housing within the development.

8. Recommendation

- 8.1. That consideration of planning application 2015/05545/PA be deferred pending the completion of a suitable 106 legal agreement to secure the following :

- a) The provision of 35% affordable housing within the development
- b) Payment of a monitoring and administration fee associated with the legal agreement to be £1500.

8.2 That the Director of Legal and Democratic Services be authorised to prepare, seal and complete the appropriate agreement,

8.3 That in the event of the s106 legal agreement not being completed to the satisfaction of the Local Planning Authority on or before 4<sup>th</sup> November 2015 of the date of this resolution, that planning permission be refused for the following reason :

*In the absence of any suitable planning obligation to secure the provision of affordable housing, the development would be contrary to paragraphs 5.37-5.37G of the adopted UDP, Affordable Housing SPG, policy TP30 of the Draft Birmingham Development Plan and the NPPF.*

8.2. That in the event of the above s106 agreement being completed to the satisfaction of the Local Planning Authority on or before 4th November 2015 that favourable consideration be given to the application 2015/05545/PA subject to the conditions listed below :

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1 Travel Plan implementation and review

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

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Case Officer: Stuart Morgans

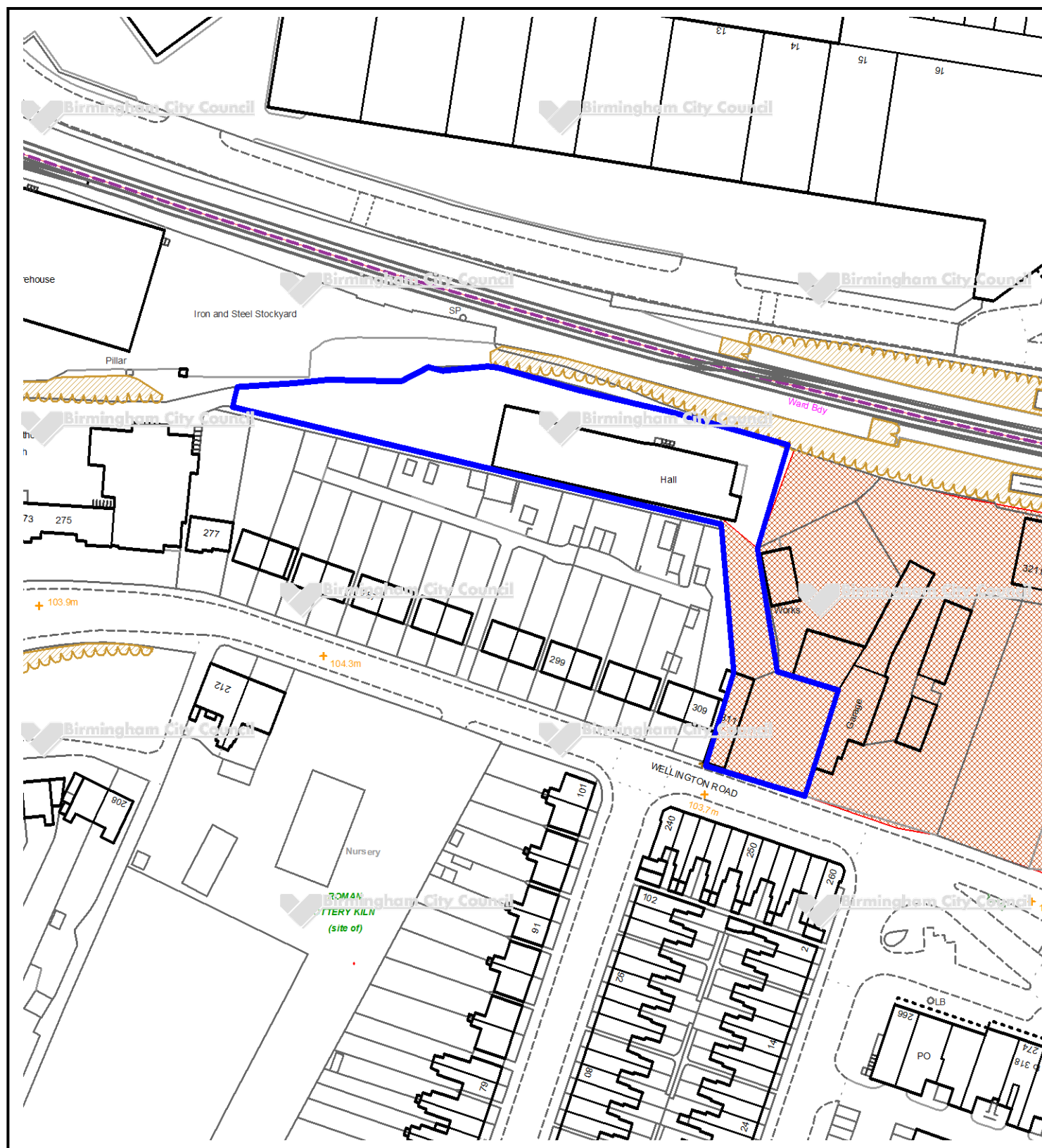


**Photo(s)**



**Figure 1 : Front elevation**

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/05231/PA
Accepted:	29/06/2015	Application Type:	Full Planning
Target Date:	28/09/2015		
Ward:	Kingstanding		

Land At Dovedale Road, Perry Common, Birmingham, B23 5BP

Erection of 146 2-4 bedroom houses for social rent and outright sale, with associated highways, parking and landscaping works.

Applicant:	Birmingham City Council Housing & Regeneration Team, PO Box 16572, Birmingham, B2 2GL,
Agent:	Axis Design Architects Ltd Crosby Court, 28 George Street, Birmingham, B3 1QG,

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. This application seeks full planning permission for the erection of 146 new dwellings, with associated new highways, parking and landscaping works as the penultimate phase of the estate redevelopment at Perry Common by Birmingham Municipal Housing Trust.
- 1.2. The site comprises vacant former housing land fronting Dovedale Road and a section of land that currently forms part of the Perry Common Recreation Ground to the rear. A related application for enhancement of the remaining Recreation Ground has been submitted, which includes providing swales to serve the proposed housing development as part of a package of natural sustainable urban drainage works (SUD's). This application is currently being assessed and will be reported to a future Committee meeting.
- 1.3. The development comprises two plots of land to the east side of Dovedale Road, known as sites 5Dii (northernmost block) and 5Diii (southernmost block) with a section of open space forming part of the recreation ground separating these two plots of land.
- 1.4. The proposed housing scheme would comprise :
  - 27 two bed flats
  - 37 two bed houses
  - 54 three bed houses
  - 28 four bed houses
- 1.5. The application proposes that 77 of the units (52.7%) would be provided for rent with 69 units for sale (47.3%), with each tenure comprising a mix of 2-4 bedroom units.



- 1.6. The houses would comprise a mix of house types, all of which would be 2 storeys in height with traditional pitched roofs (comprising a mix of hipped and gable end designs). The house designs reflect those previously approved in the preceeding phase on land to the west side of Dovedale Road. They are relatively simple in their detail with generously proportioned windows with timber porches, brick string courses at first floor cill level, some with square bay windows, and would be a mix of red brick and render.
- 1.7. The proposed houses would range in size from 67.8 square metres to 116.2 squares metres in gross internal area and would be laid out as mainly semi-detached houses interspersed with some detached houses. Splayed corner house types have been proposed at highway junctions to ensure continuous street frontages are provided to the proposed perimeter blocks. The proposed perimeter blocks are configured with sections of new highway connecting them together, with new houses facing towards the recreation ground, served by a shared surface that wraps around the development on its eastern boundary.
- 1.8. The majority of bedroom sizes meet or exceed the minimum guidelines in Places for Living with furniture layouts provided to demonstrate how these would function as single and double bedrooms. Those that fall marginally short of the guidelines would be 14 no. 3 bedroom houses, where the third bedroom measures 6.1 square metres (the minimum guideline is 6.56 square metres).
- 1.9. The flats would consist of three separate three storey blocks, two of which are to be situated at the northern and southern ends of the development overlooking the recreation ground, and the third situated fronting Dovedale Road where site 5Dii meets the open space that bisects the site. The two blocks facing onto the park would be of the same design, having an L-shaped footprint with a splayed front corner. The elevations would comprise a mix of brick (plinth), render and trespas cladding to the 2<sup>nd</sup> floor section with a tiled pitched roof. The elevations would also include balconies within recessed sections and large vertically proportioned windows. The third block would also be L-shaped, but with a square corner and would contain a predominantly red brick elevation with detailed string courses through each floor level and a section of render on the 2<sup>nd</sup> floor. Six of the flats in this latter block have second bedrooms that fall marginally short of the guidelines in Places for Living (measuring 6.2 square metres), with the remainder meeting or exceeding the minimum guidelines.
- 1.10. The houses would all have a front garden and a private rear garden which would range in size from 48.2 sq.m to 153.8 sq.m, with only 4 plots falling marginally short of the minimum size guidelines in Places for Living.
- 1.11. The arrangement of the houses within perimeter blocks has been designed to provide clear definition between public and private spaces, and a sense of enclosure to the street frontages in accordance with the guidance in Places for Living. This means that in some instances, particularly at street corners, the separation distances between new dwellings falls short of the minimum guidelines in Places for Living, notably involving first floor bedroom windows on splayed house types having some overlooking of adjoining rear gardens, where the separation distance proposed for certain plots would range between 4m and 8.5m (where the guidance advocates a minimum of 10 metres separation). Within parts of the development of the site, the separation distances between habitable room windows at the rear achieves 16.5 metres separation, where Places for Living advocates a minimum of 21 metres. In all these cases, the shortfalls relate to the relationship between new dwellings. In order to address these issues amended plans have been submitted so

that rear habitable room windows have either been moved to the side elevation where possible, or have been revised to angle the window away from the neighbouring rear garden.

- 1.12. Proposed car parking arrangements comprise driveways and in some cases garages within the curtilage for the proposed houses, with 100% provision for the 2 bedroom units up to 200% for the 4 bedroom units, at an overall provision of 142%.
- 1.13. The application is accompanied by a Design and Access Statement, affordable housing statement, consultation statement, transport statement, Stage 1 road safety audit, travel plan, archaeological brief, extended phase 1 habitat survey, water vole survey, arboricultural survey and method statement, site investigation report, and a flood risk assessment.
- 1.14. Site area : 3.26 hectares
- 1.15. Density : 45 dwellings per hectare
- 1.16. [Link to Documents](#)

## 2. Site & Surroundings

- 2.1 The site comprises vacant former residential land fronting Dovedale Road, and sections of land that currently forms part of Perry Common Recreation ground to the rear. The residential land is overgrown and the park land is closely mown and well maintained. The Recreation ground is a large open area of mainly mown grass and is generally flat with a gentle rise in level towards Dovedale Road, with a pedestrian and cycle path through it from north to south. The recreation ground includes Hawthorn Brook along the eastern boundary.
- 2.2 The surrounding area is mainly residential in character, with the Dove Primary Care centre situated to the west of the site on Dovedale Road and St Margaret Mary RC Primary School to the south on Perry Common Road. The site adjoins some existing dwellings on Dovedale Road and Witton Lodge Road at the northern and southern ends.
- 2.3 [site location and street view](#)

## 3. Planning History

- 3.1. 24/03/1994 – 1994/00722/PA – Demolition and site clearance – No prior approval required.
- 3.2. 15/08/2011 – 2011/01330/PA – Full application for erection of 226, two, three and four bedroom dwellings with associated roads, parking and landscaping on five sites (5C, 5Di, 5Dii, 5Diii and 6C at Perry Common – withdrawn.
- 3.3. 23/06/2014 - 2011/01794/PA – Erection of boundary fencing, construction of balancing pools and swales, realignment of Hawthorn Brook, new and re-surfaced footpaths, new footbridge, and associated soft landscaping. Approved subject to conditions.

- 3.4. 2015/06575/PA - Enhancement of existing public open space including formation of drainage swales, cut and fill walks, new cycle routes and footpath layout, new boundary treatment, furniture and entrance thresholds, habitat creation including tree planting, shrubs, thicket, wetland and meadow formation, car parking and arrival facilities and associated works – Current application to be determined.

4. Consultation/PP Responses

- 4.1. Press notice, site notices erected. MP, ward members for Erdington, Kingstanding and Stockland Green notified. Residents Associations and neighbouring occupiers notified. A total of seven representations have been received. The following comments and objections have been raised :
- 4.2. Loss of land that currently forms part of the existing park, the development should be revised so that there is only one row of houses fronting Dovedale Road, although it was always understood that the houses would be built on this land the proposed density of development was not anticipated, overdevelopment of the area resulting in overcrowded schools, surgeries and buses, the loss of land from the park will reduce the use of what remains, the previous phase feels very cramped and this also seems a problem with this phase, increased traffic on local roads, overlooking and loss of privacy from the apartments to existing residents, there has been an increase in fly-tipping in the area since the previous phase was occupied
- 4.3. One resident raises concern regarding potential flooding of the proposed houses. They comment that in July 2013 there was a flash storm which caused Hawthorn Brook to break its bank, resulting in Perry Common Recreation ground being flooded and also caused some flooding of existing dwellings on Dovedale Road. It is understood that part of the problem was due to lack of maintenance of the brook, and that they have not seen any improvement to its maintenance since.
- 4.4. One resident comments that it is good to see the creation of a new cycle route to connect to Dovedale Road with the cycle route going through Perry Common, however the new developments do not have enough connection points to that cycle route to cover natural desire lines. They also comment there is no detail of the proposed cycle parking provision for the proposed flats.
- 4.5. Transportation Development – No objection subject to conditions relating to necessary highway works, pedestrian visibility splays, forward visibility splays, construction management plan, removal of any street trees and any stopping-up, surface materials, and a residential travel plan.
- 4.6. Regulatory Services – No objections. Recommends condition relating to electric vehicle charging points for each dwelling.
- 4.7. Leisure Services - No objections. Colleagues have been working closely with the applicant over a number of years to ensure associated improvement works to the adjacent recreation ground have been co-ordinated with the new housing shown. Although the proposed housing is being built on parts of the recreation ground it has been agreed that there will be no off-site or play area contributions as part of this application. Instead improvement works to the recreation ground itself will be funded by Housing as part of the overall scheme costs, and are subject to a separate application for planning permission.

- 4.8. Education – Requests that a planning obligation should be secured towards nursery, primary and secondary school places to their formula totalling £1.03 million.
- 4.9. Lead Local Flood Authority – Makes detailed comments in respect of the proposed SUD's design within the park including requests for further information and recommends that these details can be agreed by condition.
- 4.10. Environment Agency – No objections, recommends a condition regarding finished floor levels in site 5Dii as this is partly within flood zone 2, and a condition regarding ground contamination in the interests of protecting the quality of controlled waters.
- 4.11. West Midlands Police – Makes detailed comments that the scheme is understood to be seeking Secured by Design accreditation and that the proposal lends itself to the principles of Secured by Design.
- 4.12. West Midlands Fire Service – No objections subject to suitable water supplies for firefighting to be provided.

## 5. Policy Context

- 5.1. Adopted UDP 2005, Draft Birmingham Development Plan, Perry Common Estate design brief and zoning layout SPG (1994) Places for Living SPG, Car parking guidelines SPD, NPPF.

## 6. Planning Considerations

### 6.1. Policy implications including loss of public open space

- 6.2. In respect of new housing developments, the adopted UDP sets out in paragraph 5.25C that account will be taken of the suitability of the location for housing, the need to maintain a diversity of uses within the built up area, whether there are any serious physical constraints, such as contamination, instability or flooding, any intrinsic historic, cultural or natural asset; the accessibility of the site to jobs, shops and services by modes other than the car; and the capacity of existing and potential infrastructure to absorb further development.
- 6.3. On public open space, the UDP states in paragraph 3.53 that the standard of 2 hectares of public open space per 1000 population will be used to assess the adequacy of existing public open space provision, normally calculated on a ward basis. However, fluctuations in provision within wards and provision within adjoining wards where sites fall close to ward boundaries will also be taken into account. The policy recognises that in some instances improving the quality of public open space may be more appropriate rather than providing new areas. Paragraph 3.53B states that new residential developments generate a need for public open space and children's play facilities to serve the occupants of the new homes. Paragraph 3.52A sets out that proposals which would result in the loss of open space will only be permitted in exceptional circumstances. In determining where exceptional circumstances exist, the City Council will take account of the availability of public open space nearby, its quality and how well it meets local needs. It is unlikely that developers will be able to demonstrate that exceptional circumstances exist where the existing provision falls below the standard and/or there would be a loss of land from the open space network.

- 6.4. Paragraph 11.12 sets out that the housing in Perry Common is largely in need of refurbishment or redevelopment. Defective non-traditional housing is being redeveloped (policy HR1).
- 6.5. Policy TP9 of the draft BDP sets out the planning permission will not normally be granted for development on open space except where it can be shown in an up to date assessment that the open space is surplus taking account of the 2 hectare per 1000 population minimum standard and the accessibility and quality criteria in the policy, and that the lost site will be replaced by a similar size piece of open space, at least as accessible and of similar quality and size. Where an area of open space is underused, as it has inherent problems such as poor site surveillance, physical quality or layout, which cannot be dealt with, then in this case proposals that would result in the loss of a small part of the larger area of open space will be considered if compensation measures would result in significant improvements to the quality and recreational value of the remaining area.
- 6.6. The Perry Common design brief and zoning layout SPG was prepared in the 1990's to guide the clearance of defective 'Boot' type houses and for the regeneration of the housing estate. This document sets out that the regeneration presents an opportunity for public open space within the estate to be redistributed to improve its accessibility to all and to be more appropriately integrated with the housing it serves. As part of this, the brief envisages some development of part of the recreation ground.
- 6.7. This application is for the penultimate phase of planned new housing regeneration at Perry Common on sites known as 5Dii and 5Diii. Earlier phases in Perry Common have delivered replacement new housing and associated new open spaces, including a new area of public open space bounded by Jonquil Close/Jackdaw Road/Capilano Road/Primrose Croft and Enderby Road (0.99 hectares), land adjacent Kingfisher Road and land between Capilano Road and Dovedale Road (0.57 hectares), land between College Road and Hastings Road (0.51 hectares) and land at Hurstwood Road (0.24 hectares). These areas of open space amount to 2.31 hectares of new public open space overall. The larger area of open space includes outdoor gymnasium equipment.
- 6.8. Phases 5Dii and 5Diii are proposed to be bisected by a wedge of open space from Dovedale Road that will link up adjoining open space to Perry Common Recreation Ground, which is proposed to be refurbished and enhanced, to be funded as part of this development, and subject to a separate planning application, which will include the balancing swales and ponds to serve this development along with a package of other improvements to the park. The area of park to be developed for housing would be 2.1 hectares with the resulting recreation ground comprising 7.74 hectares of public open space.
- 6.9. When the whole of the estate is taken into account, the proposed loss of open space in this application is sufficiently offset by the redistribution of open space that has taken place previously (thereby improving accessibility) and in the quality of the resulting improvements to Perry Common Recreation Ground. It is also offset in quantitative terms by the areas of open space that have already been created with a net increase of 0.2 hectares overall. The development of part of a section of the park would also result in an improved relationship to the open space from the houses, where previously the houses backed onto the open space, the resulting proposals allow for the houses to face out onto the open space in accordance with the Council's urban design guidance. Overall, I consider that the proposed development

accords with the Council's policies in the UDP and the estate design brief SPG and is therefore acceptable in principle.

6.10. Design and layout

6.11. The proposed layout has been subject to detailed pre-application discussions with officers in Planning and City Design and has been carefully composed to accord with the guidance in Places for Living to achieve perimeter blocks with strong public frontages and private rear spaces. The proposed road layout that connects the perimeter blocks is logical and the use of specially designed house types to turn corners in the street ensures that the appearance of the development will provide strong building lines to Dovedale Road and to the new road frontages. The configuration of the plot levels has been carefully set to address the requirements of the flood risk assessment and to ensure a sensible configuration of plots so that, for instance, semi-detached houses share the same slab level in the interests of their visual appearance as a pair.

6.12. The density of development is comparable to earlier phases and is in accordance with the Council's policy in the UDP and the draft BDP. I do not concur with the comments raised by residents that this constitutes an over development of the site.

6.13. There are some compromises on separation distances between rear facing windows, but these have been minimised as much as possible by placing windows on side elevations and by orientating the windows so that they don't face towards neighbouring gardens. Within site 5 Dii an optional balcony has been shown on the northern gable end of the apartments (plots 6-14). I have recommended a condition for further details to be provided to ensure that this is orientated away from the existing residents gardens to protect their privacy. On this basis, I am satisfied that an acceptable degree of privacy would be achieved. I have recommended that permitted development rights for extensions and new windows are removed to ensure that the amenities of residents are not adversely affected in the future.

6.14. Boundary treatment details have been provided and are acceptable, subject to agreeing further design details for any retaining walls where required. The plots facing onto Dovedale Road would have front boundary walls and piers with estate railings to divide the front gardens, to match the treatment previously agreed on phases 5C and 5Di on the opposite side of Dovedale Road. Elsewhere with the site, front boundaries would be estate railings supplemented with landscaping including hedges and trees. There is sufficient space within front gardens for new tree planting, the details of which have been indicatively shown and are proposed to be agreed in detail by condition.

6.15. The house types reflect those previously used and will therefore appropriately integrate visually into the streetscene on Dovedale Road. The apartments have been revised to address various detailed design issues I have raised and are also acceptable. I have also recommended that some design detail of the houses is agreed by condition including window reveals, front doors and garage doors.

6.16. Provision of affordable housing

6.17. The programme of housing regeneration at Perry Common has provided a mix of tenures through the phases of development to provide a mix of rented, shared ownership and owner occupied properties to meet the housing needs of the local community.

- 6.18. Within this phase, there would be 77 rented units which equates to over 50% of the total number of units proposed. Taking into account other phases, 506 affordable units are proposed to be provided overall in a total of 913 replacement dwellings. This is in excess of the Council's planning policy for 35% affordable housing, with a significant proportion of rented units provided ahead of the sale units in earlier phases to meet the social housing needs of local residents whose homes were demolished as part of the regeneration process. The proposed outright sale units that have been provided have helped to address the perceived tenure imbalance in the estate, and also have provided the funds required to undertake the proposed extensive infrastructure improvements including the works to the recreation ground.
- 6.19. The proposals therefore accord with the Council's affordable housing policy. I have recommended appropriate conditions relating to the delivery of the proposed affordable units in accordance with the usual practice for BMHT schemes.
- 6.20. Flooding and Sustainable Urban Drainage
- 6.21. The proposals have been subject to detailed discussions with both the Environment Agency and the Lead Local Flood Authority.
- 6.22. In respect of the assessment of the risk to the development from fluvial flooding, part of site 5Dii is within flood zone 2, with the majority of the site being within flood zone 1. The scheme has been carefully designed to set the proposed levels of the units so that they are not at risk of flooding. The proposed landscaping within the recreation ground has been modelled with the aim to reduce flood risk in the immediate area as well as reducing flooding further upstream of the development. The landscaping features include SUDS to serve the development, and developing a two-stage channel at a number of locations adjacent to the Hawthorn Brook, creating a wet meadow. This will increase the channel capacity during flood events. Two dilapidated weirs will be modified or removed to improve ecology, hydrogeomorphology and to reduce upstream flood risk.
- 6.23. The flood risk assessment advises that a comparison of pre and post development peak water levels for the 100-year plus climate change event shows that the proposed works will generally reduce water levels by at least 10mm compared to the baseline scenario in the vicinity of the development site. In order to mitigate the risk of fluvial flooding, the minimum finished floor level is proposed to be set at least 600mm above the modelled 1 in 100-year plus climate change flood levels, as recommended by the Environment Agency. This 600mm freeboard safety margin allows for model inaccuracies, future changes to the watercourse, wave action of flood waters or settlement of structures following construction.
- 6.24. To mitigate against surface water and ground water flood risk, the flood risk assessment sets out that finished floor levels be raised at least 150mm above surrounding ground levels in order to prevent the ingress of overland flows. All floors should be made of solid construction materials or sealed beneath suspended floors to prevent the ingress of groundwater. I note that the Environment Agency have no objections and my recommendation includes a condition setting the finished floor levels in accordance with these agreed details.
- 6.25. In respect of the surface water management, the development will involve the construction of a SUDS system within the public open space to the west of the proposed development. This system will accept flows from sites 5Dii and 5Diii and the preceding phase (5C and 5Di of 59 dwellings on the west side of Dovedale Road), and flows in the existing public sewer will be directed into the SUDS system,

ensuring that the peak runoff rate from the site will not exceed greenfield runoff rates. Runoff from all areas of the development will flow through at least two drainage features, ensuring that a suitable level of water quality treatment is provided by the SUDS system prior to discharge into the Hawthorn Brook.

- 6.26. The proposed SUDS system will comprise a swale cascade, located along the western boundary of the development and through the centre of the public open space area dividing the northern and southern plots. Development areas will drain to this cascade by sewers or surface channels, before flowing down to a pond or basin which will provide the majority of the required attenuation volume to achieve runoff rates no greater than greenfield. This feature will then discharge flows into the Hawthorn Brook via a stream-like channel feature or by sub-surface pipes.
- 6.27. The detailed design of these features are part of a separate planning application for the enhancement works to the recreation ground and will therefore be subject to the determination of that application. I note the comments made by the Lead Local Flood Authority who consider that additional information is required. I have recommended a Grampian type condition that ensures that the development cannot be occupied until the SUD's details have been approved and implemented.
- 6.28. Transportation issues
- 6.29. The proposed development makes appropriate provision for vehicular and pedestrian access, to and within the site. The development would take access from Dovedale Road with new access roads provided to adoptable standards with footways provided on both sides within the centre of the site. The outermost road that would adjoin the public open space would be a shared surface with a service margin adjacent to the dwellings and with appropriately designed traffic calming measures included. The details provided adequately demonstrate the tracking movement for refuse collection and forward visibility to be of an appropriate standard. Parking provision meets with the guidance in the SPD for residential developments and is considered acceptable. I note that Transportation have no objections and have recommended several conditions, most of which I have recommended below, though I do not consider that a construction management plan condition is necessary in this instance.
- 6.30. Notwithstanding the comments made in respect of accessibility for cyclists, I do not concur with the view that there is insufficient connectivity from the housing development to the recreation ground proposed, with four separate access points leading to paths within recreation ground. The design of the proposed cycle network has been subject to detailed discussions with the Principal Active Travel Officer in Transportation. I have recommended a cycle storage condition for the proposed apartments as I concur that this would be appropriate.
- 6.31. Ecology
- 6.32. The applicant has submitted an extended phase one habitat survey and a water vole survey with the application. The Habitat survey sets out that the site is dominated by amenity grassland and mosaics of scrub and semi-improved grassland in the west of the site with hawthorn brook to the eastern boundary. The report does not identify any reasons why the site should not be developed and makes a number of recommendations including a biodiversity enhancement plan as part of the landscaping works, clearance outside the nesting season and the removal of invasive plant species in accordance with a method statement to be agreed.



- 6.33. The City's ecologist advises that whilst the water vole survey is now out of date having been undertaken in October 2012, the brook course is unlikely to be fully affected until the works within the public open space to construct the swales start at which point this survey will be required prior to the works commencing. This is to be addressed in the planning application for the recreation ground and does not affect the determination of this application. He also comments that the landscaping proposed is welcomed and the details of species can be agreed by condition.
- 6.34. I note that the ecologist advises that the habitat survey is also on the verge of being out of date, however given that sections of the site are heavily managed this survey can still be used. He advises that if work on site does not commence before March 2016 then an updated survey is required.
- 6.35. I note that the City's ecologist concurs with the conclusions of this report and advises to impose conditions which I have recommended below relating to a construction ecological management plan, bird boxes, and an invasive weeds method statement. I have also recommended a condition requiring the updated habitat survey if works do not commence before March 2016.
- 6.36. Trees
- 6.37. The tree survey submitted with the application was prepared for an earlier phase in March 2013. Whilst this shows approximately 11 trees and groups of trees across the site, these have now all been removed. The proposed scheme makes provision for extensive tree planting within the scheme, both within front and rear gardens, and there are also substantive numbers of new trees to be provided within the recreation ground as part of the enhancement works. These works will make a substantial improvement to the appearance of the development.
- 6.38. Archaeology
- 6.39. The proposed development has the potential to affect below ground archaeological remains which are likely to be of pre-historic or Roman date. The application is accompanied by a brief prepared for the previous Persimmon Homes scheme which sets out a methodology to be employed during the archaeological work. This document is generally acceptable however it includes out of date references to PPS5 rather than the NPPF. I have therefore recommended a condition requiring a programme of archaeological work, including excavation, post excavation analysis and the publication of a report in accordance with an updated written scheme of investigation.
- 6.40. Other issues
- 6.41. Whilst I note the recommended condition from Regulatory Services in respect of electric vehicle charging points I do not consider that this is justified in this case, bearing in mind that there is no policy requirement for such provision.
- 6.42. I note the comments from Education seeking a contribution towards school place provision, and whilst the proposed development will create additional need for schooling given the mix of family sized homes to be provided, it is not possible to fund a contribution from this development given the significant investment that is proposed to be put into Perry Common Recreation Ground. These proposals are fully committed by the Council with a planning application submitted, and so I do not consider it would be appropriate to require this investment to be diverted towards the provision of school places in this case.

- 6.43. I note the comments from the Fire Service regarding water supplies and have recommended an appropriate condition.

7. Conclusion

- 7.1. The proposed development will accord with the Council's policies for the regeneration of the Perry Common Estate in the UDP and the Estate design brief, and the policies regarding public open space and affordable housing. It also accords with the policies on urban design and car parking provision. The scheme will make a significant positive contribution to the regeneration of the area and is therefore recommended for approval.

8. Recommendation

- 8.1. Approval subject to conditions.

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|----|--|
| 1  | Grants a personal permission to Birmingham City Council  |
| 2  | Requires the provision of affordable dwellings   |
| 3  | Requires the prior submission of a programme of archaeological work  |
| 4  | Requires the submission of unexpected contamination details if found   |
| 5  | Requires the prior submission of a drainage scheme   |
| 6  | Requires the details of the proposed SUD's works on Perry Common Recreation Ground to be approved and implemented prior to first occupation. |
| 7  | Sets the level of the finished floor levels  |
| 8  | Requires the prior submission of a method statement for the removal of invasive weeds  |
| 9  | Requires the prior submission of an additional ecological survey if development is not commenced prior to 1st March 2016.                    |
| 10 | Requires the prior submission of a construction ecological mitigation plan   |
| 11 | Requires the prior submission of details of bird/bat boxes   |
| 12 | Requires the prior submission of sample materials  |
| 13 | Requires the prior submission of hard and/or soft landscape details  |
| 14 | Requires the prior submission of hard surfacing materials  |
| 15 | Requires details of any retaining walls/structures   |
| 16 | Requires details of window reveals, front doors and garage doors to be approved  |
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- 17 Requires details of the optional balcony to the north elevation of the apartment block (plots 6-14) on site 5Dii
  - 18 Requires the prior submission of a lighting scheme
  - 19 Requires the prior submission and completion of works for the S278/TRO Agreement
  - 20 Requires the prior submission of cycle storage details
  - 21 Requires pedestrian visibility splays to be provided
  - 22 Requires the prior submission of details of water supplies for firefighting
  - 23 Requires the prior submission of a residential travel plan
  - 24 Requires the scheme to be in accordance with the listed approved plans
  - 25 Requires the scheme to be in accordance with the listed approved plans
  - 26 Limits the approval to 3 years (Full)
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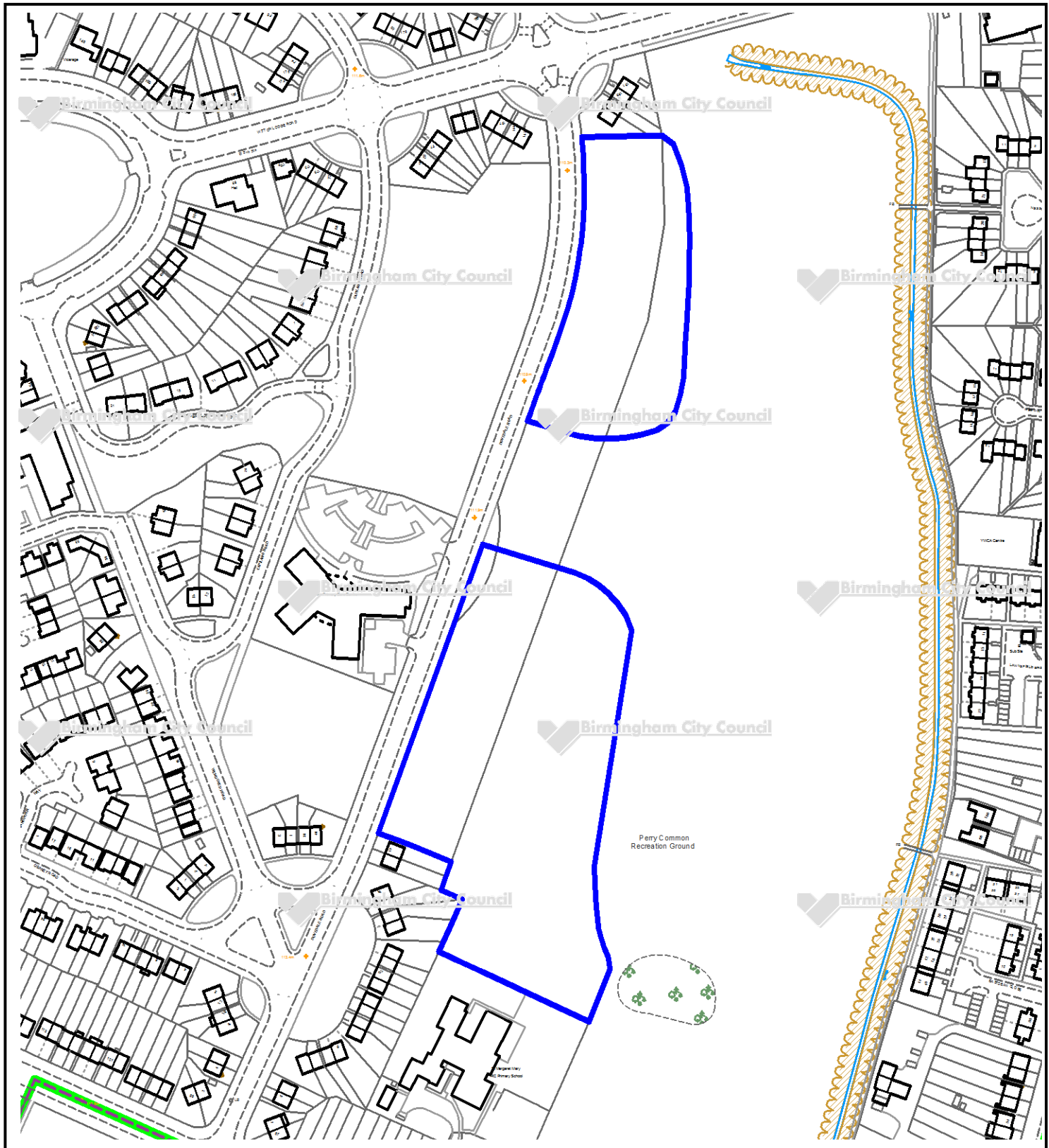
Case Officer:        Stuart Morgans

**Photo(s)**



**Figure 1 : View south across Perry Common Recreation Ground**

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06508/PA
Accepted:	11/08/2015	Application Type:	Full Planning
Target Date:	06/10/2015		
Ward:	Soho		

Land on Waverhill Road, Handsworth, Birmingham, B21 0UE

Erection of 3 storey new building containing 3 ground floor retail units and 6 flats on upper floors

Applicant:	BAInvestments c/o The Agent
Agent:	Archi-tekt Partnership Victoria Works, 21c Graham Street, Birmingham, B1 3JR

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Recommendation

**Approve Subject To Conditions**

1. Proposal
- 1.1. The applicant proposes the erection of a new build 3 storey building that would contain 3 ground floor retail units and 6 flats on the upper floors.
- 1.2. The ground floor layout would provide 3 retail units. Each of these would have retail floorspace, W.C, kitchenette and store room. An internal cycle store that would be accessible from a rear enclosed shared lobby would also be provided at ground floor.
- 1.3. The first floor would provide 3 flats. Each of these would have two bedrooms, living room/kitchen, shower room/W.C. One of the bedrooms to each flat would have an en-suite. Two of the flats on this floor would have access to their own roof top terrace amenity area.
- 1.4. The second floor would also provide 3 flats ( 2 x 1 bedroom and 1 bedroom). They would each have a living room/kitchen and shower room.
- 1.5. Access to the flats from the ground floor would be made through a communal staircase that would lead from the front of the premises on Waverhill Road.
- 1.6. No on site parking or servicing area is proposed.
- 1.7. The building would have a staggered flat roof with large areas of glazing along its western façade that would provide light into the retail units and flats.
- 1.8. No details with respect to the proposed hours of use of the retail use have been submitted.
- 1.9. [Link to Documents](#)



## 2. Site & Surroundings

- 2.1. The application site currently sits vacant. To the immediate south is a church building. To the north is a pedestrian route that runs along the rear of ground floor commercial and upper floor commercial or residential units that face onto Soho Road. Adjacent the north east corner of the site is number 3 Waverhill Road which appears to be a derelict commercial premises. The last use of the premises is unknown. To the east are houses on Holliday Road. To the west, across Waverhill Road, is a city council pay and display car park.

## 2.2. [Location map and street view](#)

## 3. Planning History

- 3.1. 04.06.2015- 2015/01885/PA- Erection of four storey building to accommodate 3 (A1) retail units at ground floor (with ancillary storage) and 7 apartments- refused on the grounds of design and appearance and that the internal layout of the proposed flats would not provide future occupiers with a satisfactory standard of residential amenity.

## 4. Consultation/PP Responses

- 4.1. Surrounding occupiers, local shopkeepers forum, neighbourhood forums and local councillors notified as well as site notices displayed- 1 petition objecting to the proposal which contains 9 names as well as 1 letter of objection received. The objections can be summarised as follows:- they have issues regarding parking, congestion, drugs, fly tipping and anti social behaviour and the proposal would lead to unhappy customers of existing businesses.
- 4.2. 1 letter of concern received from the neighbouring church hall (5a Waverhill Road). The concerns raised include: the impact on the structural integrity of the church building, the impact of noise, dust and building materials etc, potential impact of residential and business waste, parking impact, would like a clause in planning permission stating no building work on Sundays.
- 4.3. Transportation Development- No objection.
- 4.4. Regulatory Services- No objection subject to a noise and vibration assessment being carried out, limits on noise from plant and machinery, noise insulation being provided, controls on the hours of use, controls on delivery/despatch times and the requirement for a contamination site report and remediation verification report (if remediation is identified to be required).
- 4.5. WM Fire Service- no objection.
- 4.6. WM Police- request works are carried out to standards set out in Secured by Design, that intruder alarms are installed into each retail unit, consideration be given to distancing the communal access to the apartments from the access to retail units 2 and 3 and questions whether there would be any controls in place to control access into the rear communal area (between the retail units and storage area).

5. Policy Context

- 5.1. UDP (2005); Draft BDP, NPPF, SPD Car Parking Guidelines, Shopping and Local Centres SPD, Places for Living SPG and A41 (Soho Road) Framework January 2015.

6. Planning Considerations

- 6.1. The proposal has been considered in light of the following issues:-
- 6.2. Principle- The application site falls within the Soho Road district centre boundary. The City Council seeks through adopted policy guidance contained within the UDP (2005) and Shopping and Local Centres SPD as well as the draft Birmingham Development Plan to protect and enhance the role of the designated shopping and local centres such as Soho Road. The A41 (Soho Road) Framework, which though not formal adopted policy guidance had been formally endorsed by the Cabinet Member Development and Skills following public consultation, and strengthens the case for mixed use development in this centre. That document specifically identifies the application site (plot 10) as being acceptable for local centre uses such as retail, leisure, offices, residential, health and community uses. I therefore consider that on the basis of the policy support above and encouragement for retail and residential uses on the site provided by the A41 framework, the principle of the proposed uses is acceptable.
- 6.3. Design- The submission of this application follows a more recent refusal of a scheme on this site for a proposal that would have also provided retail and residential premises. That application was partly refused on the adverse design impact the proposal would have. Following the issuing of that refusal decision, officers actively engaged with the applicant to try and address the refusal reasons. As a result of those pro-active negotiations, the scheme was reduced in scale whilst incorporating greater detailing to enhance its design. The result of those negotiations is the scheme before members today.
- 6.4. The proposed development would provide for a three storey development which would provide an active street frontage at ground level. The overall mass and scale of the development would respect the established character of the existing built environment. For example, the building height would stagger downwards at its southern end, which would not only reflect the sloping nature of Waverhill Road but also allows the site to sit comfortably (in visual terms) when the development is viewed in its proposed position between larger higher set premises on Soho Road to the north and the smaller church to the immediate south.
- 6.5. The design of the building would make use of external brickwork along its upper levels which would sit above a largely glazed ground floor, thereby reflecting the more traditional brick buildings nearby whilst introducing an active street frontage at ground level. The staggered flat roof and more detailed features such as the ground floor set back and large aluminium glazed windows on the upper floors would add positive character to the building. In summary, the proposal is expected to make a positive visual impact in this locality.
- 6.6. Parking- Transportation Development raise no objections to the proposal. I concur with this view. Whilst the proposed development would not be provided with any on



site parking or servicing capacity for vehicles, I do not consider this warrants the refusal of this scheme. The reasons for this include the fact, as mentioned earlier, that the site is located within a designated district centre. This centre provides a variety of uses that service everyday needs as well as providing cultural, education and religious venues. This is expected to significantly reduce the potential demand for parking to access services by both future residents of the scheme and also potential customers of the proposed retail units who are likely to be drawn from the large residential catchment area within walking distance of the centre. When travelling by car, they are more likely to combine their trip with visits to other outlets/venues and hence are more likely to park for a longer duration and in a more considered location.

- 6.7. I also note the site sits directly across from a pay and display car park which customers can use and that Soho Road centre is well served by public transport, thereby further reducing the need for car parking.
- 6.8. Finally, given the relatively small size of the retail units, the demand for servicing should be able to be accommodated on street. In summary, no adverse parking or highway impact is envisaged.
- 6.9. Bedroom sizes- The bedroom sizes within the development comply with size guidelines contained within adopted SPG Places for Living.
- 6.10. Noise and disturbance- Regulatory Services raise no objection to the proposal subject to safeguarding conditions relating to a noise and vibration assessment being carried out, limits on noise from plant and machinery, noise insulation being provided, controls on the hours of use, controls on delivery/despatch times and the requirement for a contamination site report and remediation verification report (if remediation is identified to be required). I concur with this view. The proposed development would be located within a district centre in close proximity to other noise generating uses such as retail and church. In order to mitigate against the impact of noise and disturbance the recommended conditions relating to noise should identify those noise sources that might be an issue with respect to the everyday enjoyment of the premises and seek to reasonably address them. It is also noted that the site may be affected by contamination, and as such conditions relating to contamination are recommended.
- 6.11. In summary, subject to safeguarding conditions no adverse noise or disturbance or environmental impact identified.
- 6.12. Overlooking/loss of privacy- I note the nearest premises is 3 Waverhill Road, which appears to have been in commercial/storage use is currently vacant and has many of its windows boarded up/broken. The nearest gable wall of the church next to the site does not have any windows. Finally the distance separation to the nearest gardens and houses in Holliday road complies with policy guidance whilst windows alongside the rear elevation of properties on Soho Road also meet distance separation guidance. In summary, no overlooking or intrusion of privacy identified.
- 6.13. Loss of light or outlook- no loss of light or outlook identified.

## 7. Conclusion

- 7.1. The proposed development would make use of currently vacant piece of land. It would introduce a development that would comply with local and national policy on

strengthening the role of local centres and have the added benefit of visually enhancing the area and adding to the city councils residential stock.

8. Recommendation

8.1. That planning permission be granted subject to conditions.

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| 1  | Requires the prior submission of a contamination remediation scheme  |
| 2  | Requires the prior submission of a contaminated land verification report   |
| 3  | Limits the hours of use of the retail units to between 0700 and 2100 hours   |
| 4  | Limits delivery time of goods to or from the retail units to between 0700 and 2100 hours.                                |
| 5  | Limits the noise levels for Plant and Machinery  |
| 6  | Requires the prior submission of details of a scheme of noise insulation between the residential and commercial premises |
| 7  | Requires a noise survey to be undertaken   |
| 8  | Requires the prior submission of sample materials  |
| 9  | Requires the prior submission of level details   |
| 10 | Requires the scheme to be in accordance with the listed approved plans   |
| 11 | Limits the approval to 3 years (Full)  |
- 

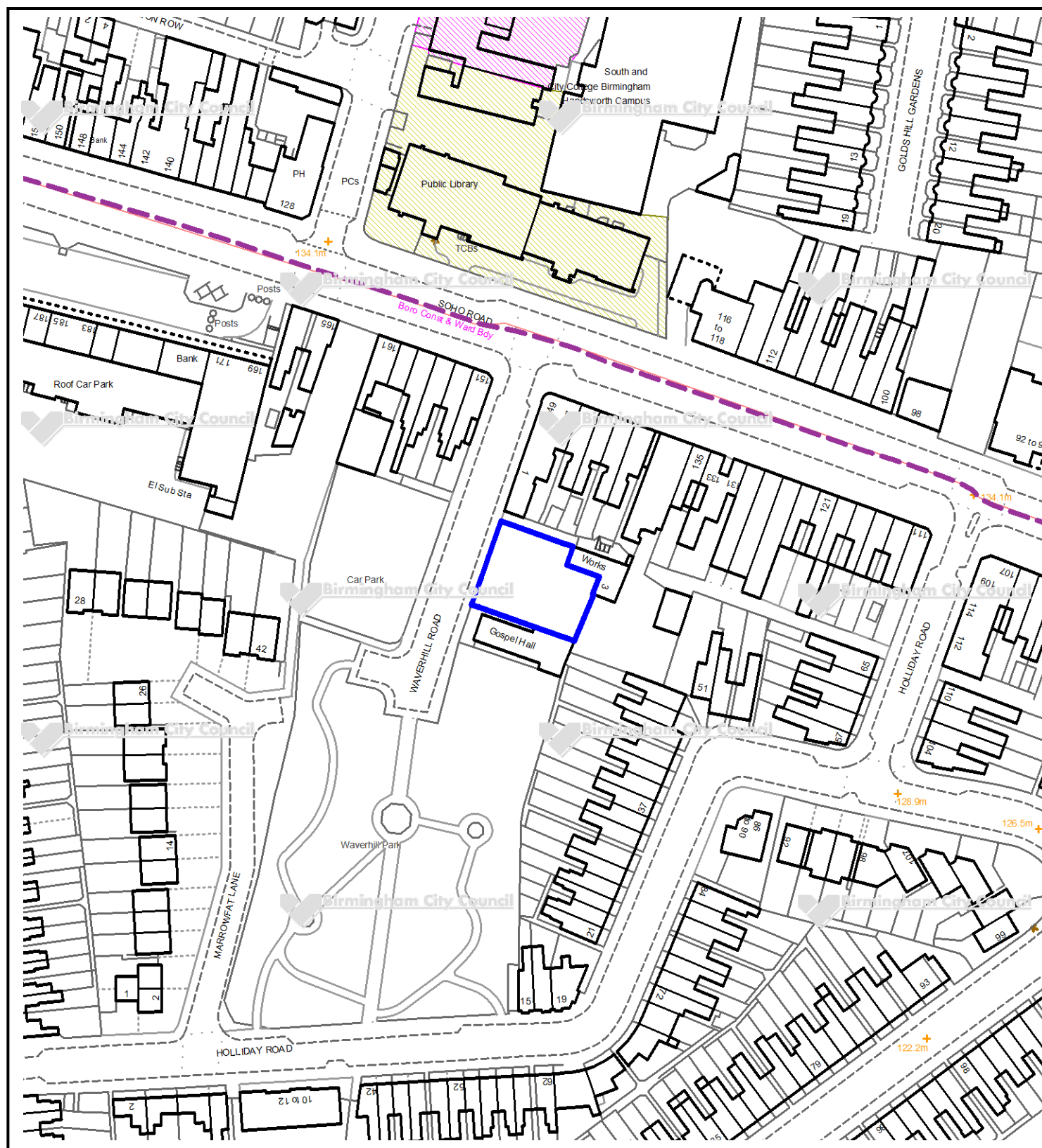
Case Officer: Wahid Gul

## Photo(s)



View of application site

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06482/PA
Accepted:	10/08/2015	Application Type:	Full Planning
Target Date:	05/10/2015		
Ward:	Handsworth Wood		

29-31 Hamstead Hill, Handsworth, Birmingham, B20

Erection of 5 new dwelling houses, new access road and associated works.

Applicant: Made Architecture Ltd  
Shadowbrook Court, Shadowbrook Lane, Hampton in Arden, B92 0DL

Agent:

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. The proposal includes the demolition of a derelict bungalow/garage in the grounds of and adjacent to no. 29 Hamstead Hill Road and the redevelopment of the site including part of the rear garden of nos. 29 and 31 Hamstead Hill with 1 detached dwelling house on the site frontage and 4 detached dwelling houses at the rear, accessed via a private driveway.
- 1.2. The proposed site layout would include 1 detached two storey dwelling house on the site frontage of traditional design featuring projecting gables with a double fronted bay window. Materials would consist of facing brickwork and render with tiled roof. Accommodation would consist of hall, toilet, lounge, snug, kitchen and dining area at ground floor and 5 double bedrooms (two en-suites) and a bathroom at first floor. Solar panels would be on the roof slopes.
- 1.3. The 4 detached dwellings to the rear would be of individual modern designs. Materials would consist of facing brickwork and render with flat green/biodiversity roofs and timber cladding, Brise soleil and curtain walling to provide further architectural detailing and visual interest.
  - Plot 2 would consist of a garage, living room, hall, snug and kitchen/dining room at ground floor and 4 double bedrooms (two en-suites) and a bathroom at first floor.
  - Plot 3 would consist of a garage, family lounge, dining/living area, hall and kitchen at ground floor and 5 double bedrooms (three en-suites and one with balcony) and a bathroom at first floor. An outdoor swimming pool is proposed.
  - Plot 4 would consist of open plan kitchen/dining/living area, hall, lounge and toilet at ground floor and 4 double bedrooms (two en-suites and one with balcony) and a bathroom at first floor.

- Plot 5 would consist of kitchen/dining room, lounges, toilet, bathroom and 4 double bedrooms (two en-suites) at ground floor and 1 double en-suite bedroom at first floor.
- 1.4. All plots would have rain water harvesting systems to achieve an environmentally progressive and sustainable design.
  - 1.5. All bedroom sizes and private amenity space exceed minimum guidelines.
  - 1.6. A permeable block paved access road would be created off Hamstead Hill between plot 1 and No. 29 Hamstead Hill with a pedestrian path along one side. Twenty off-road parking spaces would be provided:
    - Plot 1 - 4 spaces
    - Plot 2 - 3 spaces (plus garage)
    - Plot 3 - 3 spaces (plus garage)
    - Plot 4 - 4 spaces
    - Plot 5 - 4 spaces
  - 1.7. Landscaping would comprise a mix of existing trees and shrubs being retained and new planting with a natural woodland and shrub area proposed to the rear of plot 4 and opposite plot 5. A bridge over the existing pond in the middle of the site would be erected to protect the existing stream allowing access to plot 5. A timber communal waste refuse shed for the properties at the side of no. 29 Hamstead Hill would be located along the access road.
  - 1.8. The following documents have also been submitted in support of the application:
    - Design and access statement
    - Highways statement
    - Supporting statement
    - Arboricultural report
    - Tree survey assessment
    - Flood risk assessment
    - Bat survey report
    - Diurnal and nocturnal bat survey report
  - 1.9. Site area: 0.8285 hectares
  - 1.10. Density: 8.5 dwellings per hectare.
  - 1.11. [Link to Documents](#)
  2. Site & Surroundings
    - 2.1. The current use of the application site relates to a small and somewhat rundown bungalow of no significant architectural merit to the front of the site. The rear of the site comprises domestic curtilage, which directly to the rear of the existing dwellings has been laid out as lawn, followed by an area of former orchard which is now very much overgrown and neglected. There is a small pond and wetland area close to the rear boundary.
    - 2.2. The application site has a frontage to Hamstead Hill, and to the rear incorporates the rear gardens of Nos 29, 29A and 31 Hamstead Hill. No 29 Hamstead Hill would be retained as the existing dwelling. Part of the site lies to the rear of 27 Hamstead Hill and extends to the rear of properties within Englested Close.



- 2.3. The site slopes to the rear from the west (road side) by some 7m. The change in level is a gradual one and can be used to make the new buildings appear less imposing and more subservient to the main dwellings to the front and around. The development would follow the existing slope of the site and sit on the real ground instead of elevating the ground to suit.
- 2.4. The site itself approximates to 0.6 ha and is essentially garden land. A range of mature and semi-mature trees are situated within the site, with the boundaries of the site being well screened by existing trees and hedgerows. The frontage of the site to Hamstead Hill is similarly screened by a number of mature and semi-mature trees. The more important trees are protected by a Tree Preservation Order.
- 2.5. The surrounding area is mainly residential and characterised by a range of semi-detached and detached properties of varying design and age. Along Hamstead Hill, adjacent to the site are large detached properties, circa early 20th Century. There are a number of culs-de-sac situated off Hamstead Hill where properties vary in both size and design. There are substantial bungalows immediately adjoining the site in Englested Close, whilst in St Christophers there are both two storey detached properties and a terrace of three-storey dwellings.

#### [Site Location Map](#)

### 3. Planning History

- 3.1. 10/08/2011 - 2011/03905/PA - Erection of 13 no. two storey residential dwellings with vehicle access – Pre-application discussion finalised.
- 3.2. 08/10/2010 - 2010/03728/PA - Outline application with all matters reserved for erection of 6no. bungalows to rear of 29 and 31 Hamstead Hill – Refused.

#### Reasons for refusal:

- The proposed development would result in a piecemeal form of development unrelated to the context of its surroundings, this would be detrimental to the character and visual amenity of the area contrary to Paragraphs 3.8, 3.10, 3.14, 3.19, 5.38 and 5.40 of Birmingham Unitary Development Plan 2005, Places for Living (2001) SPG, Mature Suburbs (2008) SPD and PPS 3 'Housing'.
- The proposed development would result in the loss of, and alterations to, a significant number of trees on the application site and is likely to result in pressure for further tree pruning or removal. This would be detrimental to the character and appearance of the area contrary to Paragraphs 3.8, 3.10, 3.14 and 3.16A of Birmingham Unitary Development Plan 2005, Places for Living (2001) SPG, Mature Suburbs (2008) SPD and PPS 3 'Housing'.
- Insufficient information has been provided to determine whether the proposal would adversely affect habitat used by protected species contrary to policies 3.37 and 3.38 of the Birmingham Unitary Development Plan 2005 and the Nature Conservation Strategy for Birmingham which has been adopted as Supplementary Planning Guidance.

- 3.3. 19/12/2002 - 2002/04533/PA - Erection of 5 dwellings, formation of two vehicular accesses and demolition of 29A Hamstead Hill – Refused.

Reasons for refusal:

- The proposed housing and access layout would be harmful to the character and visual amenities of the area, contrary to Paragraphs 3.8, 3.10 and 3.14 of the Birmingham Unitary Development Plan (1993), to Paragraphs 3.8, 3.10, 3.14, 3.14C and 3.14D of the Deposit Draft UDP (2001), and to guidance at Parts 3 and 5 of Places for Living adopted as supplementary planning guidance by the Local Planning Authority.
- The proposed access road arrangements would adversely affect the amenities of the occupiers of the existing house at 29 Hamstead Hill by reason of nearness, noise and disturbance and loss of privacy, contrary to guidance at Part 3 of Places for Living adopted as supplementary planning guidance by the Local Planning Authority.
- The proposed development would involve damage to and possible future removal of trees on the site which would be harmful to the character and visual amenities of the area, contrary to Paragraphs 3.8, 3.10 and 3.14 of the Birmingham Unitary Development Plan (1993), to Paragraphs 3.8, 3.10, 3.14 and 3.14D of the Deposit Draft UDP (2001) and to Parts 3 and 5 of Places for Living adopted as supplementary planning guidance by the Local Planning Authority.

23/09/2003 – Appeal dismissed.

- 3.4. 02/11/2000 - 2000/01639/PA - Erection of 12 detached dwellings – Refused.

Reasons for refusal:

- The proposed development would adversely affect the amenities of the occupiers of 19 St Christophers by reason of nearness and overlooking and would thus conflict with approved supplementary planning guidance for new residential development.
- The proposed development would involve the removal of or damage to trees on the site which would be harmful to the character and visual amenities of the area, contrary to Paragraphs 3.8, 3.10 and 3.14 of the Unitary Development Plan.

28/03/2001 – Appeal dismissed.

- 3.5. 06/04/2000 - 1999/04396/PA - Erection of 12 detached dwellings – Non-determination appeal.

20/06/2000 - Appeal dismissed.

- 3.6. 06/10/1999 - 1998/03711/PA - Demolish existing dwelling and erect 17 dwellings and associated works – Withdrawn.

#### 4. Consultation/PP Responses

- 4.1. Site notice displayed, local councillors and MP, residents' associations and the occupiers of surrounding properties notified of the application – Ten letters of objection have been received with the following concerns summarised:

- Ruin the unique environment of this green area
- Cutting down/loss/damage of trees
- Loss of privacy/overlooking
- Close to existing property
- Increased traffic, congestion and parked cars



- Noise pollution
  - Disruption during building work
  - Environmental pollution
  - Destruction/disturbing of preserved nature surrounding the area
  - Does not fit in with the aesthetics of large Victorian houses on Hamstead Hill
  - Not in keeping with arts and crafts styles of surrounding houses
  - Devaluing property
  - Increased risk of burglary and thefts
  - Create sense of cramming
  - Creating a new road between large houses not suitable
  - Loss of pond and current garden/orchard type land
  - Impact on bats due to building work
  - Allow easier access to the rear gardens of nearby properties
  - Reduce greenery and spoil areas looks
  - Impact on newt colony
  - Good population and last wilderness areas of wild garlic
  - Does not meet the grounds for affordable housing/no social housing
  - Consultation carried out over summer holiday
- 4.2. West Midlands Police – Recommend a lighting plan and clarification on proposed boundary treatments.
- 4.3. Regulatory Services – No objection subject to a condition relating to a noise insulation scheme.
- 4.4. Transportation Development – No objection subject to amendments/conditions relating to the access road to be widened, the turning head so that the service vehicle does not override the adjacent land (opposite plot 5) and visibility splays.
- 4.5. Severn Trent – No objection subject to a drainage condition.
- 4.6. West Midlands Fire Service – No comments received.
- 4.7. Ecologist – No objections subject to conditions relating to landscape and ecological management plan, construction ecological management plan, details of green/brown roofs and scheme for ecological/biodiversity/enhancement measures.  
No evidence of roosting bats was found during the daytime inspection of nos. 29, 31 or the bungalow. Overall, the three buildings have low potential as bat roost habitat. During the nocturnal surveys, a small number of commuting and foraging common pipistrelles were recorded to the rear of the bungalow, with activity concentrated along the southern boundary hedgerow. Overall, the site is considered to have moderate value for foraging bats, with the trees, hedges, ponds and stream all providing good opportunities.
5. Policy Context
- 5.1. Birmingham Unitary Development Plan 2005, SPG: Places for Living 2001, SPG: Places for All 2001, SPD: Car Parking Guidelines, Mature Suburbs SPD, 45 Degree Code SPD, NPPF 2012, Draft Birmingham Development Plan.

## 6. Planning Considerations

### 6.1. Policy

Paragraph 3.8 of the UDP requires that proposals should protect and enhance what is good in the City's environment and improve what is less good. Paragraph 3.10 states that proposals, which would have an adverse effect on the quality of the built environment, would not normally be allowed. Paragraph 3.14D outlines a number of good urban design principles against which new development will be assessed. In particular this includes the impact a proposal would have on the local character of an area, including topography, building lines, scale, massing, views, open spaces, landscape, boundary treatments and neighbouring uses. The scale and design of new and extended buildings should generally respect the area surrounding them and reinforce and evolve any local characteristics.

### 6.2. Places for Living SPG requires new developments to respond well to the local context to ensure that the unique identity of a place is not harmed. It also includes numerical guidelines for bedroom sizes, garden sizes and separation distances in new developments and sets out key design issues for new housing development in the City.

### 6.3. Car Parking Guidelines SPD requires a maximum of 2 car parking spaces per dwelling. Appropriate levels of car parking provision for any individual proposal will be assessed in the light of maximum standards and the circumstances of the particular scheme.

### 6.4. Mature Suburbs (SPD) states that new housing can have a significant impact on local distinctiveness and the character of an area and that new development must be of 'good design' resulting from a good understanding of the local character and circumstances. It states that design should determine density and not vice versa. It concludes that proposals that undermine and harm the positive characteristics of a mature suburb will be resisted.

### 6.5. Draft Birmingham Development Plan seeks to provide for as much of the City's growing population within the urban area as possible with a focus on brown field or other available sites within the existing built up area.

### 6.6. The NPPF 2012 advises that one of the Government's key objectives is to increase significantly the delivery of new homes that are well designed and located in sustainable locations. The NPPF encourages the reuse of land that has been previously developed (brownfield land) and advises that private residential gardens are excluded from the definition of previously developed land. The NPPF does not prevent development from taking place on residential gardens providing it satisfies policies contained within the development plan and relevant planning documents which resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

### 6.7. Principle of development

The application site would provide a suitable place to live for future occupiers within an existing residential area and with good accessibility to local services and amenities including public transport services. I therefore consider that the proposed development would make efficient use of land and is acceptable in principle, in line with the adopted UDP 2005 and the NPPF 2012 which seeks to deliver new homes in sustainable locations, subject to detailed site considerations as referred to below.

- 6.8. Impact on character  
Mature Suburbs SPD identifies 7 factors which can be used to assess whether a proposed development is in keeping with the character of an area. These factors are; built form, spatial composition, architectural style, enclosure, density, degree of landscaping and the character of the public realm.
- 6.9. Hamstead Hill is located within an established residential area comprising detached houses set on a linear building line and with various sized and well established gardens. There are a number of cul-de-sac developments in the locality (such as Englested Close, St Davids Grove, St Annes Close). The extensive planning history is acknowledged on this site and that there have been a number of previous refusals for residential development. There have been extensive pre-application discussions, which has led to a scheme which is now considered to overcome previous deficiencies of the layouts. This scheme significantly reduces the proposed number of dwellings, each sitting within larger plots. I am satisfied that the layout, spatial composition, enclosure and degree of landscaping of the proposed development is acceptable and in keeping with the character of the area. It is now considered the proposed development would be consistent with the character of the area creating a cul-de-sac form of development.
- 6.10. In terms of the access road, it is considered that the width of the access would not be materially harmful in terms of the rhythm and spacing of dwellings on Hamstead Hill, or detract from the area's open and spacious character. I am of the view that the access road would have a negligible impact on the Hamstead Hill street scene and would not harm the character of the area.
- 6.11. Plot one which has the house fronting Hampstead Hill has a more traditional design to remain in keeping with the existing street scene with the 4 plots to the rear individually designed using natural materials being out of view from the public realm and subservient to the existing dwellings set at a lower level.
- 6.12. I therefore consider that the proposed scheme would provide a high quality residential cul-de-sac development which would be in character with the surrounding area and would not undermine or harm the positive characteristics of the local area, in accordance with the Mature Suburbs SPD, the adopted UDP 2005 and the NPPF 2012.
- 6.13. Design & Layout  
The City Design Team have raised no objections to the proposed development. I concur with this view. There have been extensive pre-app discussions resulting in an improved scheme that works in broad urban design terms. I consider plot 1 on the site frontage would sit comfortably within the street scene, and respect design and the setback of adjacent dwellings and the change in levels along Hamstead Hill. The inclusion of a front garden and tree/shrub planting on the site frontage is also welcomed.
- 6.14. The 4 detached dwelling houses at the rear of the site would be accessed via a private driveway. Again, the layout would include front gardens for each dwelling house and a mixture of retained and new planting including new tree planting on the site boundaries.

- 6.15. Places for Living states there should be 5m per storey set back where new development with main windows overlooking existing private amenity space is proposed. The layout, scale and orientation of the proposed dwellings ensure they would comply with the numerical guidance in Places for Living regarding separation distances from existing adjacent gardens of nos. 25 and 33 Hamstead Hill. The house at plot 2 would be 16m from the boundary; plot 3 would be 12m away but is on slightly lower ground and may have an outdoor terrace at the rear; plot 4 would be 10m away; whilst plot 5 would be set 7m from the garden boundary, but would be generally single storey with no upper storey windows on the rear. The plans also indicate that there are existing hedges/planting along the boundaries. It is therefore considered no overlooking or loss of privacy to the existing surrounding properties would result from the proposed development.
- 6.16. A timber communal waste refuse shed would be positioned at the side of no. 29 alongside the new access road. The appearance of this shed would need to be agreed. The materials appear to be mainly brick and render. All materials and detailing of building features such as doors and windows should be conditioned for later approval.
- 6.17. **Amenity**  
Regulatory Services have raised no objection to the proposed development subject to a condition relating to a noise insulation scheme. I concur with this view. The proposed development would comply with the 45 Degree Code SPG to ensure no overshadowing of dwellings. Bedroom and garden sizes comply with Places for Living minimum standards and the amenity afforded to future occupants would be acceptable.
- 6.18. **Highway Safety**  
Transportation Development raise no objection subject to amendments/conditions relating to the access road to be widened, the turning head so that the service vehicle does not override the adjacent land (opposite plot 5) and visibility splays. Due to the provision of the passing bay on the access road it is not considered necessary to widen the road any further in this instance as it also only serves 4 dwellings. I consider the proposed development would contain adequate car parking with 3-4 spaces per dwelling. I would raise no objection to the proposal on highway safety or parking grounds.
- 6.19. **Ecology**  
The Council's ecologist raises no objection to the proposed development subject to conditions relating to landscape and ecological management plan, construction ecological management plan, details of green/brown roofs and scheme for ecological/biodiversity/enhancement measures. I concur with this view and note that the site does not include any habitats or features of particular significance.
- 6.20. No evidence of roosting bats was found during the daytime inspection of nos. 29, 31 or the bungalow. Overall, the three buildings have low potential as bat roost habitat. A few features were noted during the external inspection of the bungalow that could provide access for roosting bats. Due to the presence of these features, and because this building is proposed to be demolished, it was subject to two nocturnal emergence surveys in July 2015. No bats were recorded emerging from the building during these surveys. Two of the mature fruit trees contained features that could potentially be used by roosting bats, however, these features were assessed as unsuitable because of their low position and vulnerability to predators. During the nocturnal surveys, a small number of commuting and foraging common pipistrelles were recorded to the rear of the bungalow, with activity concentrated along the

southern boundary hedgerow. Overall, the site is considered to have moderate value for foraging bats, with the trees, hedges, ponds and stream all providing good opportunities.

- 6.21. A great crested newt Habitat Suitability Index (HSI) assessment of the ornamental pond close to no. 31 was completed as part of the ecological assessment. A HSI score of 0.69 was calculated, which equates to an average predicted presence of great crested newt. HSIs were not calculated for the two other ponds, however, their small size and, in the case of the north-eastern pond, lack of permanent standing water, significantly limit their suitability for breeding great crested newt, and for other breeding amphibians. The site's limited connectivity to suitable off-site habitat also restricts its suitability for great crested newt. Taking these factors into account, I consider it unlikely that great crested newts are present on the site. However, the site does provide suitable habitat for non-breeding "common" amphibian species (common frog, common toad, smooth newt) that may be using ponds in neighbouring gardens as breeding sites (I note residents' comments about newts in adjacent gardens). Retaining and enhancing the north-eastern pond will improve the site's value to these other amphibian species.
- 6.22. The habitat enhancement measures recommended in the applicant's ecological assessment report to reduce any potential impact on habitats during site clearance works has been secured by condition. The proposals provide significant scope to incorporate biodiversity enhancements, which can also be secured by way of condition as recommended. I consider that the proposed development would have no detrimental impact on protected wildlife species.
- 6.23. Trees  
Of the 52 individual trees and 6 groups of trees surveyed, only 2 Category B trees (moderate quality) on the site frontage would be lost to allow for the access road to be created. All other category B and A (high quality) trees on the site frontage and within the site would be retained. The remainder of the trees to be removed (approximately 14) would fall within categories C (low quality) and U (small scale, dead or dying trees needing to be removed).  
The Council's tree officer raises no objection to the proposed development subject to a condition relating to an arboricultural method statement. I concur with this view. TPO 808 applies to most of the trees along the main road frontage and a small number of important individuals to the rear. Every effort has been made to ensure the retention of the protected trees to the rear and the plans show effort in retaining the habitat surrounding them. The named drawing shows general tree protection and building activity exclusion areas, but greater detail is needed, which can be secured by condition.
- 6.24. Sustainability  
The development would embrace codes and legislation to achieve an environmentally progressive design. The development is to be sustainable:
- Socially – an inclusive development accessible by all
  - Economically – a deliverable development on what the market can sustain
  - Environmentally – part of a world agenda to combat climate change.
- The environmental strategy for this development is one that considers and balances the energy consumed over its entire life:
- Energy in construction – Utilise local labour/materials, recycle/reuse materials where practical, utilise prefabrication to minimise waste where practical and utilise pre-cast concrete in lieu of in-situ concrete as much as possible.

- Energy in lifestyle choices – Local living, working, shopping and recreation.
- Energy in building use – Solar panels on plot 1, green/biodiversity roof on plots 2-5 and all plots would have rain water harvesting systems.

## 7. Conclusion

- 7.1. The proposed development would provide 5 well designed new dwellings within an existing mature suburb close to local amenities and services including public transport services. The cul-de-sac development in terms of design, layout, access point and density would not undermine or harm the positive characteristics of the area. The proposed development would not have an unacceptable impact on the amenities of adjoining occupiers, highway safety, trees or wildlife.
- 7.2. I therefore consider that the proposed development would comply with Mature Suburbs SPD, Places for Living SPG, the adopted UDP 2005 and the NPPF 2012, which all seek to make efficient use of land and to deliver new houses in sustainable locations that do not harm the built and natural environment.

## 8. Recommendation

- 8.1. Approve subject to the following conditions:

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|----|---|
| 1  | Requires the prior submission of a noise study to establish residential acoustic protection |
| 2  | Requires the prior submission of hard and/or soft landscape details                         |
| 3  | Requires the prior submission of hard surfacing materials                                   |
| 4  | Requires the prior submission of boundary treatment details                                 |
| 5  | Requires the prior submission of sample materials   |
| 6  | Requires the prior submission of communal waste refuse shed details                         |
| 7  | Requires the prior submission of drainage plans   |
| 8  | Requires the prior submission of earthworks details   |
| 9  | Requires the prior submission of a landscape management plan                                |
| 10 | Requires the prior submission of level details  |
| 11 | Requires the prior submission of a lighting scheme  |
| 12 | Arboricultural Method Statement - Submission Required                                       |
| 13 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures  |
| 14 | Requires the prior submission of details of green/brown roofs                               |
| 15 | Requires prior submission of construction ecological management plan                        |
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| 16 | Requires prior submission of landscape and ecological management plan  |
| 17 | Requires the prior submission of window frame details                  |
| 18 | Requires the prior submission of design of bridge details              |
| 19 | Requires the implementation of tree protection                         |
| 20 | Requires the prior submission of external doors/garage doors           |
| 21 | Retention of the sustainable measures shown in the scheme              |
| 22 | Requires pedestrian visibility splays to be provided                   |
| 23 | Requires the prior approval of an amended turning head layout          |
| 24 | Requires the scheme to be in accordance with the listed approved plans |
| 25 | Limits the approval to 3 years (Full)                                  |
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Case Officer:        Stephanie Salmon



**Photo(s)**



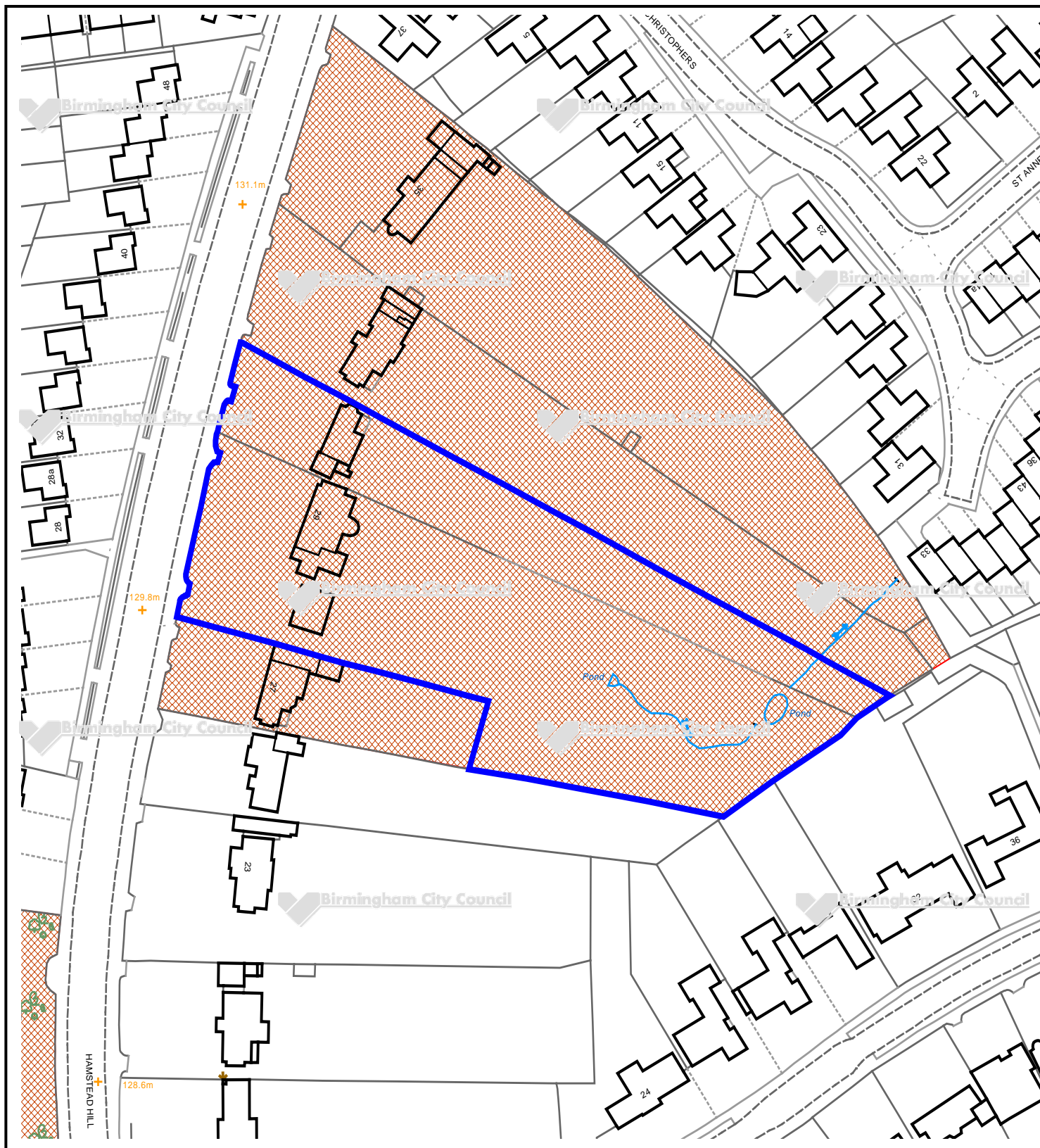
**Figure 1 – Bottom end of garden at No 31**





**Figure 2 – Application site frontage/access road location**

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/01523/PA
Accepted:	08/04/2015	Application Type:	Householder
Target Date:	03/06/2015		
Ward:	Handsworth Wood		

9 Ebley Road, Handsworth, Birmingham, B20 2LX

Erection of first floor rear extension, conservatory to rear, installation of dormer window to rear and new pitched roof to side.

Applicant:	Mr P S Kooner 9 Ebley Road, Handsworth, Birmingham, B20 2LX
Agent:	Atwal Design Services 126 Hamstead Hall Road, Handsworth Wood, Birmingham, B20 1JB

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. Consent is sought for the erection of a first floor rear extension, conservatory to the rear, dormer window to the rear and new pitched roof to side. The development would provide a new bedroom at first floor and two bedrooms and a bathroom in the roof space.
- 1.2. The resulting conservatory is proposed to extend off an existing dining room extension, this would be located along the boundary with No. 11 and measure 5m in depth and 4.5m in width. The conservatory would be to a maximum height of 3m (2.3m to eaves). The proposed first floor extension would be 3.7m in depth.
- 1.3. This application is being reported to planning committee as the applicant is related to a Councillor.

1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises of a traditional semi-detached dwelling house. The main house is designed with a hipped roof, bay window feature to the front and a hipped roof design. The property has been previously extended with a first floor side extension and single storey rear extensions. The first floor side extension is designed with a flat roof with a section of dummy pitch creating a gable end to the front. The surrounding properties are of similar age and design.
- 2.2. The nearest habitable room window to the rear of No. 7 lights a kitchen. The boundary with this property is defined by a 1.8m high fence closest to the house with hedging defining the remainder.

- 2.3. The nearest window to the rear of No. 11 lights a living room. The property has been previously extended with a fully glazed conservatory off the rear of the rear living room. The boundary with this property is defined by 1.8m high fencing.
- 2.4. There are a number of examples of first floor side and rear, and single storey rear extensions in the wider locality.

#### [Site Location](#)

### 3. Planning History

- 3.1. 20/05/1993 - 1993/01235/PA – Erection of side and rear extension to from kitchen, lounge and garage with bedroom over – Refused due to a breach of the 45 Degree Code
- 3.2. 29/07/1993 - 1993/02273/PA – Two storey side and single storey rear extension – Approved with Conditions

### 4. Consultation/PP Responses

- 4.1. Local ward councillors and the occupiers of neighbouring properties have been notified. One letter of objection has been received; objections have been raised in respect of:
- Loss of light
  - Overlooking
  - Scale and design
  - Existing side wall constructed on their land – an arrangement that was included in a previous legal agreement.

### 5. Policy Context

- 5.1. The following local policies are applicable:

- Birmingham Unitary Development Plan (Adopted 2005)
- Places for Living (Adopted Supplementary Planning Guidance 2001)
- Extending your Home (Adopted Supplementary Planning Document 2007)
- Draft Birmingham Development Plan
- 45 Degree Code (Adopted Supplementary Planning Guidance 1996)

- 5.2. The following national policies are applicable:

- NPPF: National Planning Policy Framework (2012)

### 6. Planning Considerations

- 6.1. The principal matters for consideration are the scale and design of the extensions, the impact on the architectural appearance of the property, general street scene and the impact upon neighbouring properties' amenities.
- 6.2. Amended plans have been submitted which make improvements to the overall design of the proposal. As originally submitted the proposal was designed with a quarter hipped roof to the side. The proposed roof has been redesigned to include a half hip to the side. Given the existing section of dummy pitched roof at the

application property I do not consider that the design of the proposed roof would have any further impact than as existing.

- 6.3. Whilst the proposed conservatory together with the existing rear extension would be a sizeable addition to the property, I consider that the resulting development would not compromise the existing character or architectural features of the property. The scale and design of the proposed dormer window and first floor rear extension are acceptable. The overall resulting development would not have a detrimental impact on the character or appearance of the application or result in a detrimental impact on the character of the wider locality. As such, the amended proposal would comply with the design principles contained within the design guide 'Extending Your Home' Supplementary Planning Document.
- 6.4. Whilst the proposed conservatory would technically breach your Committees 45 Degree Code in respect of the nearest habitable room window at No. 11 Ebley Road, the code allows for the amount of glass to be taken into account when assessing the impact on neighbours light. In this particular instance the proposed conservatory has been designed with a row of toplight windows from above the height of the existing boundary treatment between the two properties. Sufficient levels of light would still be able to pass through to rear of the neighbouring dwelling. I therefore consider this relationship to be acceptable. The scheme complies with the 45 Degree Code from the nearest habitable room window to the rear of No. 5.
- 6.5. The windows in the side elevations of the proposed conservatory would not meet with the required 5m separation distance as contained within 'Places for Living' and 'Extending Your Home' from the boundary with both neighbouring properties. I would therefore recommend that these windows are conditioned to be fixed and fitted with obscure glazing in order to protect the privacy of the occupiers of the neighbouring dwelling. All other distance separation guidelines have been met.
- 6.6. The matters raised in relation to land ownership and the legal agreement are civil matters between the neighbours and are not material to the determination of the application.
7. Conclusion
- 7.1. Notwithstanding the objection received, this amended application is recommended for approval because the proposal complies with the objectives of the policies as set out above and is of acceptable scale and design.
8. Recommendation
- 8.1. Approve subject to conditions

- 
- |   |   |
|---|---|
| 1 | Requires that the materials used match the main building                      |
| 2 | Requires the scheme to be in accordance with the listed approved plans        |
| 3 | Requires the prior submission of obscure glazing for the conservatory windows |
| 4 | Limits the approval to 3 years (Full)   |
-

Case Officer: Philip Whittaker



## Photo(s)



Photo 1: Front elevation



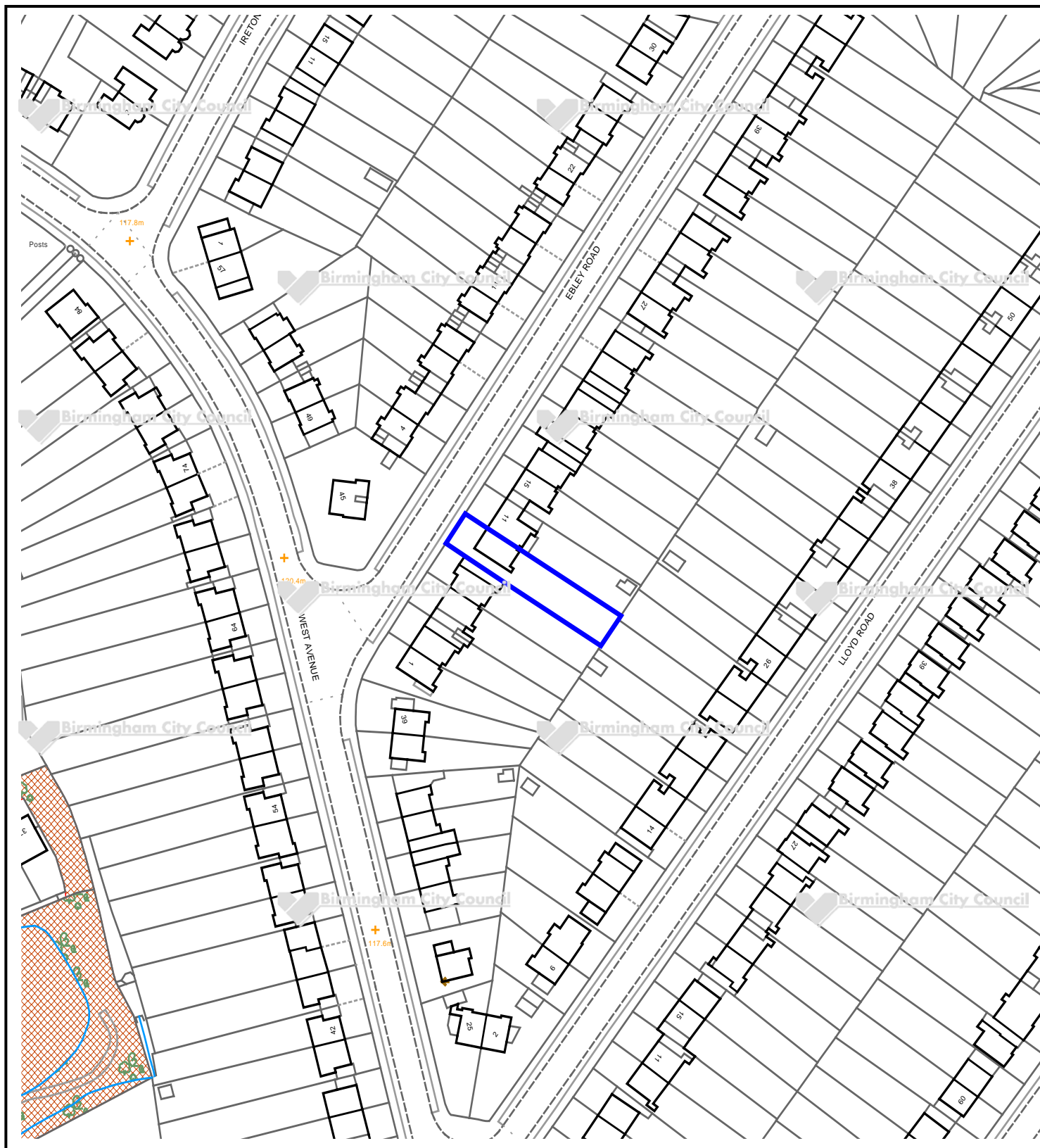
Photo 2: Rear elevation taken from the rear of No. 11





Photo 3: Rear of No. 11 and application property

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/04666/PA
Accepted:	22/06/2015	Application Type:	Householder
Target Date:	17/08/2015		
Ward:	Perry Barr		

51 Rocky Lane, Perry Barr, Birmingham, B42 1PB

Erection of single storey rear/side extension, erection of porch to front and retention of single storey detached building to rear

Applicant:	Mr Mohinder Singh 51 Rocky Lane, Perry Barr, Birmingham, B42 1PB
Agent:	Sehmi Associates Limited 15 Ashgrove Road, Oscott, Birmingham, B44 8PG

---

Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. Consent is sought for the erection of a single storey side and rear extension, new porch to the front and the retention of detached building to the rear of the curtilage of the application property. The proposed extensions would provide an extended kitchen.
- 1.2. The resulting kitchen extension would be located adjacent to the boundary with No. 49 and would extend 3m beyond the rear wall of the main house of No. 51. The proposal would be to a maximum height 3.5m (2.5m to eaves).
- 1.3. The detached building is currently used for household storage. The structure is located to the rear of the curtilage of the application property and designed with a pitched roof. The structure is to a total height of 2.9m (2.2m to eaves)

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises a flat roofed semi-detached dwelling house designed with a two storey bay window feature to the front.
- 2.2. The surrounding properties are a mixture of detached and semi-detached dwelling houses, which differ in age and design. The neighbouring properties are predominantly designed with pitched roofs which are a mixture of hipped roofs and gable ends.
- 2.3. The application property has been previously extended with a first floor side extension and a lean-to extension at the rear. This is fully glazed with a row of top lights adjacent to the boundary with No. 53. A detached building has been recently erected to the rear of the of the application site, this is designed with a pitched roof and forms part of this application.

- 2.4. No. 49 has been previously extended with a single storey extension.

[Site Location](#)

3. Planning History

- 3.1. 11/11/1996 - 1996/03981/PA - Erection of two storey side flat roofed extension – Approved with Conditions
- 3.2. 13/02/2014 - 2013/09240/PA - Erection of single storey rear and front extensions and erection of pitched roof to replace existing flat roof – Refused due to a breach of the 45 Degree Code and design issues
- 3.3. 12/05/2015 - 2015/02065/PA - Erection of single storey rear and side extension, erection of porch to front and retention of single storey detached structure to rear – Refused due to a breach of the 45 Degree Code
- 3.4. 2014/1460/ENF - Erection of replacement roof to existing outbuilding which has resulted in an increase in its height – Action held pending the determination of this planning application.

4. Consultation/PP Responses

- 4.1. Local ward councillors and the occupiers of neighbouring properties have been consulted. A letter of objection has been received from the occupiers of No. 53 Rocky Lane. Objections have been raised in respect of:
- Design, Character and Appearance
  - Loss of light
  - Impact on property values
  - Structural impacts on neighbouring properties.
  - Damage from weather
  - Use of the detached structure
- 4.2. Councillor Jon Hunt supports the concern raised by the neighbour and has requested that the application be heard at the Planning Committee.

5. Policy Context

- 5.1. The following local policies are applicable:
- Birmingham Unitary Development Plan (Adopted 2005)
  - Draft Birmingham Development Plan
  - Places For Living (Adopted Supplementary Planning Guidance 2001)
  - The 45 Degree Code (Adopted Supplementary Planning Guidance 1996)
  - Extending your Home (Adopted Supplementary Planning Document 2007)
- 5.2. The following national policies are applicable:
- NPPF: National Planning Policy Framework (2012).

6. Planning Considerations

- 6.1. The principal matters for consideration are the scale and design of the extension, the impact on the architectural appearance of the property, general street scene and the impact upon neighbouring properties' amenities.
- 6.2. This application follows two previously refused schemes (2013/09240/PA & 2015/02065/PA). The original scheme included a new pitched roof over the main property and a single storey front extension; the second application included a single storey extension the full width of the rear elevation. The single storey extension adjacent to the boundary with No. 53 has now been omitted from this proposal.
- 6.3. The scale and design of both the proposed extensions to the main house and the detached structure as built are acceptable. The developments meet the general principles contained in the design guide 'Extending your Home' and would not have a detrimental impact on the character or appearance of the application property or wider street scene.
- 6.4. The proposed extensions and detached structure comply with your committee's 45 Degree Code and meets the distance separation guidelines contained in 'Places for Living' and 'Extending your Home'. The developments would not result in a detrimental impact on the amenities of the occupiers of the neighbouring properties by way of loss of light, outlook or overlooking.
- 6.5. Concerns raised over property values and the impact of weathering as a result of the development are not material planning considerations and cannot be taken into consideration when assessing this application.
- 6.6. Finally concerns have also been raised over the use the detached structure. This is currently used as a garden store; a condition will be attached to safeguard the future use of this building.
7. Conclusion
- 7.1. Notwithstanding the concerns raised, this application is recommended for approval with conditions as the proposed development complies with the policies that have been set out above. The previous reasons for refusal have been suitably overcome.
8. Recommendation
- 8.1. Approve with Conditions

- 
- |   |  |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires that the approved scheme is incidental to the main use        |
| 3 | Requires that the materials used match the main building               |
| 4 | Limits the approval to 3 years (Full)                                  |
- 

Case Officer: Philip Whittaker



## Photo(s)



Photo 1: Front elevation



Photo 2: Rear elevation and rear of No. 53



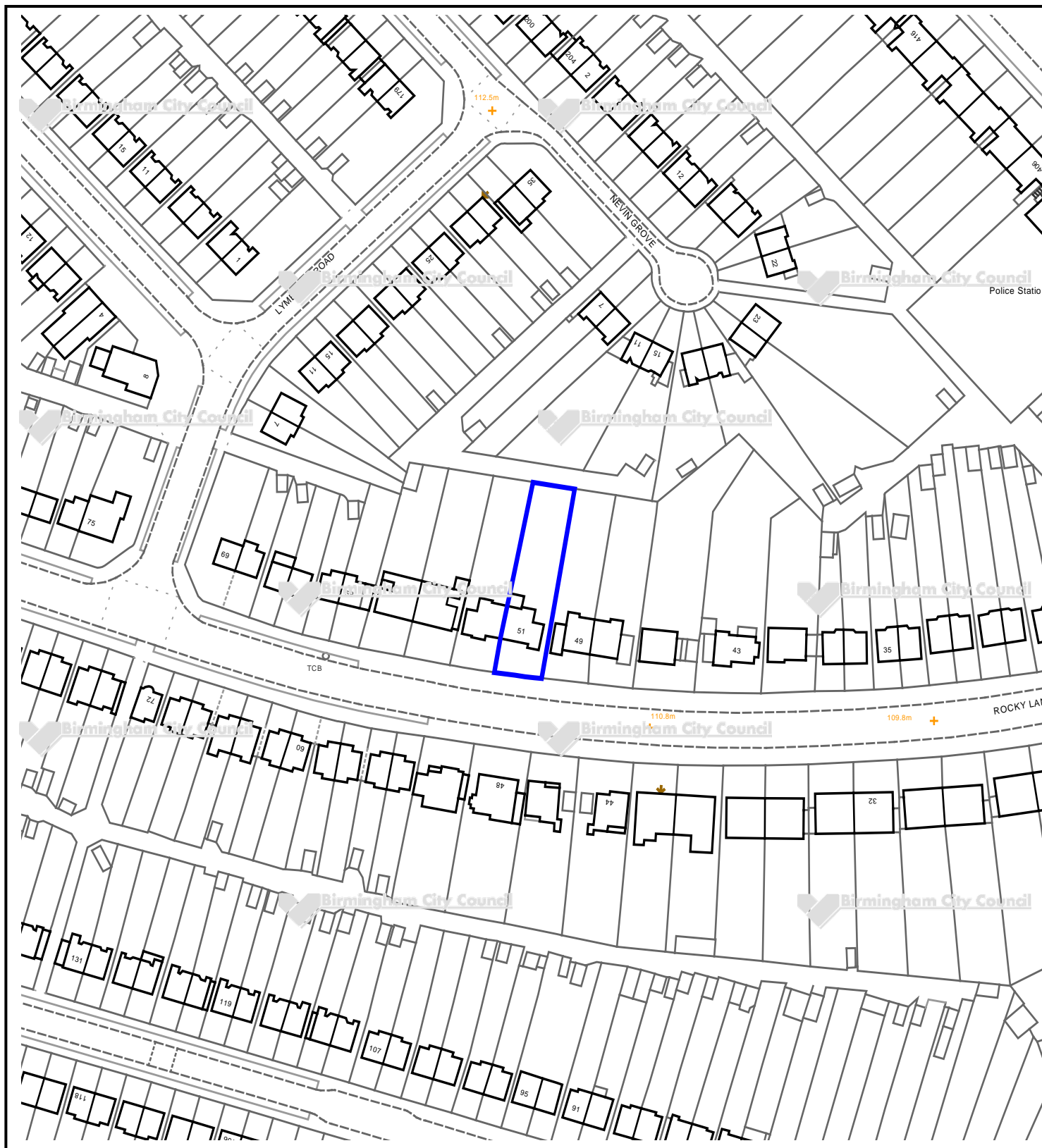
Photo 3: Rear elevation taken from No. 53



Photo 4: Rear outbuilding taken from No. 53



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06652/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Nechells		

Site of former King Edward VII Public House, 426 Lichfield Road, Aston, Birmingham, B6 7QE

Display of 1no. non illuminated free standing post mounted sign

Applicant:	Savills
	Innovation Court, 121 Edmund Street, Birmingham, B3 2HJ,
Agent:	Sign Service
	9-11 High Street, Erdington, Birmingham, B23 6RG,

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. Planning permission is sought for the erection of 1 non-illuminated free standing post mounted sign for the purpose of advertising the plots of land available for sale at the Advanced Manufacturing Hub. The sign is to be located on vacant land on the junction of Aston Hall Road and Lichfield Road, Nechells.
- 1.2 The sign would measures 3.1m by 7.62m and would have an overall height of 5.19m from ground level.
- 1.3 The sign is required for a temporary period of 3 years.

1.2. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is vacant land on the junction of Aston Hall Road and Lichfield Road, Nechells on the former King Edward VII Public House site. The surrounding area is in a mix of uses.

2.2. [Site Location Map](#)

3. Planning History

- 3.1. 30/07/2003 - 2003/03332/PA – Display of 1 externally illuminated fascia board, 1 externally illuminated gable sign, 1 large and 2 small non-illuminated amenity boards and 1 non-illuminated car park disclaimer sign – Approved temporary.
- 3.2. 16/04/2002 - 2002/01494/PA - Retention of one, 6 sheet wall mounted advert unit – Refused.

Reasons for Refusal:

- The 6-sheet wall mounted sign is attached to a locally listed Category 'C' building, which detracts from the setting and character of that building. The displayed sign consequently conflicts with policy 3.26 of the adopted 1993 Birmingham Unitary Development Plan in that the display unit is detrimental to the character and appearance of that locally listed building.
- The 6-sheet wall mounted sign is detrimental to the visual amenity of the area by its location, positioning and illumination, which conflicts with policies 3.8 and 3.10 of the adopted 1993 Birmingham Unitary Development Plan, which prevents proposals that would have an adverse impact on the quality of the built environment and Supplementary Planning Guidance - 'Erection of Illuminated Advertisement Boards on Shopping Forecourts'.
- 10/12/2002 – Appeal dismissed.

3.3. 16/04/2002 - 2002/01489/PA - Retention of one, 6 sheet wall mounted advert unit – Refused.

Reasons for refusal:

- The 6-sheet wall mounted sign is attached to a locally listed Category 'C' building, which detracts from the setting and character of that building. The displayed sign consequently conflicts with policy 3.26 of the adopted 1993 Birmingham Unitary Development Plan in that the display unit is detrimental to the character and appearance of that locally listed building.
- The 6-sheet wall mounted sign is detrimental to the visual amenity of the area by its location, positioning and illumination which conflicts with policies 3.8 and 3.10 of the adopted 1993 Birmingham Unitary Development Plan, which prevents proposals that would have an adverse impact on the quality of the built environment and Supplementary Planning Guidance - 'Erection of Illuminated Advertisement Boards on Shopping Forecourts'.
- 10/12/2002 - Appeal dismissed

3.4. 13/02/2002 - 2002/00176/PA - Retention of one, 6 sheet illuminated advert unit – Refused.

Reasons for refusal:

- The 6 sheet wall mounted sign is attached to a locally listed building, which detracts from the setting and character of that building. The erected sign consequently conflicts with policy 3.26 of the adopted 1993 Birmingham Unitary Development Plan, in that the display unit is detrimental to the character and appearance of the locally listed building.
- The 6 sheet wall mounted sign is detrimental to the visual amenity of the area by its location, positioning and illumination, which conflicts with policies 3.8 and 3.10 of the adopted 1993 Birmingham Unitary Development Plan, which prevents proposals that would have an adverse impact on the quality of the built environment and Supplementary Planning Guidance - 'Erection of Illuminated Advertisement Boards on Shopping Forecourts'.
- 05/07/2002 – Appeal dismissed.

3.5. 21/12/2001 - 2001/05585/PA - Retention of wall mounted 1 x 6 sheet illuminated advert unit – Refused

Reasons for Refusal:

- The 6-sheet wall mounted sign is attached to a locally listed Category 'C' building which detracts from the setting and character of that building. The erected sign consequently conflicts with policy 3.26 of the adopted 1993 Unitary Development Plan in that the display unit is detrimental to the character and appearance of that locally listed building.

- The 6-sheet wall mounted sign is detrimental to the visual amenity of the area by its location, positioning and illumination which conflicts with policies 3.8 and 3.10 of the adopted 1993 Unitary Development Plan, which prevents proposals that would have an adverse impact on the quality of the built environment and SPG 'Erection of Illuminated Advertisement Boards on Shopping Forecourts'.
- 05/07/2002 – Appeal dismissed.

#### 4. Consultation/PP Responses

- 4.1. No public consultation required.
- 4.2. Transportation Development – No objections.

#### 5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, SPG: Location of Advertisement Hoardings, NPPF (2012) and Draft Birmingham Development Plan.

#### 6. Planning Considerations

- 6.1. The NPPF restricts Local Planning Authorities to consider only amenity and public safety when determining applications for consent to display advertisements (paragraph 67).
- 6.2. Paragraph 67 of the NPPF states that poorly placed adverts can have a negative impact on the appearance of the built environment. It adds that only those advertisements that will clearly have an appreciable impact on a building or on their surroundings should be subject to a Local Authority's detailed assessment. Finally it states that the cumulative impact of advertisements should be considered.
- 6.2. The sign would not be visually dominant in the street scene within this area and is considered acceptable in terms of its scale. Its positioning, design and non-illumination would further ensure that it would not have a detrimental impact on the visual amenity of the area and nearby occupiers.
- 6.3. Transportation Development raise no objections to the proposed sign. I concur with this view. Due to its proposed location the proposal is not likely to have an adverse impact on the free flow and safety of pedestrians and motorists.
- 6.4. The proposed advertisement is considered acceptable in terms of amenity and highway safety.

#### 7. Conclusion

- 7.1. In view of the above discussion, approval is recommended.

8. Recommendation

8.1. That temporary advertisement consent is granted.

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

2 Limits the approval to 3 years (advert)

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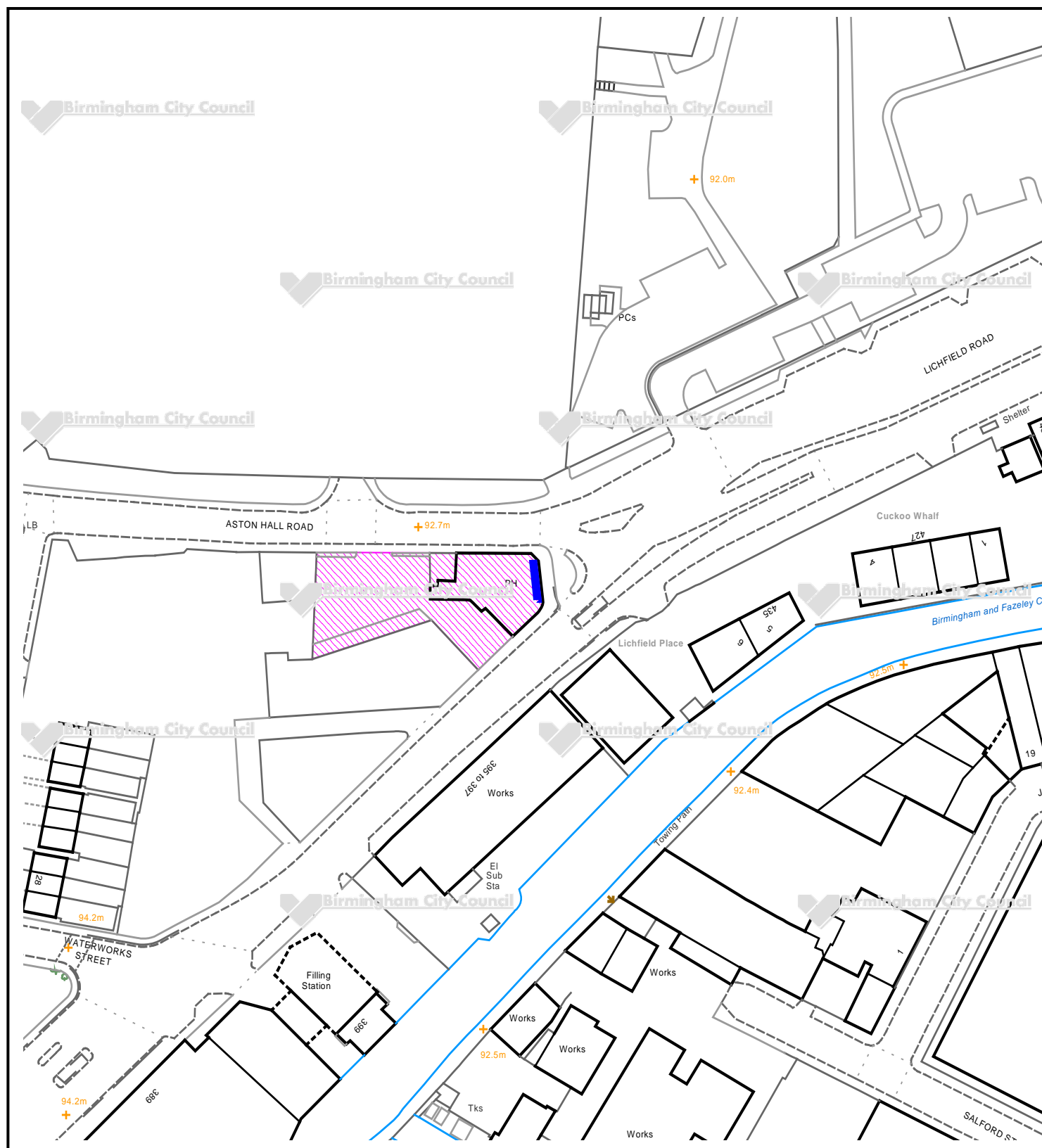
Case Officer: Stephanie Salmon

## Photo(s)



**Figure 1 – Application site**

## Location Plan



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# **Birmingham City Council**

## **Planning Committee**

**01 October 2015**

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Conditions	16	2015/05418/PA  163 Bristol Road Edgbaston Birmingham B5 7UA  Change of use from residential to bed and breakfast accommodation and manager's accommodation and associated parking and landscaping

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Committee Date:	01/10/2015	Application Number:	2015/05418/PA
Accepted:	03/07/2015	Application Type:	Full Planning
Target Date:	28/08/2015		
Ward:	Edgbaston		

163 Bristol Road, Edgbaston, Birmingham, B5 7UA

Change of use from residential to bed and breakfast accommodation and manager's accommodation and associated parking and landscaping

Applicant:	Dr O Arora 163 Bristol Road, Edgbaston, Birmingham, B5 7UA
Agent:	Brophy Riaz & Partners Ltd 48A Hylton Street, Jewellery Quarter, Birmingham, B18 6HN

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. The application seeks to change the use of the property from a detached dwelling to a guest house with five bedrooms and including manager's accommodation.
- 1.2. At ground floor the proposed guest house would provide an entrance hall, guests sitting/dining room, kitchen, utility and manager's accommodation. The manager's accommodation would include a bedroom (with en-suite), living room, WC and office. At first floor the accommodation would provide 5 en-suite bedrooms for guests.
- 1.3. The guest accommodation bedroom sizes would range from 19.4 sqm to 10.3 sqm and the manager's accommodation would include a bedroom of 16.5 sqm. The property is located on large plot with a rear garden of 194sqm.
- 1.4. A scheme of landscaping is proposed to the front parking area, reducing the existing landscaping and adding new trees and shrub planting.
- 1.5. The proposal would provide a total of 5 parking spaces and the use would employ 3 people.
- 1.6. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site is a two storey detached dwelling house located on the A38 Bristol Road. The property is constructed from red brick and a tiled roof, with white render areas to the first floor facade. The property has a large area of block paved hard standing to the front with two vehicle access points on the frontage.

- 2.2. The site is located on the strategic highway network and is within a primarily residential section of Bristol Road. The site is located within the Edgbaston Conservation Area. There is a row of Grade II Listed Buildings to the south of the site.

### [Site Location Plan](#)

## 3. Planning History

- 3.1. No relevant planning history.

## 4. Consultation/PP Responses

- 4.1. Birmingham Public Health – No response
- 4.2. Regulatory Services – No objection subject to a condition requiring the provision of an electric vehicle charging point.
- 4.3. Transportation – No objection
- 4.4. Local occupiers, Ward Councillors, and Residents/Traders Associations notified, and site notice displayed.
- 4.5. Letters received from five local residents objecting to the proposal on the following grounds:
- Loss of residential dwelling
  - Impact on adjacent Listed Buildings
  - Similar accommodation on Hagley Road has had a detrimental impact on the area
  - Anti-Social behaviour
  - Potential conversion to bail hostel or refuge for homeless
  - Increased parking demand
  - Loss of privacy
  - Continuous change of residents could lead to security issues
  - No demand for B and B guest houses
  - Commercial bins would lead to vermin
- 4.6. The Calthorpe Estate object to this application and advise that Estate Consent would not be forthcoming notwithstanding the outcome of this application.
- 4.7. Calthorpe Residents Society also object to the proposal citing the residential character of the area and raising concerns on the loss of the single dwelling to a B and B which would lead to increased parking demand and potential anti-social behaviour should the property not be run as a hotel and provide emergency accommodation.

## 5. Policy Context

- 5.1. The following local policies are applicable:
- Birmingham UDP (2005)

- Draft Birmingham Development Plan (2013)
- Draft Edgbaston Framework (2014)
- Edgbaston Conservation Area Character Appraisal

The following national policies are applicable:

- National Planning Policy Framework (2012)

## 6. Planning Considerations

- 6.1. The main considerations in the determination of this application are; the principle of the use, the impact of the proposal on residential amenity and the impact on highway safety and parking.

### *Principle of Development*

- 6.2. Policy 8.20 of the Birmingham UDP provides the context for new hotels/guest houses. This Policy states that such uses should be located within commercial areas, on the fringe of an established centre and that sufficient parking should be provided. It also states that such uses should not be attached to any residential properties. The key principles of Policy 8.20 are:
- The site is on a major traffic route
  - The section of the major traffic route is already predominately commercial in nature
  - The site is on the fringe of an established centre, in a frontage which already contains mixed commercial/residential uses
  - The property is not attached to any residential property
  - The existing properties are too large for residential occupation as single family accommodation
  - There is sufficient site area to accommodate car parking and provide physical separation from adjoining uses
- 6.3. The site is located on the A38 Bristol Road and is located on a major traffic route. The site is not located within an established commercial area but it is apparent that the use would be located on a busy, main road and as such I do not consider that the use as a guest house would cause harm to the residential amenity of nearby occupiers. This is further supported by a lack of objection from Regulatory Services.
- 6.4. I note that the property is not attached to any residential property and the applicant has demonstrated that there is sufficient site area to accommodate car parking for 5 vehicles and a clear physical separation from adjoining uses would exist. The submitted landscape scheme would also provide better screen and separation from neighbouring properties.
- 6.5. This proposal complies with the majority of the policy requirements and I note the close proximity to public transport links. I am satisfied that the proposed use would satisfy policy 8.20 and consider this to be an acceptable location for a small hotel use.

#### *Impact on residential amenity*

- 6.6. The property is detached and therefore noise disturbance to neighbouring residents would be unlikely. Also, the amount of cars attending the site would only marginally increase from that associated with the existing residential use. This would not be to such an extent to cause noise disturbance to neighbouring occupiers. In addition, Regulatory Services have not raised any objection to the proposal and therefore recognise that this small guest house is acceptable within a residential area due to its small scale and the busy nature of Bristol Road. Regulatory Services have requested a condition that would require the applicant to provide an electric vehicle charging point. I consider that such a condition would be both unnecessary and unreasonable and therefore do not consider such a condition should be applied due to the scale of the proposal.
- 6.7. I note that a number of objections received from local residents raised concerns about the use changing to a hostel. I recognise that an application would need to be submitted for such a change of use and this would be considered on its own merits. I also note that Permitted Development Rights would allow the proposed hotel to change use to non-residential institution such as a day nursery. I therefore consider it appropriate to attach a condition which would limit the use of the premises to a hotel to prevent higher traffic generating uses taking place on-site without proper consideration.

#### *Landscaping*

- 6.8. The frontage currently consists of hard surfacing with limited areas of planting. The scheme includes new landscaping that would reduce the level of hardstanding whilst retaining parking for 5 vehicles and two access points. The landscaping scheme shows new shrubs and bushes and the addition of 3 further trees to the frontage. This landscaping scheme has been agreed with my Landscape Officer and I consider that a condition should be attached to ensure this is carried out to the agreed specification.

#### *Impact on the Listed Buildings*

- 6.9. This application proposes the replacement of the existing garage door with a new window to serve the manager's accommodation. I do not consider that this would have a detrimental visual impact on the character of the area or the nearby Listed Buildings, and no other external changes are proposed.

#### *Impact on traffic and parking*

- 6.10. Transportation Development raise no objection to the proposal and do not consider that traffic and parking demand would be significantly different to that of the existing dwelling. I note that the property is located on an already busy arterial route which has a high traffic demand throughout the day. The access points are safe and provide adequate visibility.
- 6.11. The applicant has provided a parking layout which shows 5 parking spaces, this satisfies the requirements of the adopted Car Parking Standards SPD. I further concur with Transportation Development that there is good access to public transport, in addition to some unrestricted on street parking (outside peak hours). I am therefore satisfied that the proposal would not have a detrimental impact on highway safety.

7. Conclusion

- 7.1. The proposal would satisfy policy, without there being a detrimental impact on the amenity of occupiers in the vicinity or the character of the area. Therefore I am satisfied that the proposal would constitute sustainable development and recommend that planning permission is granted.

8. Recommendation

- 8.1. Approve with conditions

- 
- |   |   |
|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans                  |
| 2 | Prevents the use from changing within the use classes                                   |
| 3 | Requires the hard and soft landscape details to be in accordance with the approved plan |
| 4 | Limits the approval to 3 years (Full)   |
- 

Case Officer:        Martin Mackay

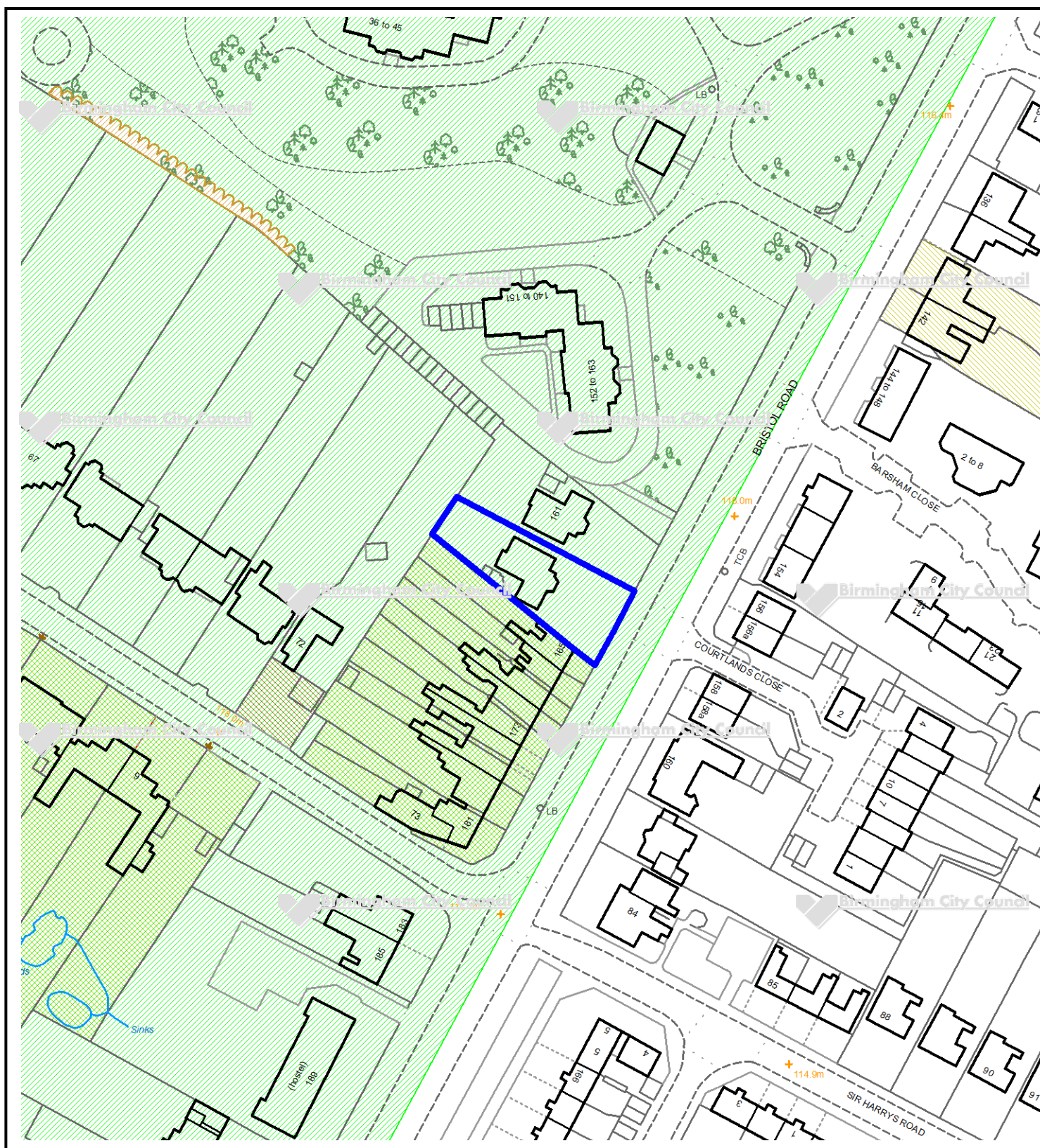
**Photo(s)**



Front Elevation – 163 Bristol Road Looking West



## Location Plan



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# **Birmingham City Council**

## **Planning Committee**

**01 October 2015**

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>
Defer – Informal Approval	17	2015/05172/PA  Lombard Street Digbeth Birmingham B12 0PH  Erection of 5 storey building to accommodate 170 residential dwellings, a ground floor retail unit, car parking and associated landscaping.
Approve - Temporary	18	2015/06638/PA  Holloway Head near Holloway Circus Queensway City Centre Birmingham B1  Installation of double-sided digital advertising totem
Approve - Temporary	19	2015/06656/PA  Bull Street near Dalton Way City Centre Birmingham B4  Installation of double-sided digital advertising totem
Approve - Temporary	20	2015/06757/PA  Summer Hill Street/Sandpits (Central Reservation Area) City Centre Birmingham B1  Installation of double-sided digital advertising totem

Approve - Temporary	21	2015/06671/PA  Ladywood Middleway Central Reservation Area City Centre Birmingham B16  Installation of double-sided digital advertising totem
Approve - Temporary	22	2015/06689/PA  Corporation Street (Eastside) o/s Birmingham City University City Centre Birmingham B4  Installation of double-sided digital advertising totem
Approve - Temporary	23	2015/06640/PA  Bristol Street (West side) near Holloway Circus Queensway City Centre Birmingham B5  Installation of double-sided digital advertising totem
Approve - Temporary	24	2015/06696/PA  Steelhouse Lane o/s Colmore Plaza City Centre Birmingham B4  Installation of double-sided digital advertising totem
Approve - Temporary	25	2015/06695/PA  Ladywood Middleway Central Reservation Area City Centre Birmingham B16  Installation of double-sided digital advertising totem

Approve - Temporary	26	2015/06694/PA  Corporation Street City Centre Birmingham B4  Installation of double-sided digital advertising totem
Approve - Temporary	27	2015/06807/PA  Icknield Street Central Reservation Area City Centre Birmingham B18  Installation of double-sided digital advertising totem
Approve - Temporary	28	2015/06680/PA  Hockley Hill (North East side) near Hockley Circus City Centre Birmingham B18  Installation of double-sided digital advertising totem
Approve - Temporary	29	2015/06697/PA  Nechells Parkway Central Reservation Area Nechells Birmingham B7  Installation of double-sided digital advertising totem
Approve - Temporary	30	2015/06754/PA  Ladywood Middleway o/s Ladywood Arts and Leisure Centre City Centre Birmingham B16  Installation of double-sided digital advertising totem

Approve - Temporary	31	2015/06542/PA  Dartmouth Middleway near junction of Heneage Street Birmingham B7  Installation of double-sided digital advertising totem
Approve - Temporary	32	2015/06543/PA  Smallbrook Queensway Opposite TK MAXX City Centre Birmingham B5  Installation of double-sided digital advertising totem
Approve - Temporary	33	2015/06545/PA  New John Street West Central Reservation Area Birmingham B19  Installation of double-sided digital advertising totem
Approve - Temporary	34	2015/06598/PA  New John Street West Central Reservation Area Birmingham B19  Installation of double-sided digital advertising totem
Approve - Temporary	35	2015/06672/PA  Highgate Middleway Central Reservation Area Birmingham  Installation of double-sided digital advertising totem

Approve - Temporary	36	2015/06539/PA  Parade near John Smyth House Birmingham B1 3XX  Installation of double-sided digital advertising totem
Approve - Temporary	37	2015/06538/PA  Summer Hill Road near junction of Anderton Street Birmingham B1 3RB  Installation of double-sided digital advertising totem
Approve - Temporary	38	2015/06536/PA  Belgrave Middleway near junction of Sherlock Street Birmingham B5  Installation of double-sided digital advertising totem
Approve - Temporary	39	2015/06537/PA  Smallbrook Queensway outside Lichfield House City Centre Birmingham B5 4JL  Installation of double-sided digital advertising totem
Approve - Temporary	40	2015/06540/PA  Broad Street o/s Cumberland House City Centre Birmingham B15 1TA  Installation of double-sided digital advertising totem



Approve - Temporary	41	2015/06673/PA  New John Street West (South side) near Hockley Circus City Centre Birmingham B19  Installation of double-sided digital advertising totem
Approve - Temporary	42	2015/06541/PA  Dale End o/s Dale House City Centre Birmingham B4 7LN  Installation of double-sided digital advertising totem

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Committee Date:	01/10/2015	Application Number:	2015/05172/PA
Accepted:	07/07/2015	Application Type:	Full Planning
Target Date:	06/10/2015		
Ward:	Nechells		

Lombard Street, Digbeth, Birmingham, B12 0PH

Erection of 5 storey building to accommodate 170 residential dwellings, a ground floor retail unit, car parking and associated landscaping.

Applicant:	Grange Securities c/o The Agent
Agent:	Zebra Architects Stablemasters Cottage, Basin Road, Diglis, Worcester, WR5 3GA

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Recommendation

**Approve Subject To A Section 106 Legal Agreement**

1. Proposal
  - 1.1. Proposal is for the erection of a 5 storey building on a piece of land fronting Bradford Street, Lombard Street and Cheapside. It would accommodate 170 residential dwellings and a ground floor commercial unit with car parking and landscaping to the rear.
  - 1.2. The building would be 'U' shaped, positioned as perimeter development and would be 5 storeys in height. It would be of a simple contemporary design with large, industrial and regular window openings and regular brick pilasters, constructed in traditional blue brick. 4 residential entrances would be provided (1 each to Bradford Street and Cheapside and 2 along Lombard Street) and these would be marked by the use of larger openings and modern materials including amethyst reglit glazing. Metallic amber coloured window spandrels and cedar balconies are also proposed. Specific material details would be secured by condition.
  - 1.3. The building would accommodate 170 residential flats, of which 144 would one bed units and 26 two bed units. Each flat would comprise of an open plan kitchen/dining/living area, 1 or 2 bedrooms and a bathroom and range in size between 53 sqm and 78 sqm. The bedrooms would comply with guidance within Places for Living.
  - 1.4. A 275 sqm ground floor commercial unit would be provided (A1 or D1 use) and would front Bradford Street.
  - 1.5. A communal amenity space of approx. 500 sqm would be provided for the residents, on the rooftop (Cheapside elevation).
  - 1.6. 57 car parking spaces (including 2 disabled spaces) and 157 covered bicycle spaces would be provided in a car park to the rear of the building. The principle access would be from Cheapside, with an additional pedestrian access from Bradford Street.

- 1.7. An Air Quality Assessment, Noise Assessment, Design and Access Statement, Sustainable Urban Drainage Assessment, Transport Assessment, Site Investigation Report and a Financial Appraisal have been submitted in support of the application.
- 1.8. A screening opinion has been done which determined the development did not require an Environmental Statement (ES).

1.9. [Link to Documents](#)

2. Site & Surroundings

- 2.1. Application site occupies approx. half a block which fronts Bradford Street, Lombard Street, Cheapside and Alcester Street. The application site itself is brownfield and is currently vacant and overgrown. St Anne's Church, a locally listed building, occupies the majority of the rest of the block fronting Bradford Street and Alcester Street with a few light industrial units occupy the remainder of the block on the corner of Alcester Street and Cheapside.
- 2.2. Historically the wider area has been associated light industrial uses however this part of Digbeth is now of a mixed character with a number of residential developments coming forward, including on the former Harrison Drape site immediately to the north west.
- 2.3. The site is sloped, with an incline of approx. 2.5m from west to east. It falls outside flood zone 2 and 3 and is identified for housing within the latest SHLAA.

[Site location](#)

3. Planning History

- 3.1. 08.02.2006 – 2005/07030/PA – Part conversion of floor space on site and part new build to provide mixed use development of 88 residential units and 2414 spare metres commercial floors space of and 2 units within B1 use. Approved with conditions.

**St Anne's and former Harrison Drape site**

- 3.2. 06.05.2011 – 2011/00738/PA – Application for outline consent to determine layout, access and scale for a mixed use development comprising 3\* and 4\* hotels, a conference centre, retail and office accommodation and associated multi storey car park. Approved with S106 and conditions.

**Former Harrison Drape site**

- 3.3. 10.09.2014 – 2014/00452/PA – Application for the part demolition, refurbishment, conversion and extension to the former Harrison Drape building and the erection of three new buildings to provide a total of 313 residential dwellings and a retail unit (Use Class A1) with associated infrastructure, parking and landscaping. Approved with S106 and conditions.

4. Consultation/PP Responses

- 4.1. Education – a financial contribution of £137,307.01 is required to be split between nursery, primary and secondary education.

- 4.2. Local Services – an off-site financial contribution of £156,800 is required.
- 4.3. Regulatory Services – considering revised noise assessment.
- 4.4. Severn Trent – no objection subject to drainage condition.
- 4.5. Transportation Development – no objection subject to conditions.
- 4.6. West Midlands Fire – additional information required.
- 4.7. West Midlands Police – raise no objection but make various comments with regard the safety of future occupiers.
- 4.8. Local residents' associations, neighbours, Ward Cllrs and the MP were notified. Site and press notices were also displayed.
- 4.9. 3 letters of support were received welcoming new residential development within Digbeth.
- 4.10. 1 letter of objection received from Push Bikes on the basis that the minimum requirement of 170 of covered cycle spaces are not provided.
- 4.11. Digbeth Resident's Association also submitted a letter which largely welcomed the proposed residential development, its design and particularly the care taken with regard light to the rose window on the adjacent St Anne's church. However, they also raised a number of points for consideration including: the mix of 1 and 2 beds and the size of the flats in relation to long term living in Digbeth, that the retail unit may not be seen as attractive and that doctors/dentists should be considered instead, issues of crime particularly in relation to bike thefts, affordability of the units themselves, the safety of the vehicular access, parking for workforce, the need for the highest possible soundproofing, that there is no communal space for residents and finally, that the development should encompass the under-utilised properties towards Alcester Street.

## 5. Policy Context

- 5.1. Adopted UDP (2005), submission draft Birmingham Development Plan (2031), Places for Living SPG, Places for All SPG, Car Parking Guidelines SPD, Shop Front Design Guide SPG, Affordable Housing SPG, Public Open Space in New Residential Developments SPG, the National Planning Policy Framework and National Planning Practice Guidance.

## 6. Planning Considerations

- 6.1. The adopted Birmingham UDP (2005) still forms the basis of the statutory planning framework. It contains policies to support City living (5.32b) as residential accommodation in the City Centre provides sustainable accommodation close to both public transports and places of work and reduces the pressure on greenfield sites.
- 6.2. Policy 15.94a of the adopted UDP encourages the development of the distinctive Irish Quarter as a lively mixed use area including commercial and residential uses. Policy 5.32 encourages the construction of new dwellings and conversions from alternative uses within the City centre – highlighting Digbeth as an area where considerable potential exists. This is subject to the creation of a satisfactory living

environment and that the development would not undermine the primary economic function of an industrial area.

- 6.3. The NPPF supports well designed sustainable development, especially on previously developed land, within established centres and where sites are well located in terms of public transport
- 6.4. The draft Development Plan sets out a vision for the sustainable growth of the city for the period unit 2031. In doing so it identifies opportunities for additional homes together with the associated growth of employment and retailing. More specifically the plan requires development to be responsive to site conditions and create safe and sustainable places (PG3). The plan supports residential development within the City Centre (GA1.1) where it provides well designed good quality living environments.
- 6.5. The site is also within the Southern Gateway Transformation Area (GA1.2) which will be the focus for the expansion of the city core southwards with residential supported as part of the future mix of uses in this locality.
- 6.6. Therefore, the application proposal would deliver a sustainable mix of 1 and 2 bed residential units within the City Centre well served by existing facilities and infrastructure. Further, the residential redevelopment of this site would be consistent with other residential approvals/developments within the area including the former Harrison Drape site immediately to the North West. Whilst the inclusion of a commercial unit (A1 or D1 use) along Bradford Street recognises the need to enliven this key route. Consequently, I raise no objection, in land use terms, to the proposed uses subject to all other material considerations.

#### Design

- 6.7. The building would be of a simple and contemporary design influenced heavily by the strong industrial heritage of Digbeth. It would be predominantly 5 storeys in height which would be reflective of the scale of development in this location and enable it to take advantage of the sites unique topography. A small portion of the building adjacent the church house on Bradford street would be single storey to ensure habitable windows to the church accommodation are not compromised. The building would be positioned to the back of pavement to Bradford Street, Lombard Street and Cheapside to re-enforce the urban grain and its mass would be broken up by the rhythmic use of brick pilasters, good sized window openings, random use of spandrels and the use of a seemingly random pattern of projecting balconies. The buildings 'U' shape and perimeter position also safeguards the light path to the rose window of the locally listed St Anne's church immediately to the east.
- 6.8. A ground floor commercial unit is proposed to Bradford Street and 4 entrance cores, along with large window openings for the apartments from ground floor up to ensure an active frontage is provided to all elevations.
- 6.9. Internally, the development would provide units of between 53 and 78 sqm which compare favourably with other city centre developments. I also note that all bedrooms comply with guidance provided within Places for Living. Further, the scheme has been amended to include a communal amenity space (approx. 500 sq m) for future occupiers on the rooftop of the building fronting Cheapside. Fencing to rooftop edge and an increase in the lift shaft would have a minimal impact on the overall visual appearance of the building which would be significantly outweighed by the benefit to future occupiers.

- 6.10 I therefore consider the layout, design, scale and mass are acceptable, in accordance with policy and would result in a development which would significantly improve the quality of the built environment.

#### Transportation Development

- 6.11 The application site, as part of 2011/00738/PA, had approval for over 5000 sqm of office and retail space and a multi storey car park with 513 spaces. These uses were expected to generate 280 and 272 vehicle trips in the AM and PM peak periods respectively whilst the current proposal for 170 residential units would be expected to generate 63 and 61 vehicle trips in the AM and PM peak periods respectively. Transportation Development do not therefore consider that the current proposal would adversely affect the highway safety or free flow of the adjacent highway network. They also raise no concern over the proposed accesses.
- 6.12 Furthermore, 57 car parking spaces (33%) and 157 covered cycle spaces (92%) would be provided. Given the sites location within the City Centre, its excellent public transport links and links to amenities, Transportation Development raise no objection, subject to conditions.
- 6.13 I note guidance within the Car Parking SPD identifies a minimum provision of 1 covered cycle space per dwelling and that Push Bikes have therefore objected to the proposal as only 157 covered cycle spaces are proposed. However, the Car Parking SPD is guidance only, the provision at 92% is significantly higher than other residential developments within the City Centre, there is the option to increase the covered cycle provision if there is a demand and Transportation Development have raised no objection to the proposal. I do not therefore consider this would be sufficient to warrant refusal of the application.
- 6.14 Therefore subject to safeguarding conditions, including S278 Agreement for existing/new footway crossings, car parking and construction management plans, gate setbacks, secure cycle storage to be provided, car park gradients and visibility splays, I concur with Transportation Development who raise no objection to the proposal in this respect.

#### Planning obligations

- 6.15 A financial appraisal was submitted with the application. An independent appraisal has been commissioned which agrees that a policy compliant contribution, in terms of public open space/public realm and affordable housing, would render the scheme unviable. However not all of the assumptions/profit levels within the report are agreed by both parties and significant negotiations have therefore been had.
- 6.16 Consequently, the applicant has agreed to a financial contribution of £153,000. Given the nature of this city centre development this would be split between off-site affordable housing and public realm improvements to Lombard Street and Cheapside. There are insufficient monies to include a contribution towards education. I consider this contribution would accord with policy and comply with the CIL Regulations 2010.

#### Air Quality/noise

- 6.17 The whole of Birmingham falls within an air quality management zone (AQMQ) where the introduction of new residential accommodation needs to be carefully considered.



An air quality report has been submitted in support of the application which concludes that neither the construction, nor the occupation of the development will adversely affect existing or future occupiers.

- 6.18 Regulatory Services have requested an update to the noise report. Notwithstanding this however, given Reg Services raised no objections to the residential development of the former Harrison Drape site immediately to the north west, I consider it unlikely that there would be sufficient reason to refuse the application on the basis of noise subject to the imposition of safeguarding conditions.

Other

- 6.19 The Lead Local Flood Agency and Severn Trent raise no objection subject to conditions which I recommend accordingly.
- 6.20 West Midlands Police do not raise an objection to the proposal but do make a number of comments particularly with regard the need for each unit to be treated as an 'individual dwelling' and for the development to comply with Secure by Design 'New Homes 2014'. Whilst such requirements are beyond planning's remit I do recommend cctv and lighting conditions in order to safeguard the external areas of the building.
- 6.21 The Employment Team have requested that the developer commits to local employment and training, however there are cost implications associated with securing this within the legal agreement and this would compromise the existing financial contribution. Therefore in this instance I consider it would be reasonable to secure this commitment by condition.

## 7. Conclusion

- 7.1. In principle, the proposed development is consistent with both local and national land use planning policies. A 5 storey building in this location is acceptable and the design is to a good standard. Therefore subject to safeguarding conditions and a S106 legal agreement to secure a financial contribution towards off-site affordable housing and improvements to the public realm the proposal would result in a sustainable form of development. The proposal should therefore be approved.

## 8. Recommendation

- 8.1. That consideration of planning application 2015/05172/PA be deferred pending the completion of a planning obligation agreement to secure the following:-
- a) A financial contribution of £80,000 (index linked) towards off-site affordable housing.
  - b) A financial contribution of £73,000 (index linked) towards improving public realm within Lombard Street and Cheapside.
  - c) Payment of a monitoring and administration fee associated with the legal agreement of £5000 (3.5% of the contribution).
- 8.2 In the absence of a suitable planning obligation agreement being completed to the satisfaction of the Local Planning Authority by 5<sup>th</sup> October 2015 then planning permission be refused for the following reason(s):

- a) In the absence of any suitable legal agreement to secure a financial contribution towards off site affordable housing the proposal conflicts with Policies 5.37 A-D of the Birmingham Unitary Development Plan 2005. Affordable Housing SPG and Policy TP30 of the draft Birmingham Development Plan 2031.
  - b) In the absence of any suitable legal agreement to secure a financial contribution towards improvements of public realm within Lombard Street and Cheapside the proposal conflicts with Policies 3.53, 5.53 A and B, 5.20B and 5.20C and public open space in new residential development SPG.
- 8.3 That the Director of Legal Services be authorised to prepare, seal and complete the planning obligation.
- 8.4 That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority by 5<sup>th</sup> October 2015, favourable consideration be given to this application, subject to the conditions listed below.

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1	Requires the prior submission of a contamination remediation scheme
2	Shop Front Design
3	Requires the prior submission of a drainage scheme
4	Requires the prior submission of noise insulation (variable)
5	Requires the prior submission of hard and/or soft landscape details
6	Requires the prior submission of sample materials
7	Requires the prior submission of level details
8	Requires the prior submission of boundary treatment details
9	Requires the prior submission of a construction method statement/management plan
10	Requires the prior submission and completion of works for the S278/TRO Agreement
11	Requires the provision of cycle parking prior to occupation
12	Requires the scheme to be in accordance with the listed approved plans
13	Requires the prior submission of a CCTV scheme
14	Requires gates to be set back
15	Limits the hours of use (commercial unit)
16	Requires pedestrian visibility splays to be provided
17	Requires the prior submission of a parking management strategy
18	Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan

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- 
- 19 Secures an employment policy
  - 20 Requires the prior submission of a lighting scheme
  - 21 Requires the prior submission of a residential travel plan
  - 22 Limits the approval to 3 years (Full)
- 

Case Officer: Joanne Todd

## Photo(s)



Photo 1: Site from corner of Lombard Street/Cheapside



Photo 2: Looking at site from Birchall Street (former Harrison Drape site in foreground)

Page 10 of 10

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Committee Date:	01/10/2015	Application Number:	2015/06638/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Holloway Head, near Holloway Circus Queensway, City Centre, Birmingham, B1

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Holloway Head near Holloway Circus Queensway.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Holloway Head near to Holloway Circus Queensway. To the south is Clydesdale Tower, a tower block and to the south west is a church. To the north west is a derelict site.

[Site Location](#)

3. Planning History

- 3.1. 18/03/1992 - 1990/03462/PA - Erection of council information panels – Approve Subject to Conditions

4. Consultation/PP Responses



- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The application site is adjacent to a busy main road. It is considered the proposal would be in scale with the surrounding buildings and structures. In addition, the proposed advertisement would replace an existing advertisement panel. It is therefore considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ, would be set within the footway and is clear of necessary sightlines and footway width requirements. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

### 8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

**Photo(s)**

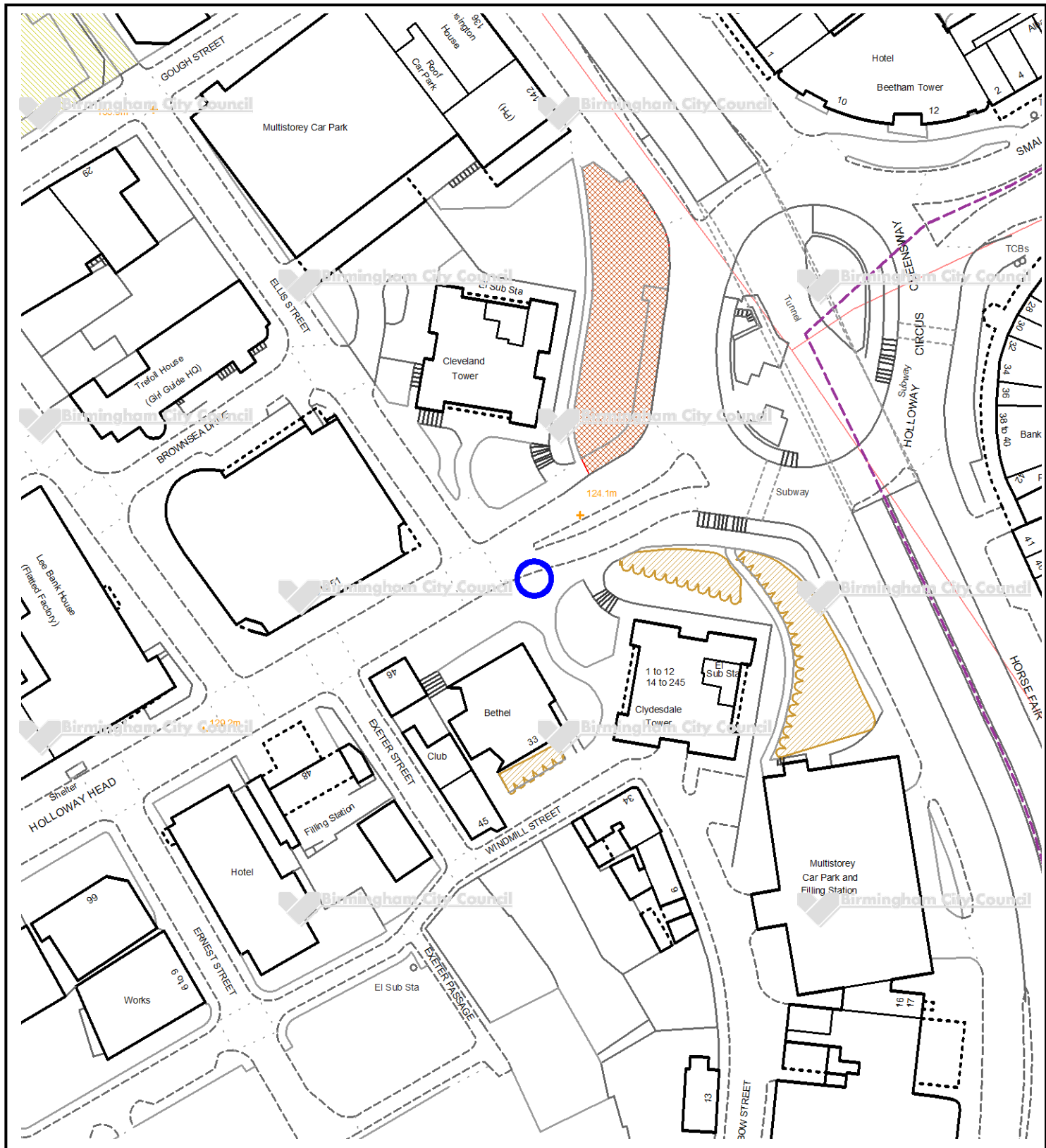


View East



View West

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06656/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Bull Street, near Dalton Way, City Centre, Birmingham, B4

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Bull Street near Dalton Way.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Bull Street near Dalton Way. The site is close to the entrance to Priory Shopping Centre and is opposite Martineau Place. The surrounding area is predominantly commercial.

[Site Location](#)

3. Planning History

- 3.1. 17/10/2011 - 2011/05755/PA - Display of 1 No. freestanding internally illuminated column installed on public highway.– Approve Temporary



4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing column which measures 6.2m (h) x 2.3m at the widest point. It is therefore considered the proposal would have less of an impact to the amenity of the surrounding area and would be in scale with the surrounding buildings and structures. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ, would retain a suitable footway width and does not affect any visibility splays. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

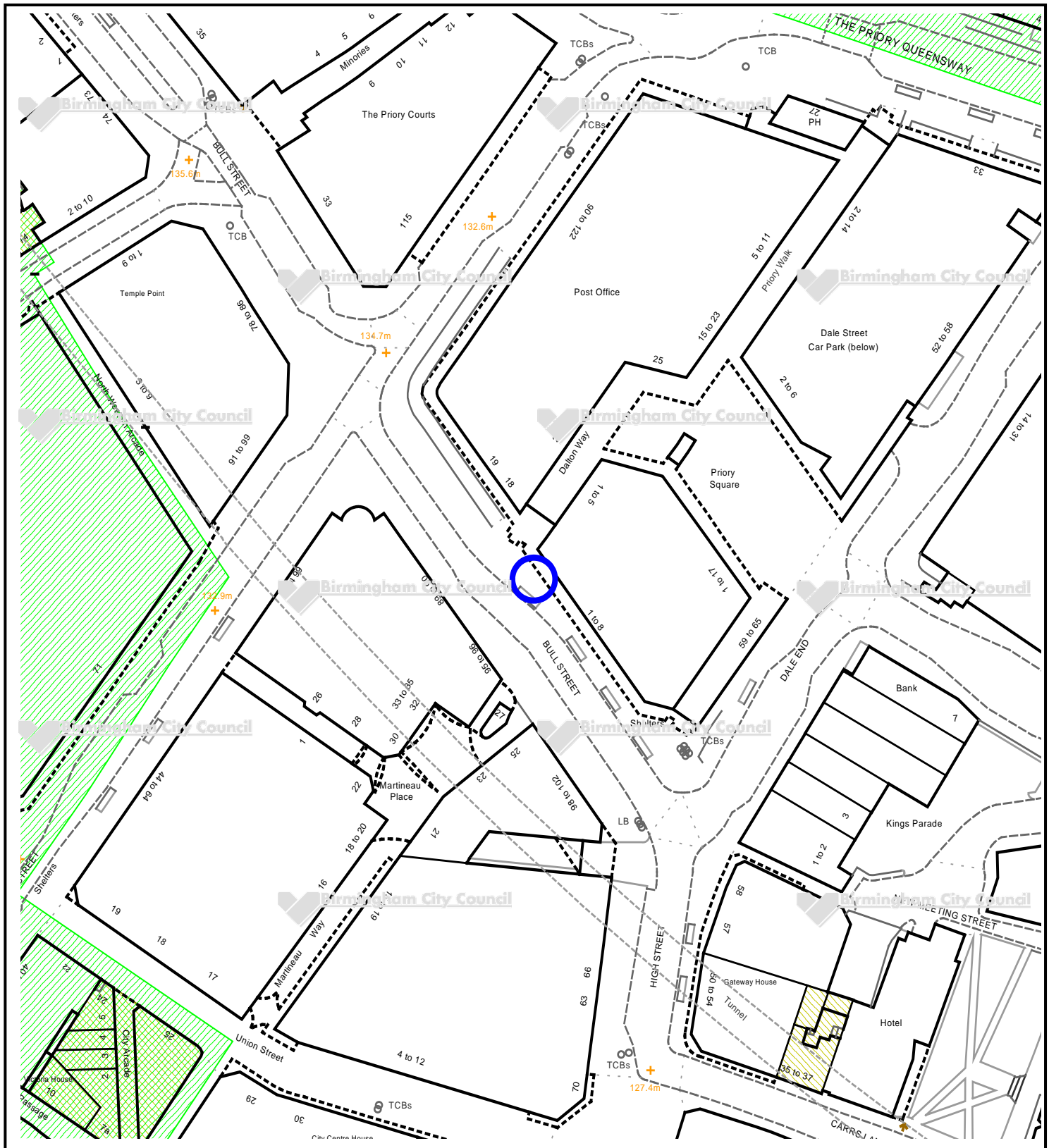
Case Officer: Anh Do

## Photo(s)



View North West

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06757/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Ladywood		

Summer Hill Street/Sandpits, (Central Reservation Area), City Centre, Birmingham, B1

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Sandpits.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to the central reservation on Sandpits. The proposed advertisement would be located adjacent to railings and a highway sign. To the north is a day care centre and medical unit on Summerhill Terrace, to the south is Sandpits Industrial Estate and to the south west are residential properties. The application site falls within the Jeweller Quarter Conservation Area.

[Site Location](#)

3. Planning History

- 3.1. 18/03/1992 - 1990/03462/PA - Erection of council information panels – Approve Subject to Conditions

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. It is noted that the proposed advertisement would be located within the Jewellery Quarter Conservation Area. However, the proposed advertisement unit would replace an existing advertisement panel. It is therefore considered the proposal would not have a detrimental impact to the character and appearance of the Conservation Area and would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ on grassed central serve and would have no effects on sightlines or visibility splays. The appropriate conditions on LED brightness are required to be monitored to ensure it doesn't raise a conflict issue with the traffic signal heads in close proximity. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion



7.1. I consider the proposal to be acceptable.

8. Recommendation

8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

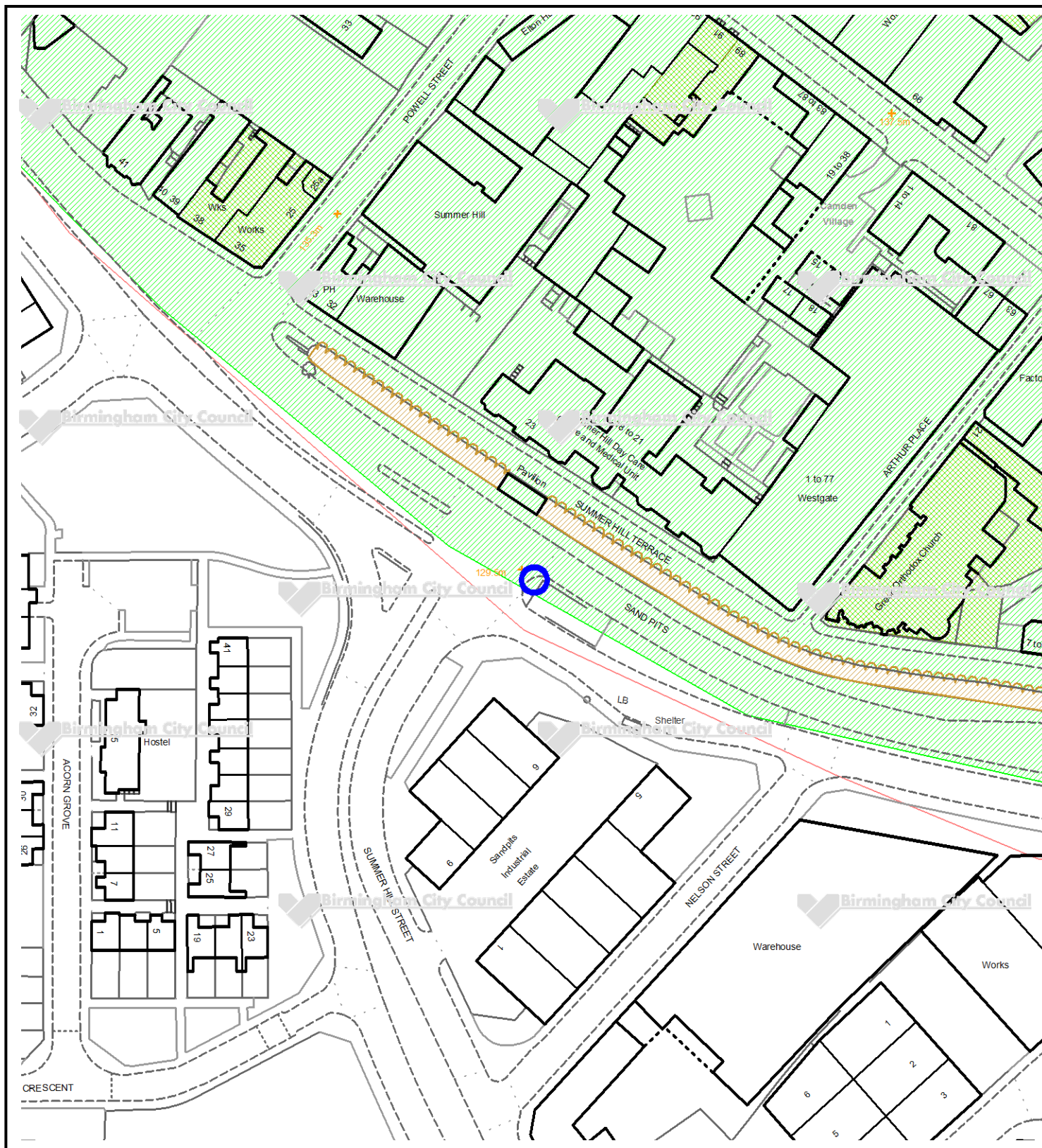
Case Officer: Anh Do

## Photo(s)



View East

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06671/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Ladywood		

Ladywood Middleway, Central Reservation Area, City Centre,  
Birmingham, B16

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Ladywood Middleway.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a grassed central reservation area on Ladywood Middleway. To the east of the site are residential properties.

[Site Location](#)

3. Planning History

- 3.1. 12/05/1994 - 1993/04965/PA - 17 free standing commercial advertising/council information panels – Part Approve/Part Refuse

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.



- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ on grassed central serve and would maintain the current suitable visibility and sightlines with no adverse effects. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

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1 Limits the use of advert

---

- 
- 2 Limits length of the display of advert
  - 3 Limits length of the display of advert
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

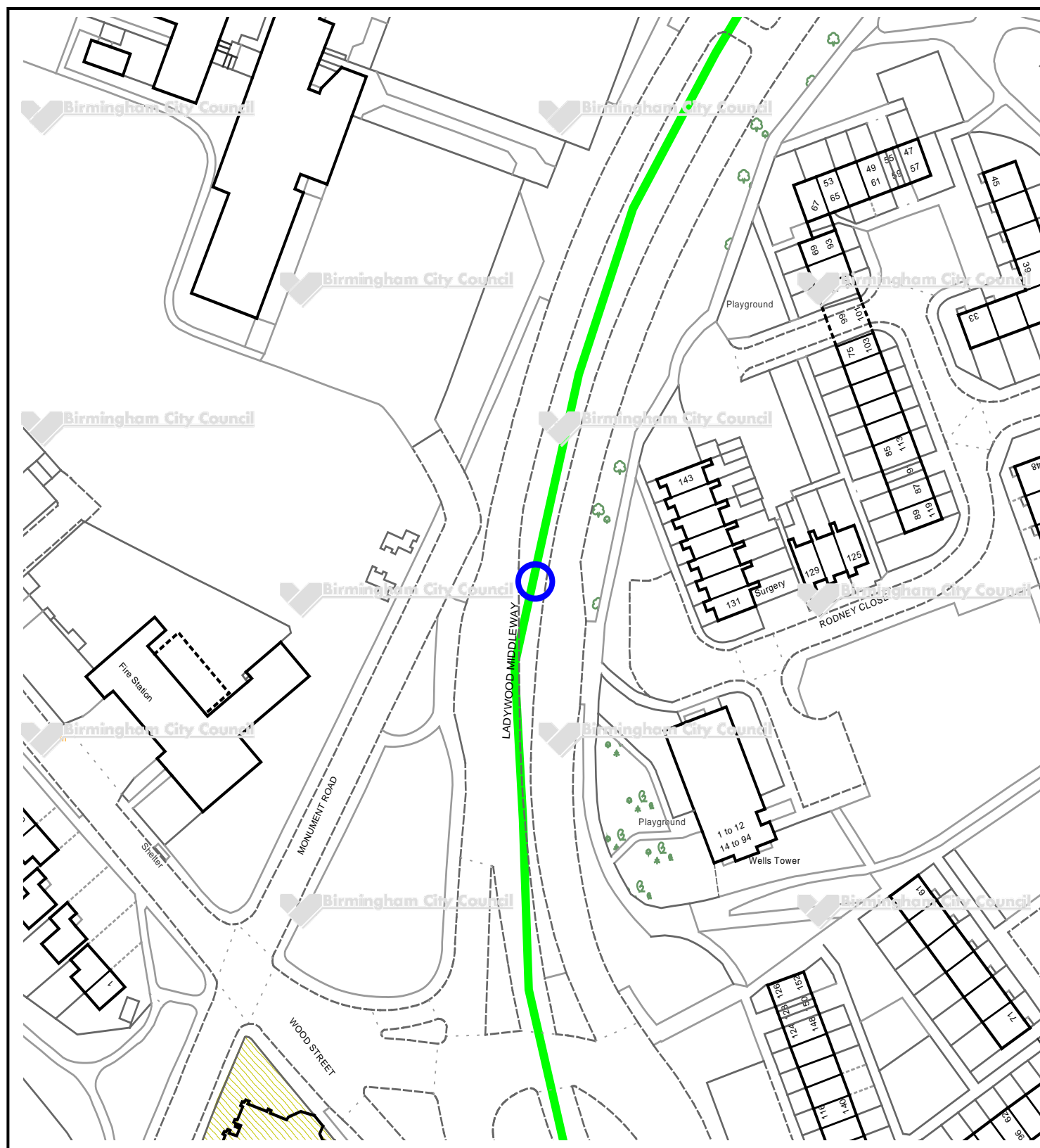


**Photo(s)**



View South

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06689/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Nechells		

Corporation Street (Eastside), o/s Birmingham City University, City Centre, Birmingham, B4

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Corporation Street (East side).
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Corporation Street. To the east is Birmingham City University and to the east are student apartments.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.

- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ and provides a suitable footway width and required visibility splays. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

---

1 Limits the use of advert

---

- 
- 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do



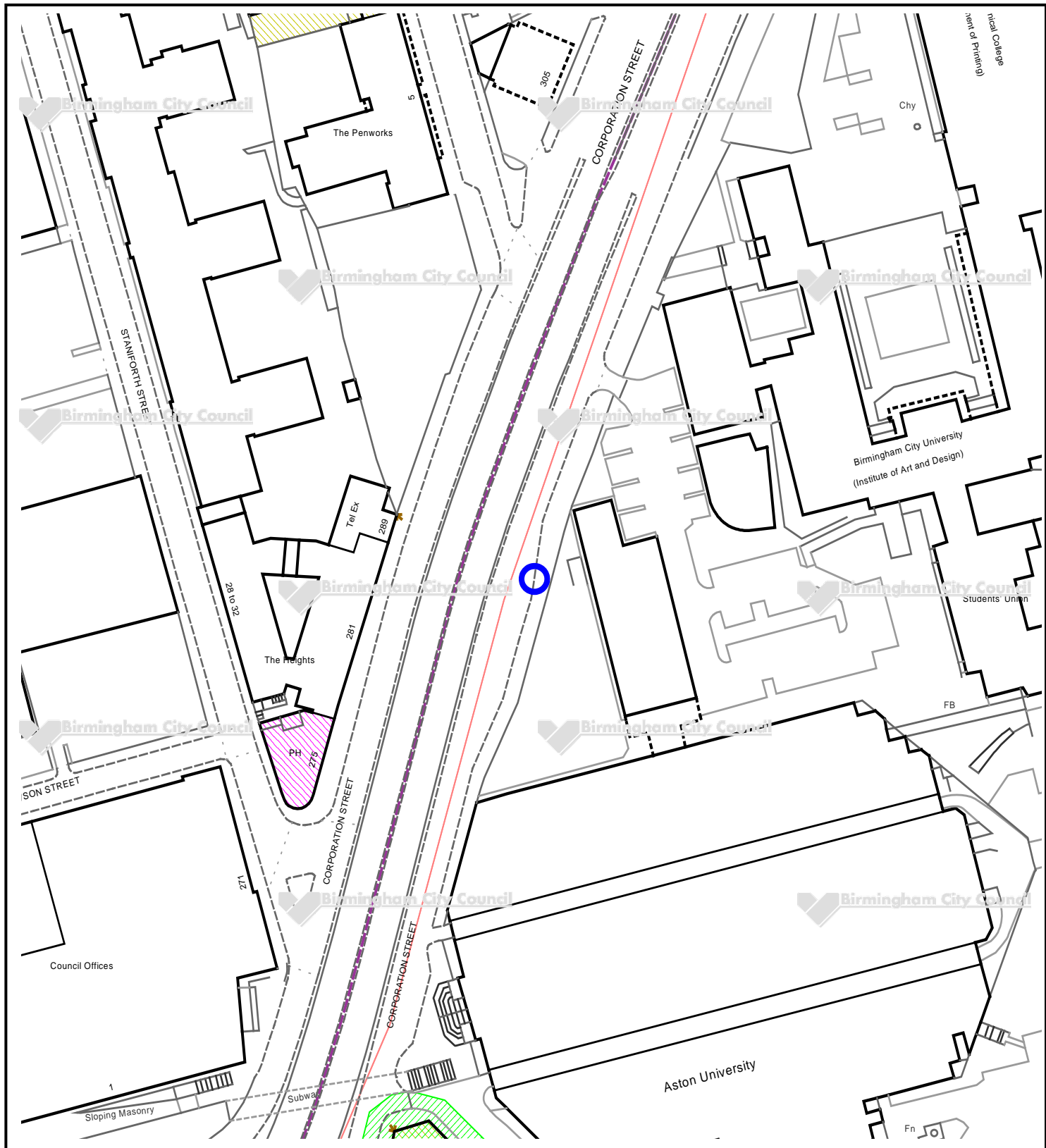
## Photo(s)



View South



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06640/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Ladywood		

Bristol Street (West side), near Holloway Circus Queensway, City Centre, Birmingham, B5

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Bristol Street near Holloway Circus Queensway.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Bristol Street. To the east are a mix of commercial uses including, nightclub, hot food takeaways and nightclub. To the south is a multi storey car park and to the west is a grassed area.

[Site Location](#)

3. Planning History

- 3.1. 18/03/1992 - 1990/03462/PA - Erection of council information panels – Approve Subject to Conditions

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ and provides a suitable footway width and sightlines. It would be set at a height that would not affect the proposed traffic signals due to be provided at this junction early next year. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

## Photo(s)



View North

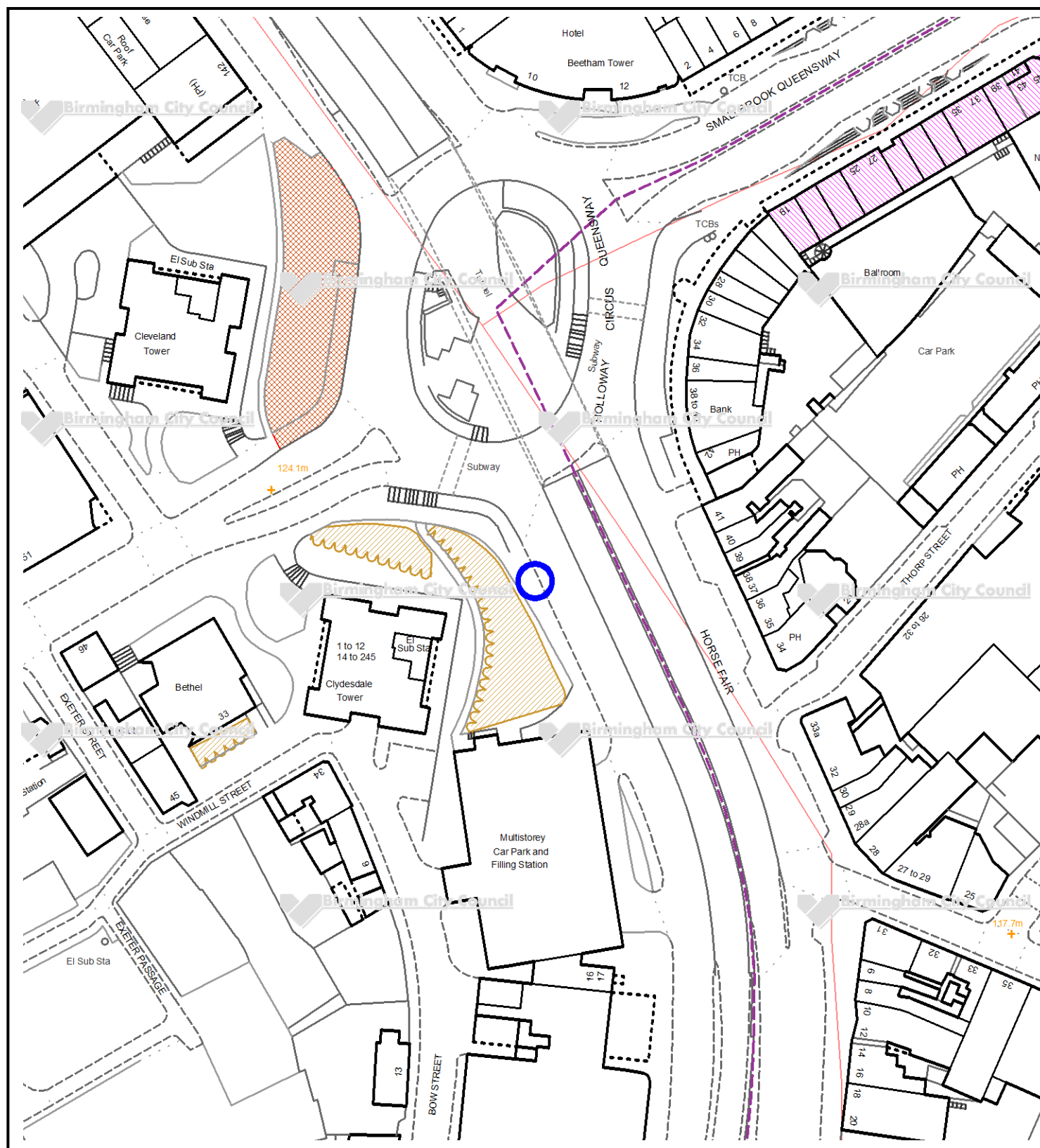




View South



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06696/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Ladywood		

Steelhouse Lane, o/s Colmore Plaza, City Centre, Birmingham, B4

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Steelhouse Lane outside Colmore Plaza.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement to the side of Colmore Plaza, a multi storey office building. To the south is Priory House, a multi storey office building with commercial uses on the ground floor. Opposite the site is the Steelhouse Lane Conservation Area.

[Site Location](#)

3. Planning History

- 3.1. 18/03/1992 - 1990/03462/PA - Erection of council information panels – Approve Subject to Conditions

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ on the wide footway and would have no effect on required sightlines or visibility splays. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

### 8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

Photo(s)



View East

# Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06695/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Ladywood		

Ladywood Middleway, Central Reservation Area, City Centre,  
Birmingham, B16

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Ladywood Middleway.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a grassed central reservation area on Ladywood Middleway. To the east of the site is Truro Tower, a multi storey tower block, to the south east, south and west are residential properties.

[Site Location](#)

3. Planning History

- 3.1. 12/05/1994 - 1993/04965/PA - 17 free standing commercial advertising/council information panels – Part Approve/Part Refuse

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ on grassed central serve and would have no effects on sightlines or visibility splay requirements. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

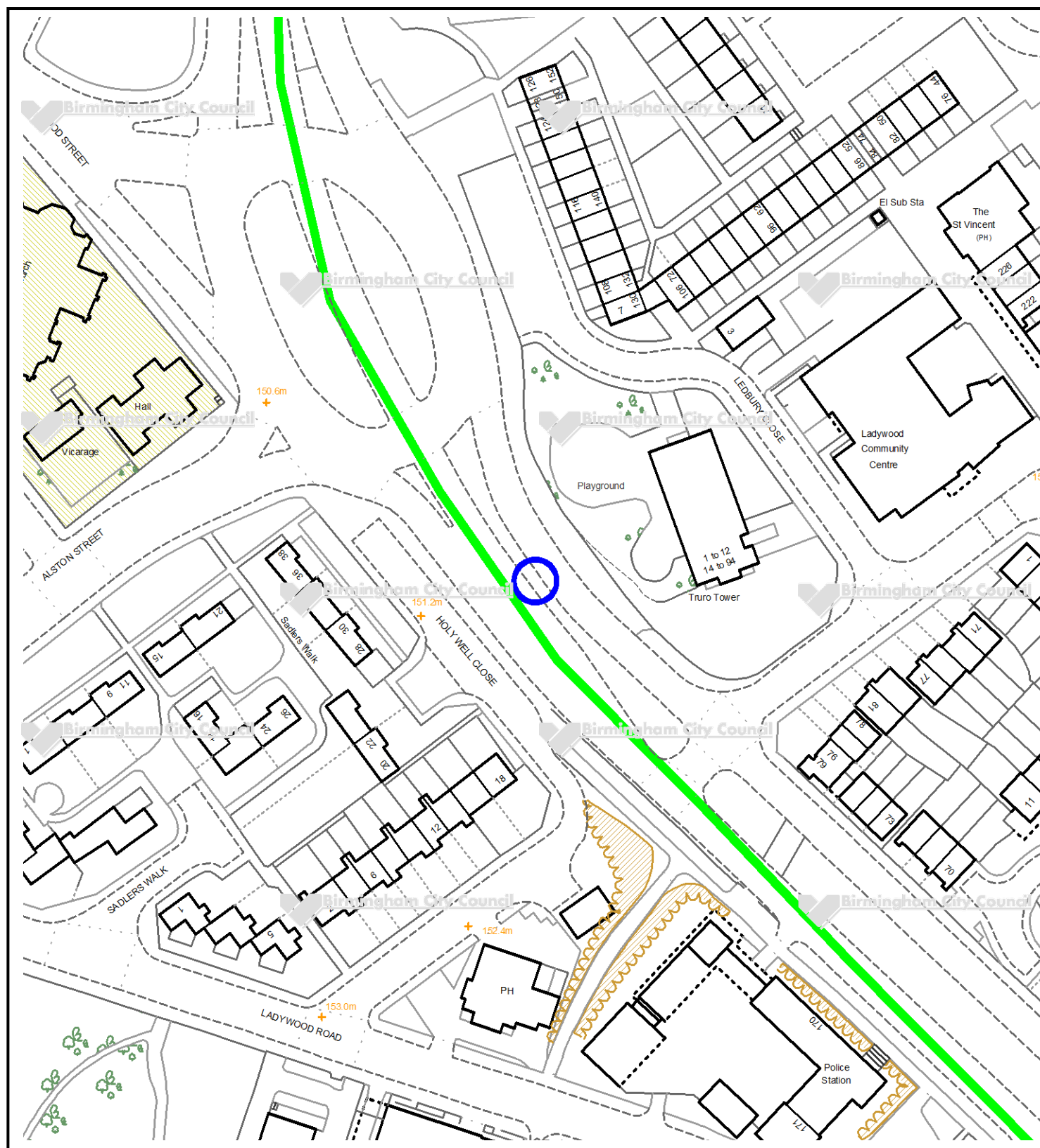
Case Officer: Anh Do

## Photo(s)



View South

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06694/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Ladywood		

Corporation Street, City Centre, Birmingham, B4

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Corporation Street.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Corporation Street. To the east are a number of commercial properties occupied by retail and financial and professional services. To the west is the Square Peg public house. The surrounding area is predominantly commercial.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.



- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ which sits in the wide footway and it raises no issues on required width or visibility splay requirements. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

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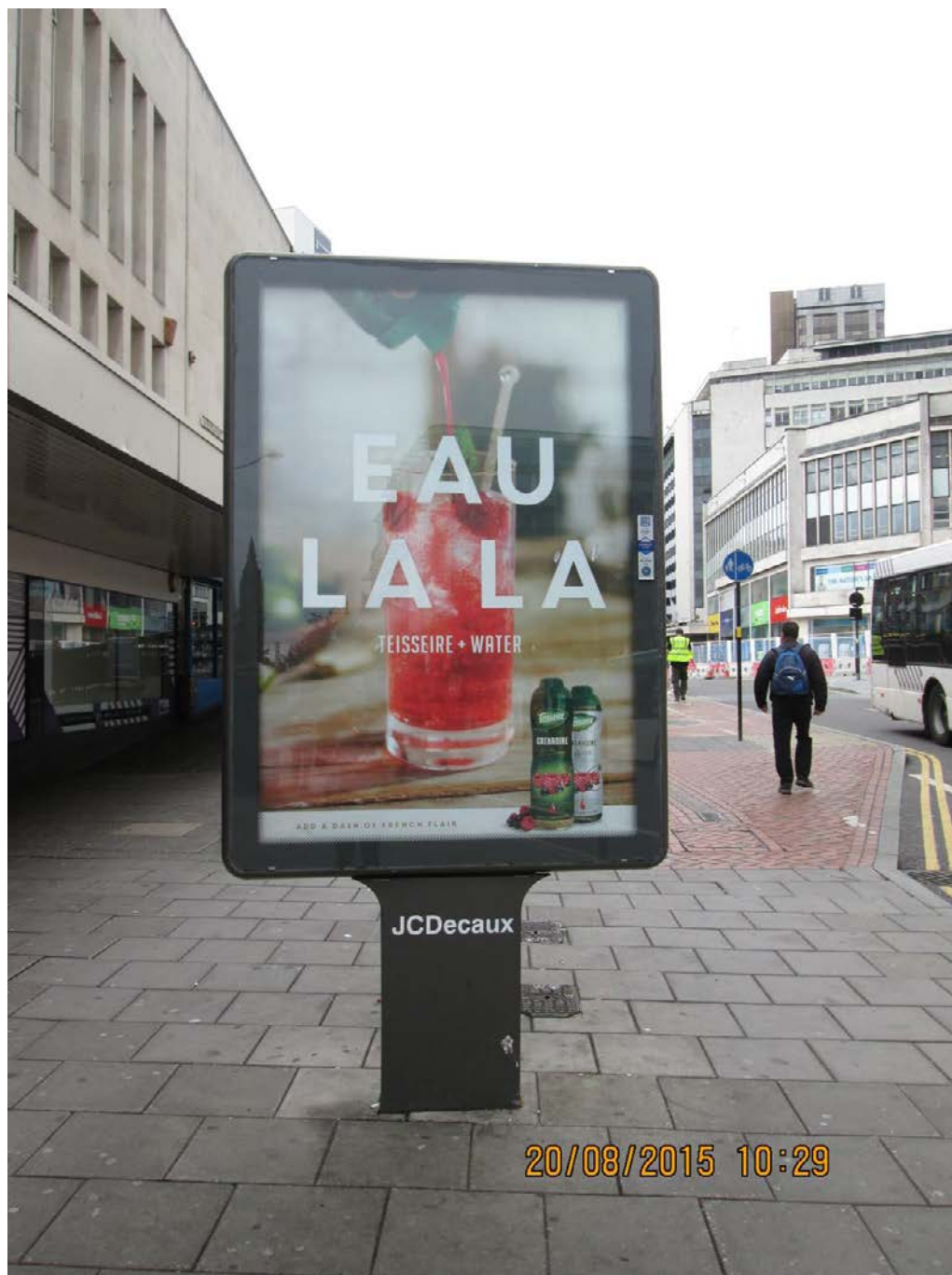
1 Limits the use of advert

---

- 
- 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

**Photo(s)**

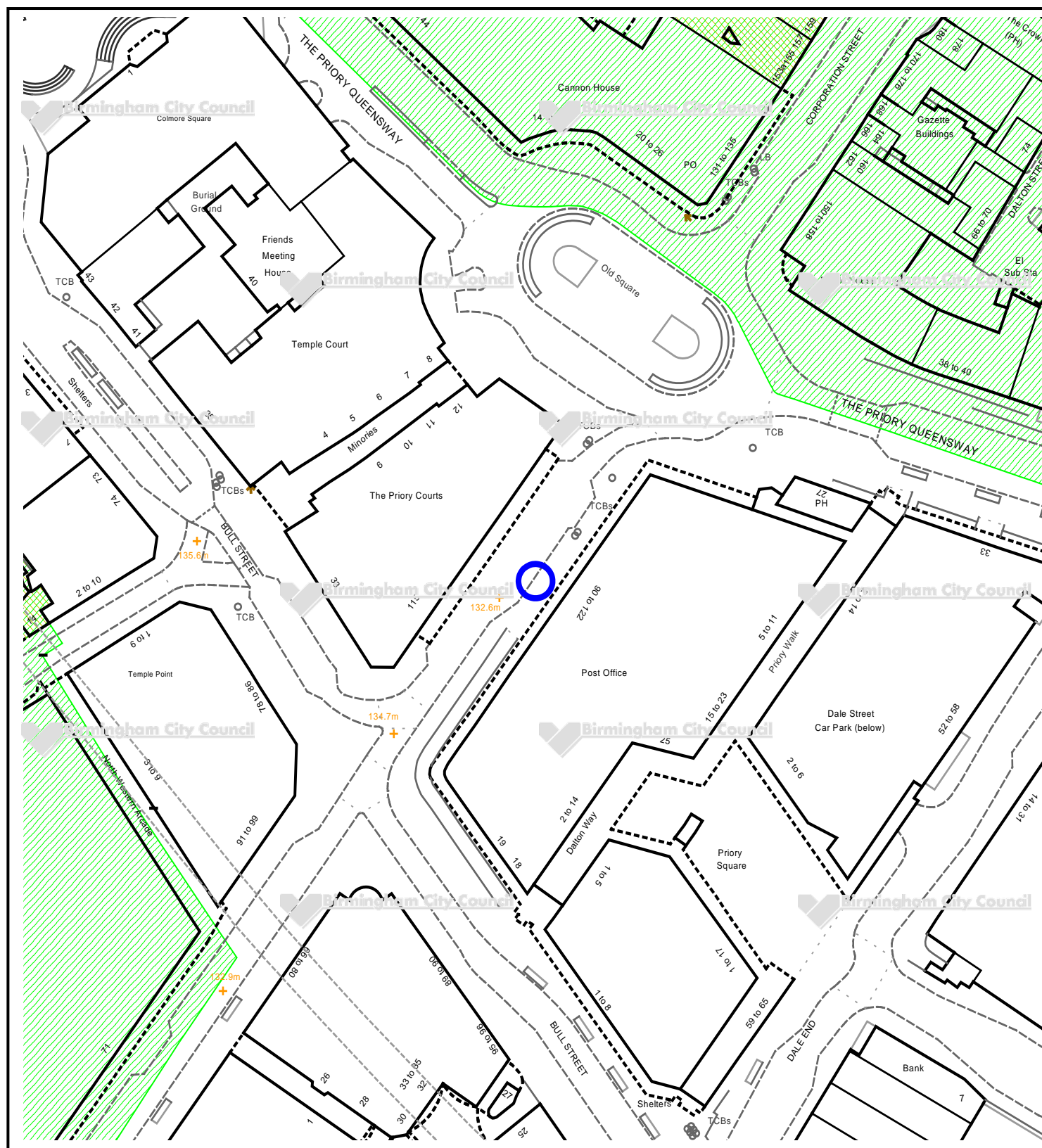


View South West



View North

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06807/PA
Accepted:	18/08/2015	Application Type:	Advertisement
Target Date:	13/10/2015		
Ward:	Ladywood		

Icknield Street, Central Reservation Area, City Centre, Birmingham, B18

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237 Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Icknield Street.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a grassed central reservation area on Icknield Street. To the east is a recently constructed industrial building. To the east is the Jewellery Quarter Conservation Area.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.



- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ which sits in the central reserve and maintains the required visibility splays and is clear of street signage. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

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1 Limits the use of advert

2 Limits length of the display of advert

---

- 
- 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

**Photo(s)**



View South

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06680/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Aston		

Hockley Hill (North East side), near Hockley Circus, City Centre, Birmingham, B18

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237 Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Hockley Hill (North East side).
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to pavement on Hockley Hill. To the south east are industrial uses.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.

- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ and would still retain a 2m clear footway area and clear of required sightlines. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

---

1 Limits the use of advert

---



- 
- 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

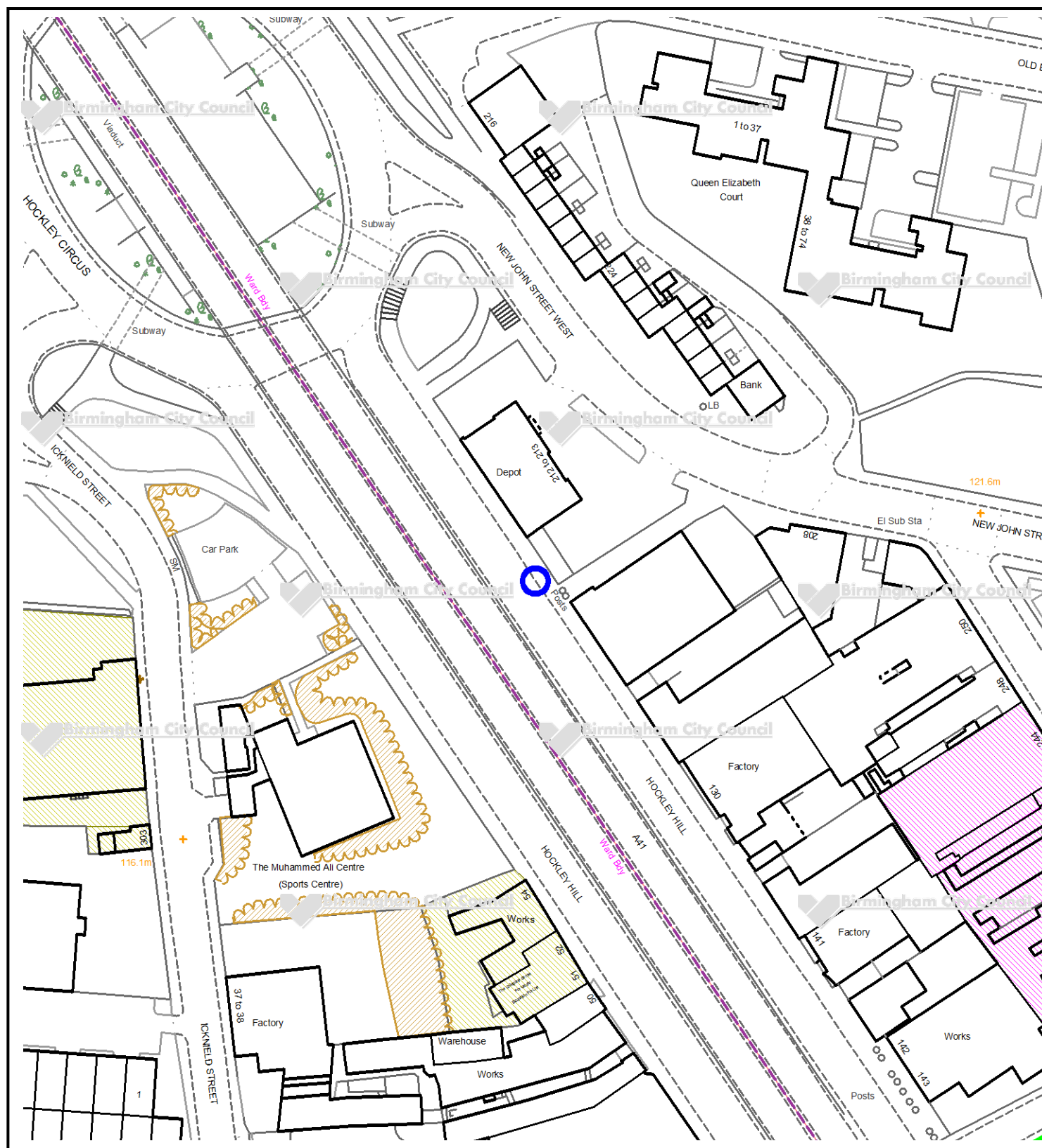
Case Officer: Anh Do

## Photo(s)



View South East

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06697/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Nechells		

Nechells Parkway, Central Reservation Area, Nechells, Birmingham, B7

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Nechells Parkway
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a grassed central reservation on Nechells Parkway. To the east and west are residential properties. To the south east of the site is a school.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.

- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ which sits in the central reserve and would not have an effect on required sightlines and visibility splays. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

---

1 Limits the use of advert

2 Limits length of the display of advert

---

- 
- 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

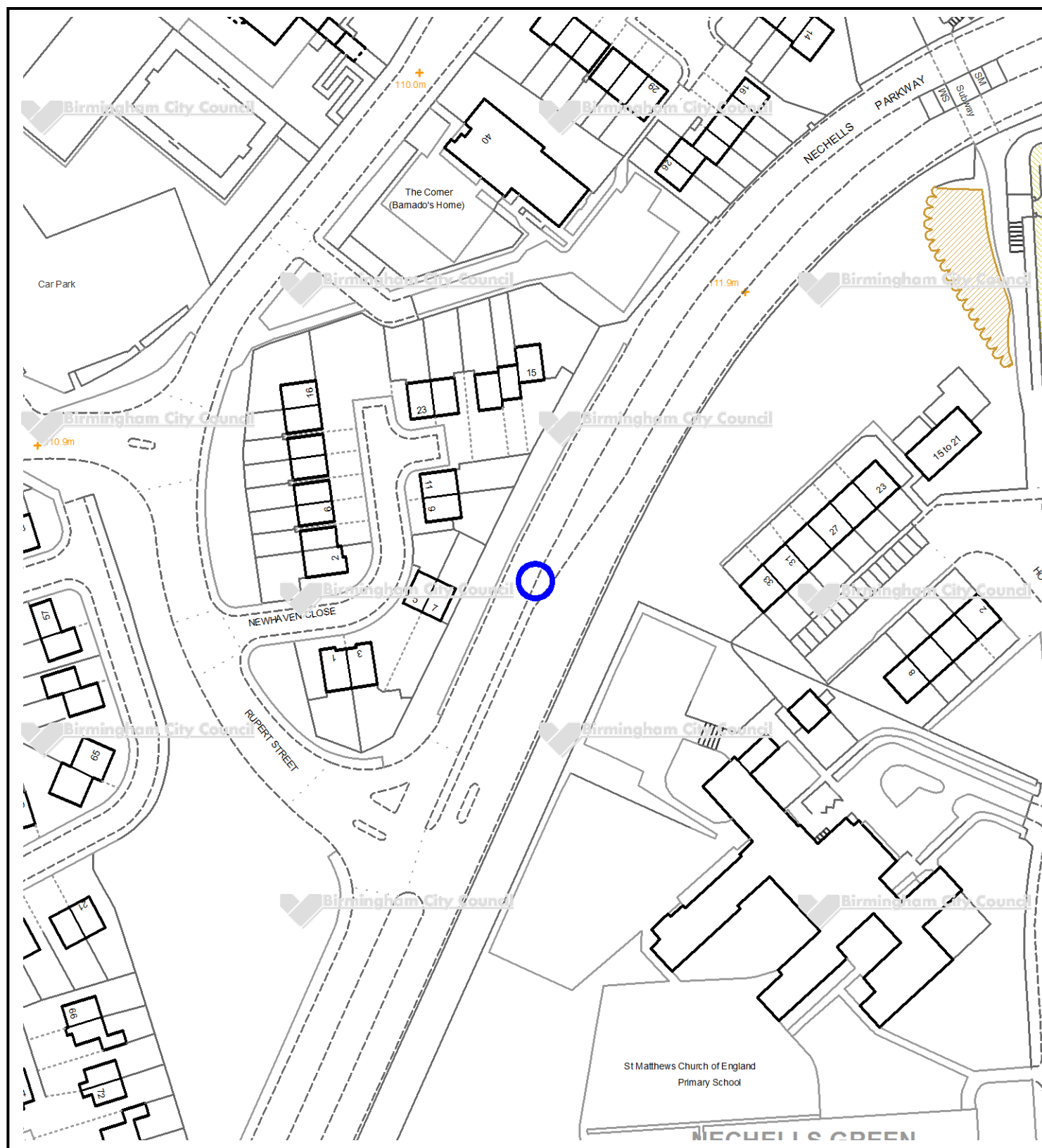


## Photo(s)



View North

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06754/PA
Accepted:	14/08/2015	Application Type:	Advertisement
Target Date:	09/10/2015		
Ward:	Ladywood		

Ladywood Middleway, o/s Ladywood Arts and Leisure Centre, City Centre, Birmingham, B16

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1. This application seeks advertisement consent for the installation 1 no. internally illuminated double sided freestanding advertising unit on Ladywood Middleway outside Ladywood Arts and Leisure Centre.
- 1.2. The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1m (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre.
- 1.3. The proposed advert unit is part of a contract with the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site relates to a pavement on Ladywood Middleway outside the site that the Ladywood Arts and Leisure Centre previously occupied. To the south east are residential properties.

[Site Location](#)

3. Planning History

- 3.1. None relevant.

4. Consultation/PP Responses

- 4.1. Birmingham City Centre Management have been notified. No response has been received.
- 4.2. Transportation Development – No objections subject to conditions that intervals between successive displays are instantaneous, no special visual effects, no fading, swiping or other animated transition methods, no special visual effects, no animated, flashing, scrolling, intermittent or video elements, minimum display time of 8 seconds, the complete screen display must change instantly, there must not be change in light patterns, limited to two dimensional display, must not display messages, emit noise, sound, smoke, smell or odours, default mechanism, not include interactive messages, the advert should include a dimmer control and photo cell to constantly monitor ambient light conditions and adjust sign brightness and illumination shall be no greater than 300 candelas.

5. Policy Context

- 5.1. Birmingham Unitary Development Plan 2005, Draft Birmingham plan 2031 and National Planning Policy Framework

6. Planning Considerations

- 6.1. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety.

AMENITY

- 6.2. The proposed advertisement unit would replace an existing advertisement panel. It is considered the proposal would not result in a concentration of advertisements within the surrounding area. My City Design Officer considers it is essential that the design match the City ID Interconnect Totems and that a condition is attached to ensure that the power supply is integral to the advertising unit and not a stand alone feeder pillar or box. However, it is considered that such a condition would be unreasonable to attach. On balance, it is considered the proposal would not result in unacceptable clutter and would be acceptable in this location.

PUBLIC SAFETY

- 6.3. Transportation Development have noted that the proposed advertisement would be a replacement for a sign already in situ and would not have an effect on required visibility splays or pedestrian routes. As such no objections have been raised subject to conditions. It has been advised to attach a condition to require the necessary highway agreements to be in place prior to the construction of the advertisement on site. It is however considered that such a condition would duplicate other controls and would therefore be unreasonable. Therefore an informative is proposed to advise as such.

7. Conclusion

- 7.1. I consider the proposal to be acceptable.

8. Recommendation

- 8.1. Approve Temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Anh Do

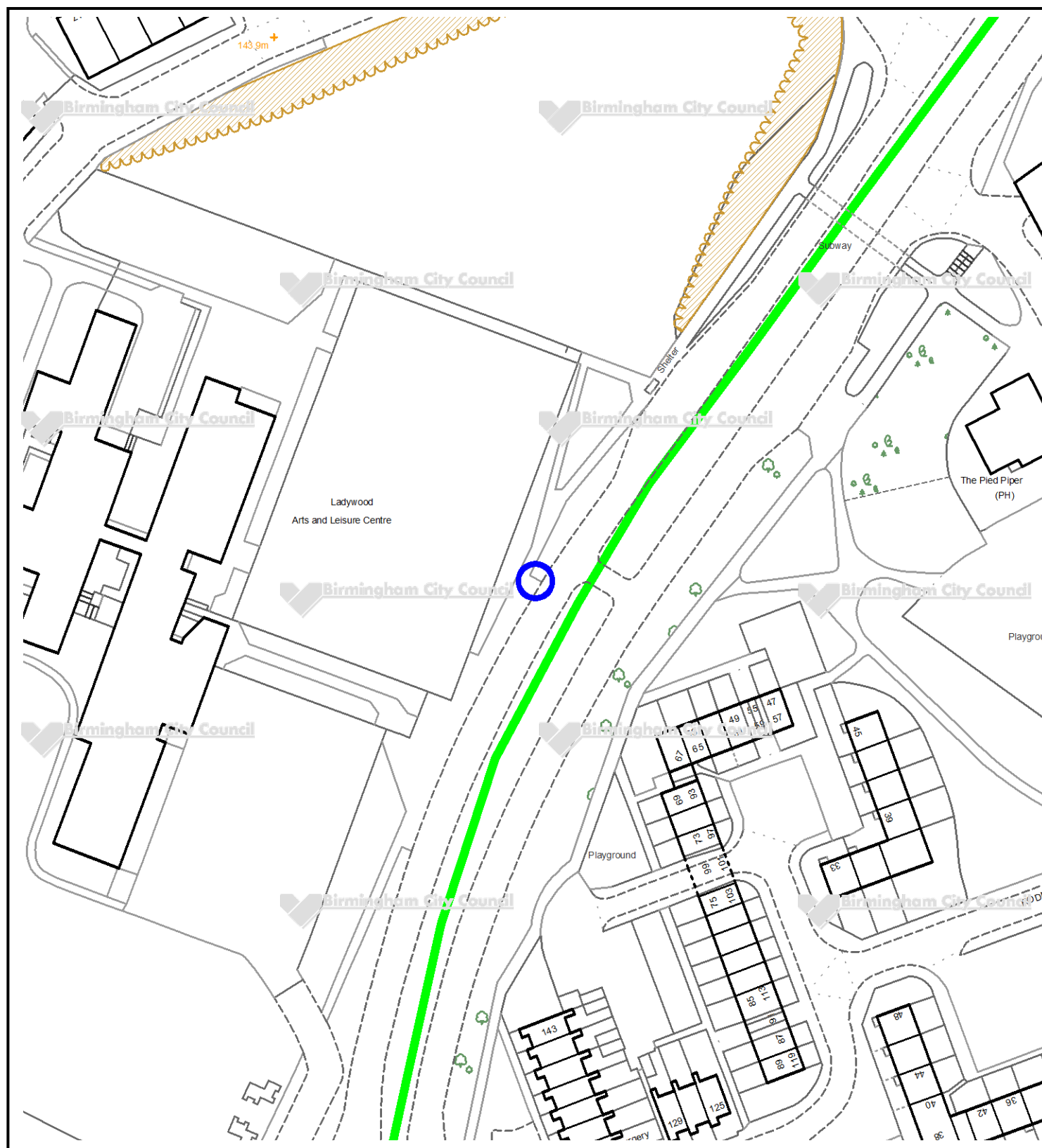
## Photo(s)



View North



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06542/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Nechells		

Dartmouth Middleway, near junction of Heneage Street,, City Centre,, Birmingham, B7

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the central reservation, approximately 30m north of the junction with Henage Street West and Henage Street.

1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.

1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2. Site & Surroundings

2.1 The advertisement would be positioned in the middle of the central reservation that measures approximately 3m in width. The central reservation lies between the dual carriageway, it is grassed and contains a number of trees. The area is commercial in character with office and light industrial uses fronting the highway.

[Site location](#)

3. Planning History

3.1 1996/02895/PA - 16 free-standing commercial advertising/council information panels, and 2 free-standing commercial advertising/council information columns, Approved 17/04/1997

#### 4 Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2 Birmingham City Centre Management have been consulted but no response received.

#### 5 Policy Context

- 5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6 Planning Considerations

- 6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 Dartmouth Middleway provides a large open space between the buildings which remains uncluttered by street furniture and existing signage. There are however a number of bold signs attached to the buildings that face the highway. On the basis that these existing advertisements plus the trees that are both prominently sited, the proposed replacement totem advertisement would not have an impact upon visual amenity.

##### PUBLIC SAFETY

- 6.3 BCC Transportation Development advise that the proposed replacement advertisement would raises no issues in terms of footway width or visibility requirements and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7 Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8 Recommendation

- 8.1 Approve temporary

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1 Limits the use of advert

2 Limits length of the display of advert

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- 
- 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

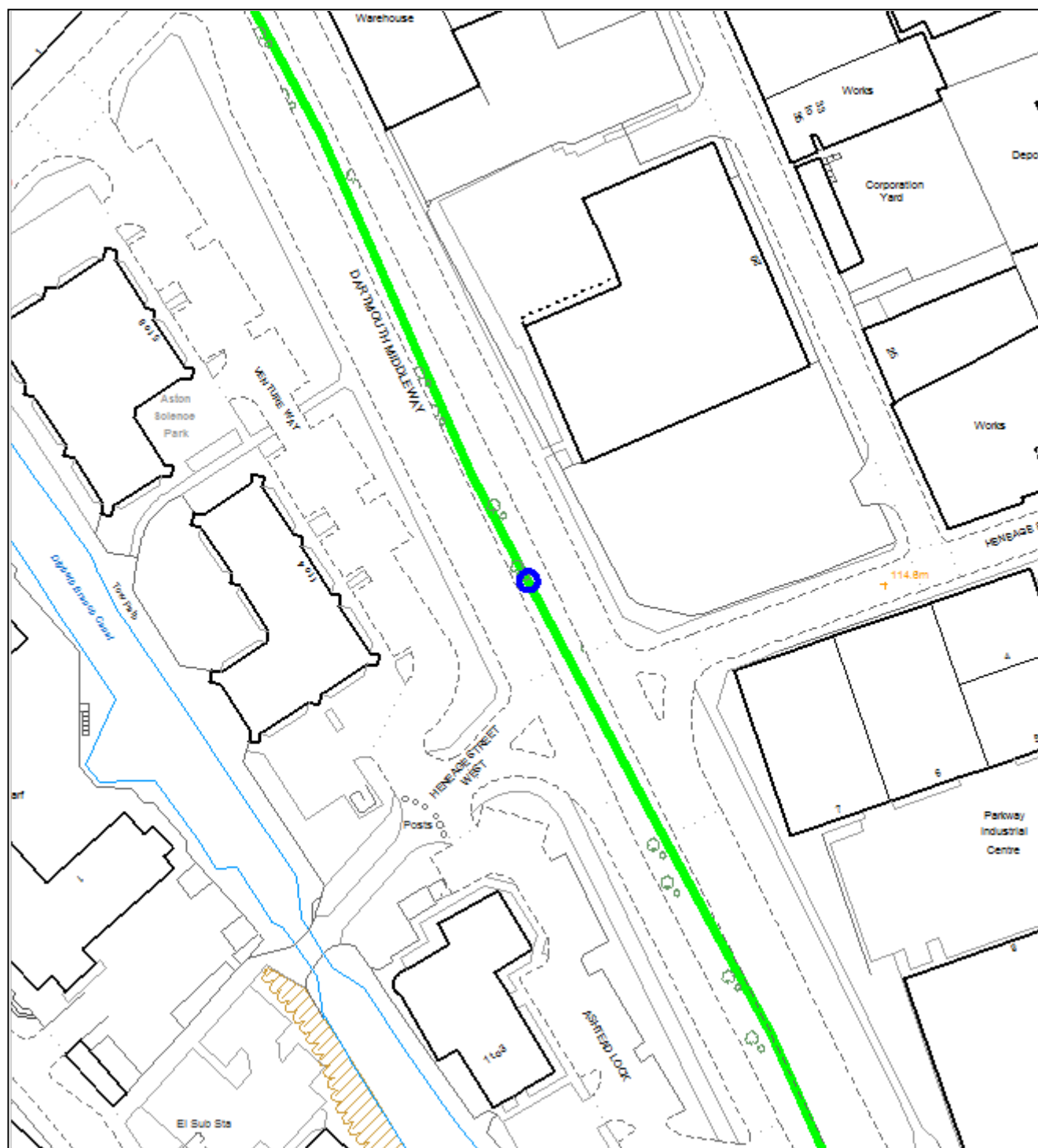
Case Officer: Julia Summerfield

## Photo(s)



Photo 1: Looking northwards

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06543/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Smallbrook Queensway, Opposite TK MAXX, City Centre, Birmingham, B5

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the east side of Smallbrook Queensway in front of Debenhams.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding advertising column at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1 The advertisement would be positioned close to the kerb where there is an existing internally illuminated freestanding advertising column. Retail premises front both sides of Smallbrook Queensway at this location with TKMAXX to the west and Debenhams to the east.

[Site location](#)

3. Planning History

- 3.1. 2011/04363/PA - Display of 1no. internally illuminated freestanding 12 sheet advertising column, Approved 01/09/2011

#### 4. Consultation/PP Responses

- 4.1. BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2. Birmingham City Centre Management has been consulted but no response has been received.

#### 5. Policy Context

- 5.1. National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6. Planning Considerations

- 6.1. According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 This part of the retail core to the City Centre has a wide range of existing advertisements and street furniture. The proposed totem advertisement would replace an existing internally illuminated freestanding advertising column reaching an overall height of 6.2m with a width of 2.3m. It is considered that due to the reduction in the height and width of the proposed replacement it would appear less prominent within the street scene and there would be no adverse impact upon amenity.

##### PUBLIC SAFETY

- 6.3 BCC Transportation Development advise that the proposed replacement advertisement would take up less space on footway and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7. Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8. Recommendation

- 8.1 Approve temporary

- 
- |   |  |
|---|--|
| 1 | Limits the use of advert               |
| 2 | Limits length of the display of advert |
-

- 
- 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

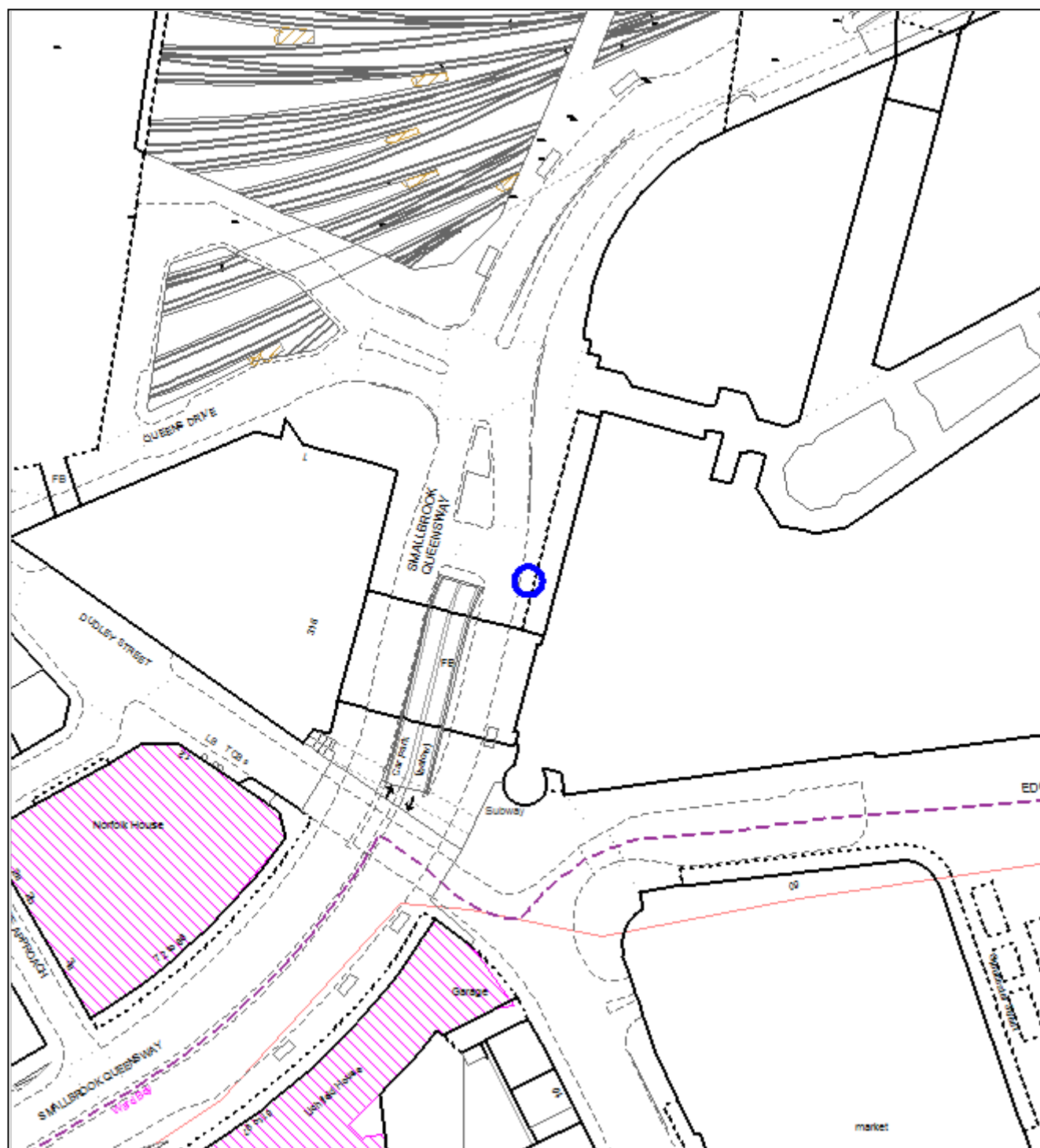
Case Officer: Julia Summerfield

## Photo(s)



Photo 1: Looking southwards

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06545/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Aston		

New John Street West, Central Reservation Area,, City Centre,,  
Birmingham, B19

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located the central reservation approximately 70m east of the Boulton Circus roundabout.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1 The advertisement would be positioned towards the northern edge of central reservation that widens out to measure approximately 8m in width at this point. The central reservation lies between the dual carriageway, it is grassed and contains a number of trees. To the south of the dual carriage way lies Teviot Tower, a residential high rise block and its associated children's play area.

[Site location](#)

3. Planning History

- 3.1. 1993/04965/PA - 17 Free Standing Commercial Advertising/Council Information Panels, Approved 12/05/1994



#### 4. Consultation/PP Responses

- 4.1. BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2. Birmingham City Centre Management have been consulted but no response received.

#### 5. Policy Context

- 5.1. National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6. Planning Considerations

- 6.1. According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 The proposed advertisement would be one in a series of totem signs staggered along the length of the central reservation that would replace existing adverts of a similar design. It is considered that there would be no loss of visual amenity.

##### PUBLIC SAFETY

- 6.3 BCC Transportation Development advise that the proposed replacement advertisement would raises no issues in terms of footway width or visibility requirements and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7. Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8. Recommendation

- 8.1 Approve temporary

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1 Limits the use of advert

2 Limits length of the display of advert

3 Limits the control of the intensity of the illumination

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

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5 Limits the approval to 5 years (advert)

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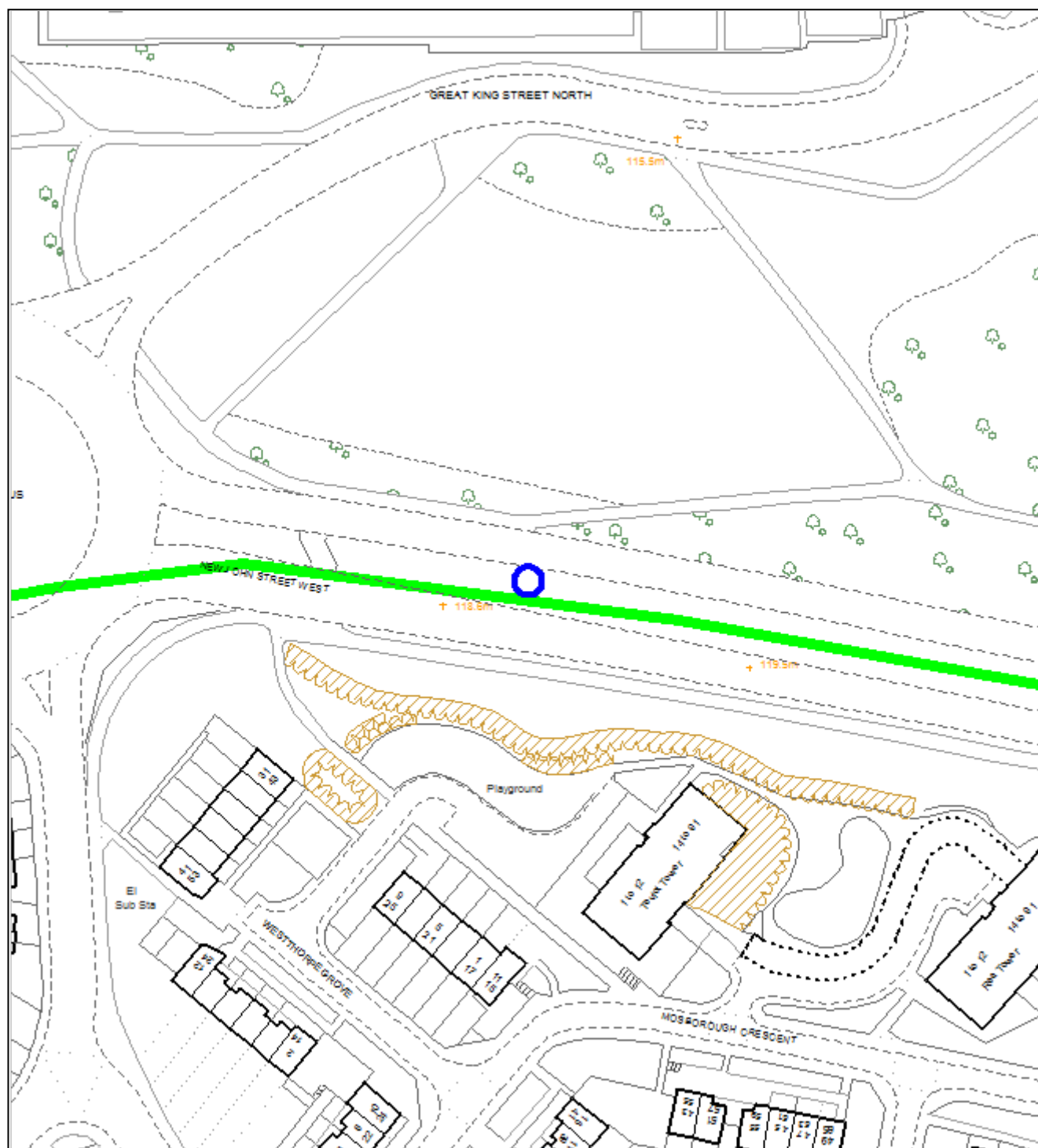
Case Officer: Julia Summerfield

## Photo(s)



Photo 1: Looking west

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06598/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Aston		

New John Street West, Central Reservation Area,, City Centre,,  
Birmingham, B19,

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237 Council House, Victoria  
Square, Birmingham, B1 1BB,

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located the central reservation approximately 140m east of the Boulton Circus roundabout.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2 Site & Surroundings

- 2.1 The advertisement would be positioned towards the southern edge of central reservation that widens out to measure approximately 9m in width at this point. The central reservation lies between the dual carriageway, it is grassed and contains a number of trees. To the south of the dual carriage way lies Rea Tower, a residential high rise block. To the north there is an area of open space.

[Site location](#)

3 Planning History

- 3.1 1993/04965/PA - 17 Free Standing Commercial Advertising/Council Information Panels, Approved 12/05/1994

#### 4 Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2 Birmingham City Centre Management have also been consulted but no response received.

#### 5 Policy Context

- 5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6 Planning Considerations

- 6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 The proposed advertisement would be one in a series of totem signs staggered along the length of the central reservation that would replace existing adverts of a similar design. It is considered that there would be no loss of visual amenity.
- 6.3 The City Design Team raise concern at the power supply and the possibility of an stand-alone power supply in the form of a stand-alone feeder pillar or box. This is not however a matter that can be controlled via a condition attached to an advertisement consent and therefore should be restricted via the agreement reached with contractor.

##### PUBLIC SAFETY

- 6.4 BCC Transportation Development advise that the proposed replacement advertisement would raises no issues in terms of footway width or visibility requirements and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7 Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8 Recommendation

- 8.1 Approve temporary



- 
- 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

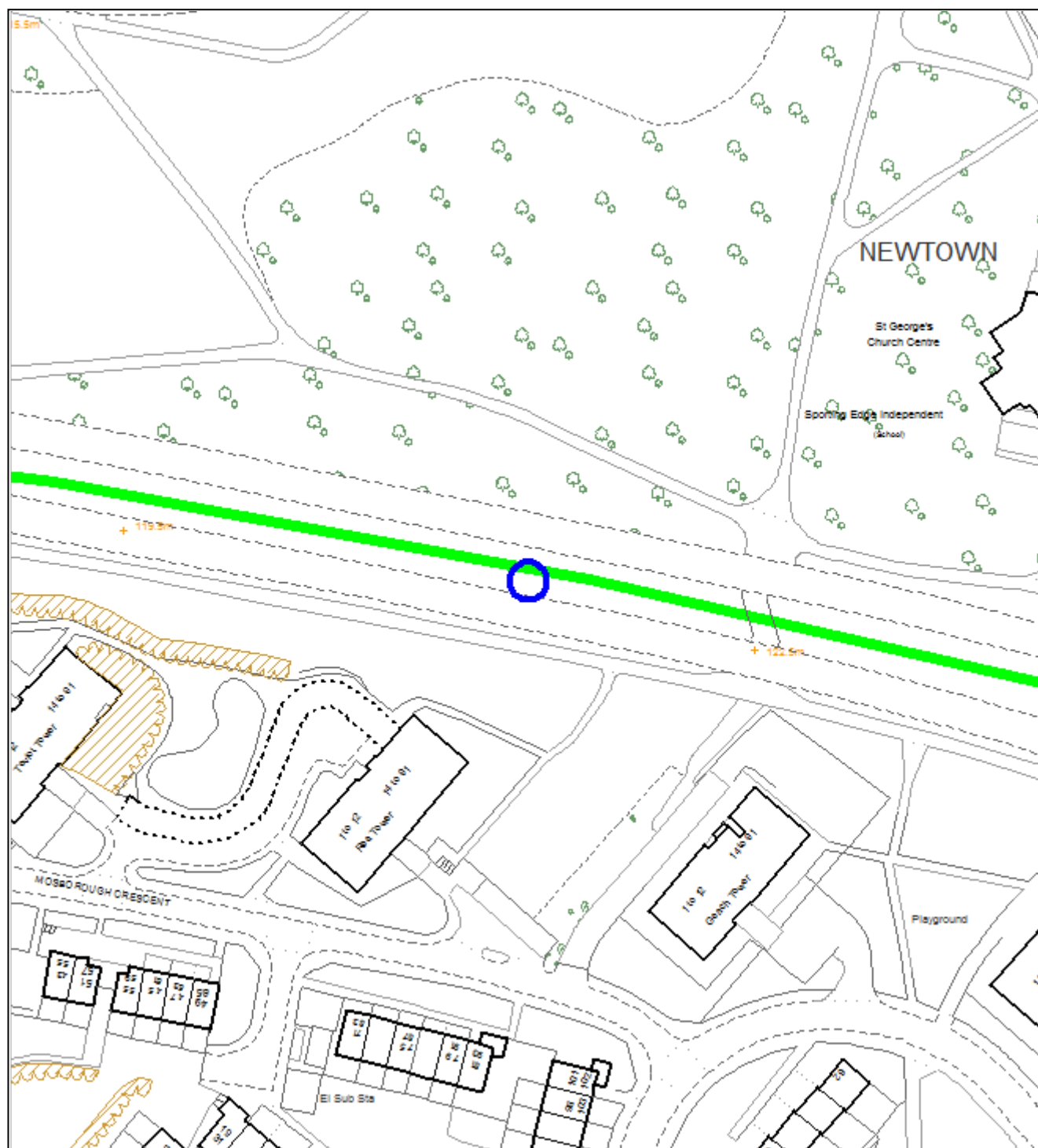
Case Officer: Julia Summerfield

## Photo(s)



Photo 1: Looking west

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06672/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Nechells		

Highgate Middleway, Central Reservation Area,, City Centre,,  
Birmingham

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located the central reservation opposite the junction with Leopold Street.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2 Site & Surroundings

- 2.1 The advertisement would be positioned towards the east edge of central reservation that measures approximately 9m in width at this point. The central reservation lies between the dual carriageway, it is grassed and contains a number of trees. To the east of the dual carriage way lies a range of commercial uses.

[Site location](#)

3 Planning History

- 3.1 1993/04965/PA - 17 Free Standing Commercial Advertising/Council Information Panels, Approved 12/05/1994

## 4 Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2 Birmingham City Centre Management have also been consulted but no response received.

## 5 Policy Context

- 5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

## 6 Planning Considerations

- 6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

### AMENITY

- 6.2 Highgate Middleway provides a linear shaped area of green open space between the buildings which remains uncluttered by street furniture and existing signage. On the basis that the proposed advertisement would replace an existing similar sized totem advertisement it is considered that it would not have an impact upon visual amenity.
- 6.3 The City Design Team raise concern at the power supply and the possibility of an stand-alone power supply in the form of a stand-alone feeder pillar or box. This is not however a matter that can be controlled via a condition attached to an advertisement consent and therefore should be restricted via the agreement reached with contractor.

### PUBLIC SAFETY

- 6.4 BCC Transportation Development have noted that the proposed advertisement would replace an existing and would have no effect on the existing sightlines and visibility splays. Subsequently no objections have been raised and it is considered that there would be no impact upon public safety.

## 7 Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

## 8 Recommendation

- 8.1 Approve temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

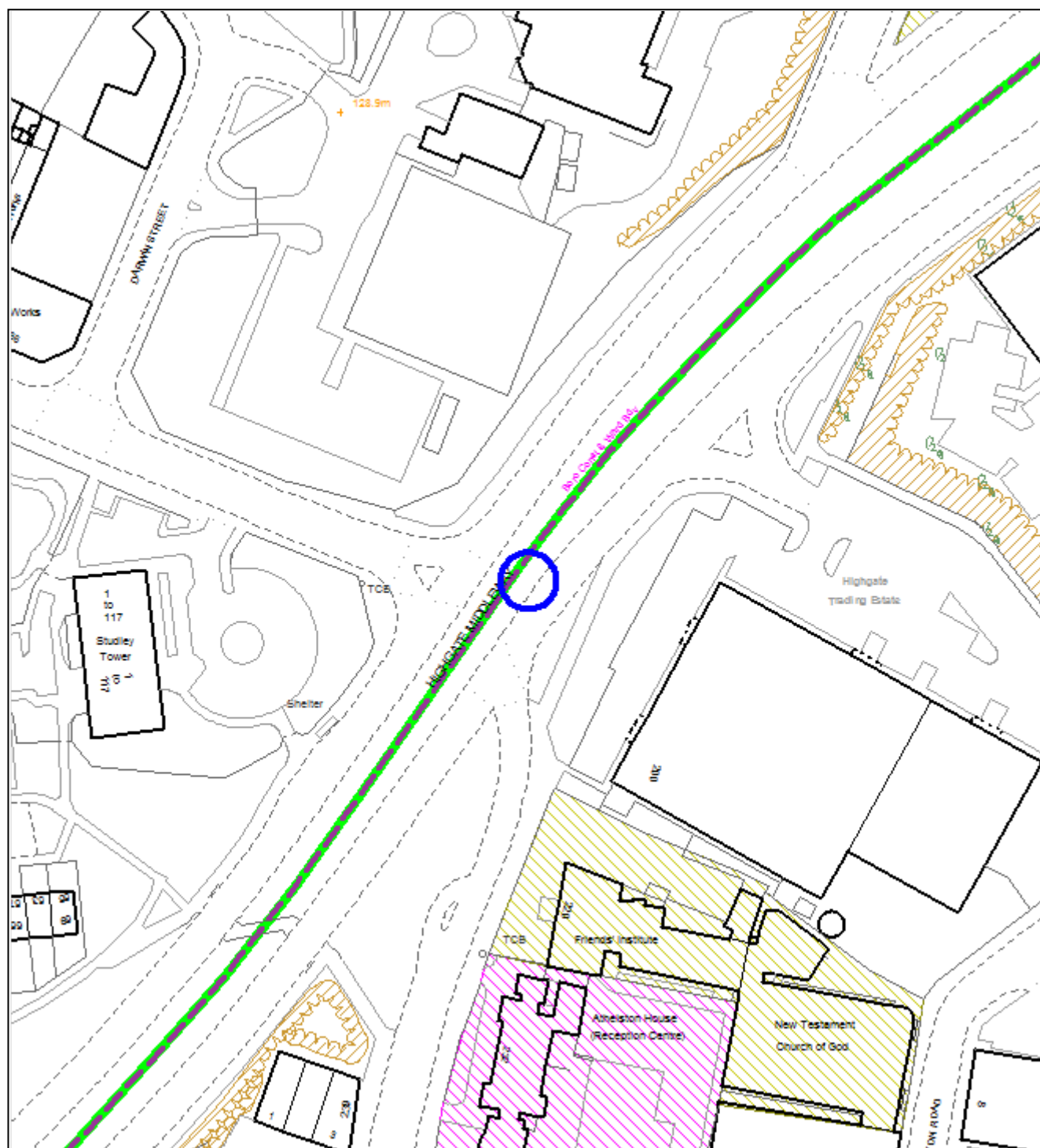
Case Officer: Julia Summerfield



## Photo(s)



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06539/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Parade, near John Smyth House,, City Centre,, Birmingham, B1 3XX

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located in the central reservation south of the roundabout at the junction of Sand Pits, Newhall Hill and George Street.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding advertising column at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

1.4 [Link to Documents](#)

2 Site & Surroundings

- 2.1 The advertisement would be sited on the central reservation, just beyond the boundary to the Jewellery Quarter Conservation Area, within an area which accommodates both commercial and residential uses, and in front of the Birmingham City Church.

2.2 [Site Location](#)

3 Planning History

- 3.1 None

4 Consultation/PP Responses

4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.

4.2 Birmingham City Centre Management and the City Design Team have also been consulted but no responses received.

## 5 Policy Context

5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

## 6 Planning Considerations

6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

### AMENITY

6.2 The proposed freestanding advertisement would be sited within a wide open area where it would replace an existing internally illuminated freestanding advertising column reaching an overall height of 6.2m with a width of 2.3m. It is considered that due to the reduction in the height and width of the proposed replacement it would appear less prominent within the street scene and there would be no adverse impact upon amenity.

### PUBLIC SAFETY

6.3 BCC Transportation Development advise that the proposed replacement advertisement would take up less space on the central reservation and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

## 7 Conclusion

7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

## 8 Recommendation

8.1 Approve temporary

---

1 Limits the use of advert

2 Limits length of the display of advert

3 Limits the control of the intensity of the illumination

---

- 
- 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Julia Summerfield

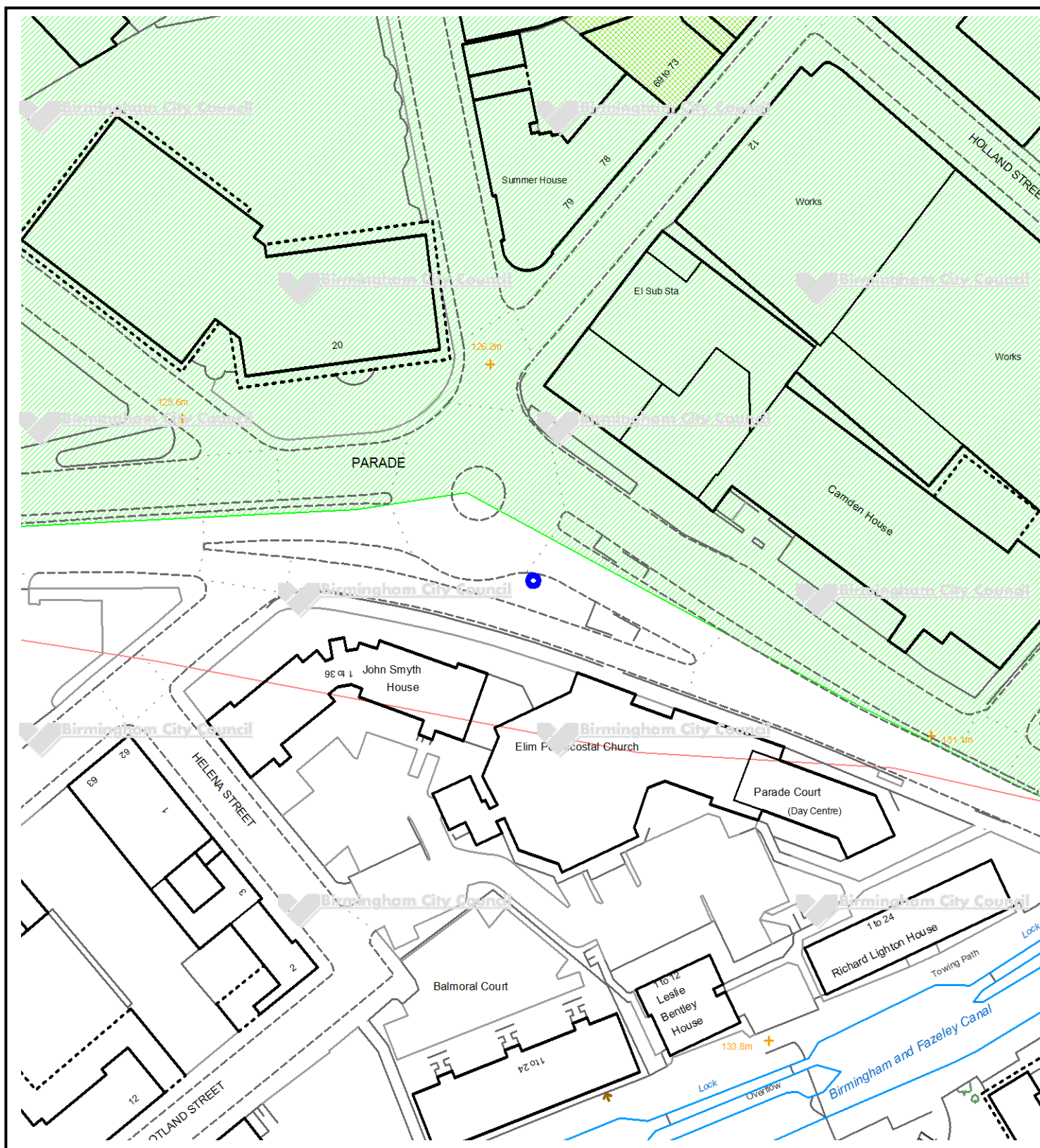
**Photo(s)**



**View West**



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06538/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Summer Hill Road, near junction of Anderton Street,, City Centre,,  
Birmingham, B1 3RB

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

1.1 This application proposes the installation of a freestanding double sided digital advert to be located in the central reservation of Summer Hill Road opposite the junction with Powell Street and Anderton Street.

1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding advertising column at the same location.

1.3 The proposed advert unit is part of a contract within the City.

1.4 [Link to Documents](#)

2 Site & Surroundings

2.1 The advertisement would be sited on the central reservation in a location that is dominated by the highway accommodating three lanes of traffic travelling in either direction. The site lies close to the boundary of the Jewellery Quarter Conservation Area where there are residential properties on the west side of Summer Hill Road and commercial premises on the eastern side.

2.2 [Site Location](#)

3 Planning History

3.1 1990/04064/PA - Information Column, Approved 08/11/1990

#### 4 Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2 Birmingham City Centre Management have also been consulted but no response received.

#### 5 Policy Context

- 5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6 Planning Considerations

- 6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 The proposed freestanding advertisement would be sited within a wide open area where it would replace an existing internally illuminated freestanding advertising column reaching an overall height of 6.2m with a width of 2.3m. It is considered that due to the reduction in the height and width of the proposed replacement it would appear less prominent within the street scene and there would be no adverse impact upon amenity.

##### PUBLIC SAFETY

- 6.3 BCC Transportation Development advise that the proposed replacement advertisement would take up less space on the central reservation and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7 Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8 Recommendation

- 8.1 Approve temporary

---

1 Limits the use of advert

2 Limits length of the display of advert

---

- 
- 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Julia Summerfield

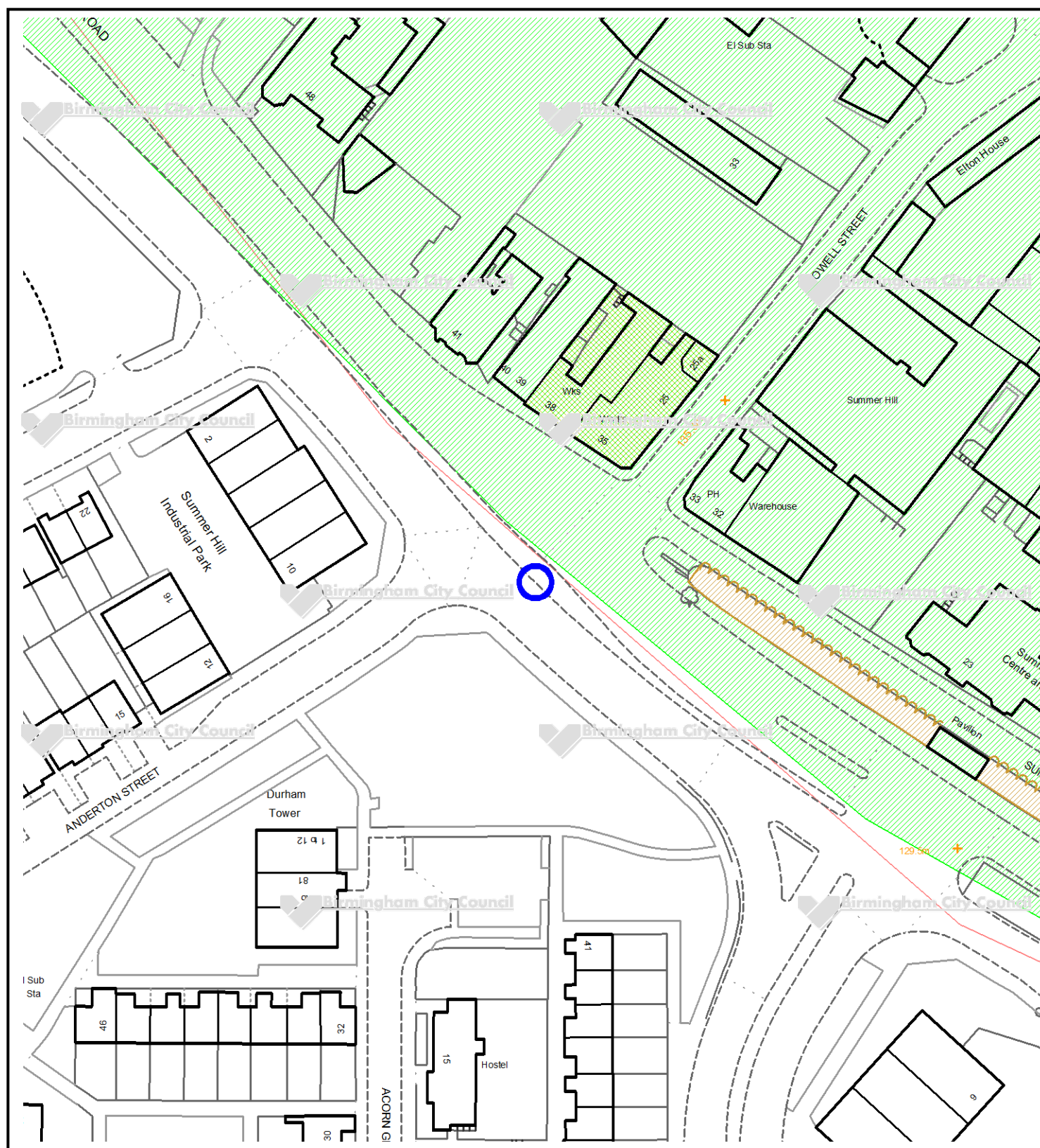
## Photo(s)



View West



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06536/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Nechells		

Belgrave Middleway, near junction of Sherlock Street,, City Centre,, Birmingham, B5

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the north side of Belgrave Middleway, approximately 20m west of the roundabout junction with Sherlock Street and Pershore Road.

1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.

1.3 The proposed advert unit is part of a contract within the City.

1.4 [Link to Documents](#)

2 Site & Surroundings

2.1 The advertisement would be sited on the footway positioned between the level carriageway and the carriageway that descends to allow vehicles to travel straight under the roundabout. It would be sited close to a pedestrian crossing across the existing three lane highway.

2.2 [Site Location](#)

3 Planning History

3.1 1990/03462/PA - Erection of Council Information Panels, Approved 18/03/1992

- 3.2 1996/00279/PA - Installation of brackets/fixing arrangements for the display of events pennants on lamp columns, Approved 21/03/1996

4 Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.

- 4.2 Birmingham City Centre Management have also been consulted but no response received.

5 Policy Context

- 5.1 National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

6 Planning Considerations

- 6.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

AMENITY

- 6.2 The proposed freestanding advertisement would be sited within a wide open area dominated by the highway junction where there are a range of highway signs, traffic lights and lighting columns.

- 6.3 The City Design Team raise concern at the power supply and the possibility of an stand-alone power supply in the form of a stand-alone feeder pillar or box. This is not however a matter that can be controlled via a condition attached to an advertisement consent and therefore should be restricted via the agreement reached with contractor.

- 6.4 The proposed advertisement would replace an existing illuminated sign of very similar dimensions and therefore it is considered that there would be no impact upon amenity.

PUBLIC SAFETY

- 6.5 BCC Transportation Development advise that the proposed position would be clear of the traffic signal sightlines and pedestrian crossing area visibility requirements, and therefore it is considered that there would be no impact upon public safety.

7 Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

8 Recommendation

8.1 Approve temporary

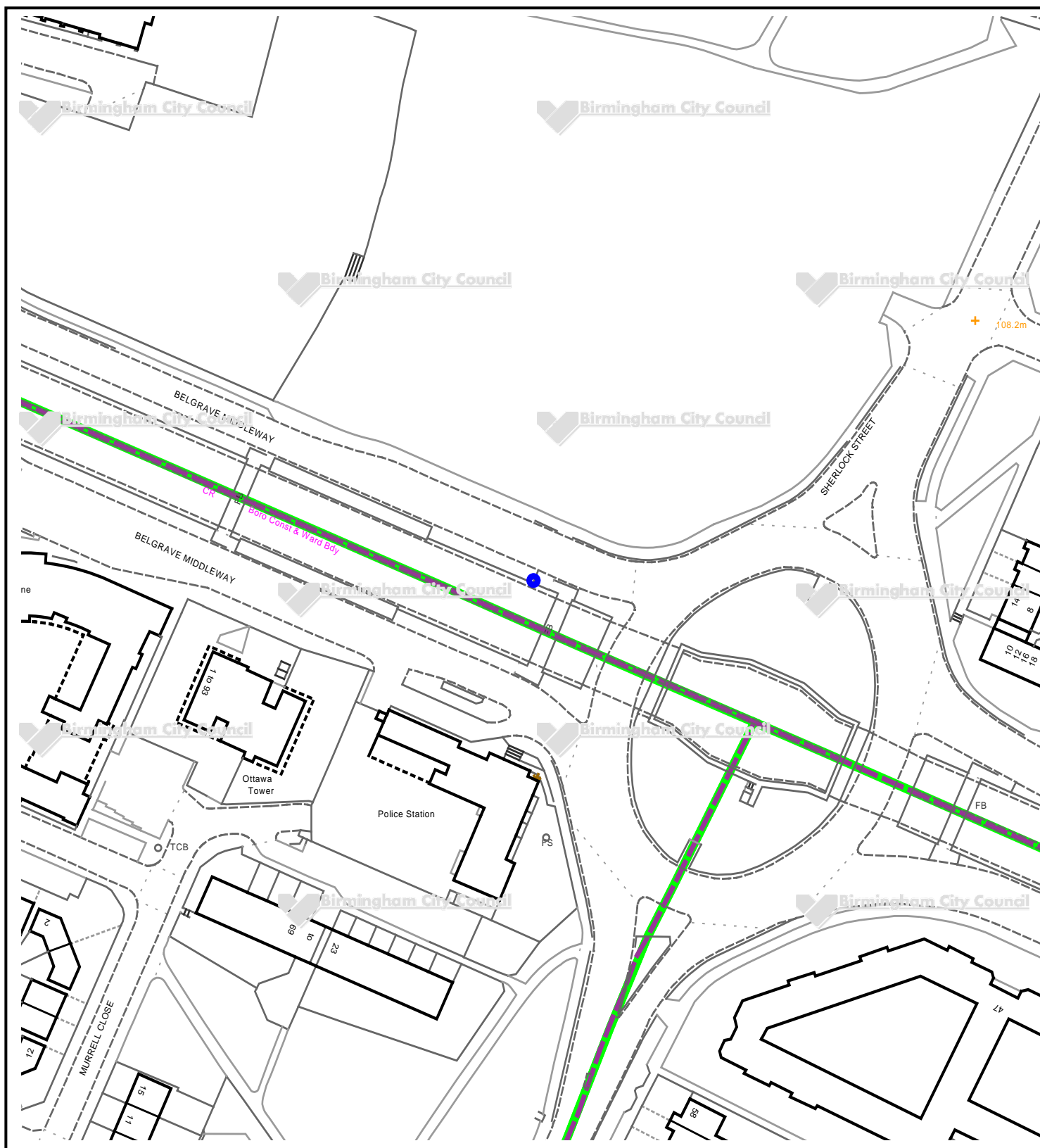
- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Julia Summerfield

## Photo(s)



## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06537/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Nechells		

Smallbrook Queensway, outside Lichfield House, City Centre,  
Birmingham, B5 4JL

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria  
Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the south side of Smallbrook Queensway, approximately 15m west of the row of bus stops that lie close to the high level pedestrian footway linking the Bullring and Grand Central.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding advertising column at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

1.4 [Link to Documents](#)

2 Site & Surroundings

- 2.1 The advertisement would be sited on the footway where it widens out to approximately 8m at a location between the existing motorcycle parking area and where the footway divides into an upper and lower level, in front of a parade of commercial premises.

2.2 [Site Location](#)

3 Planning History

- 3.1 2015/03026/PA - Display of 1 internally illuminated digital 6 sheet advertising panel on existing bus shelter, Approved 04/06/2015



3.2 2014/04716/PA - Display of 8 non-illuminated lamppost advertisement banners, Approved 22/08/2014

3.3 2004/04215/PA - Installation of 1 no. advert panel on 3 no. bus shelters bearing 3 internally illuminated scrolling advertisements, Approved 13/09/2004

3.4 1996/02895/PA - 16 free-standing commercial advertising/council information panels, and 2 free-standing commercial advertising/council information columns (pillar), Approved 17/04/1997

#### 4 Consultation/PP Responses

4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.

4.2 Birmingham City Centre Management have also been consulted but no response received.

#### 5 Planning Considerations

5.1 According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

6 The proposed freestanding advertisement would be sited on a street where there is a significant amount of street furniture including bus stops, trees, litter bins and lighting.

6.1 The City Design Team raise concern at the power supply and the possibility of a stand-alone power supply in the form of a stand-alone feeder pillar or box. This is not however a matter that can be controlled via a condition attached to an advertisement consent and therefore should be restricted via the agreement reached with contractor.

6.2 The proposed totem advertisement would replace an existing internally illuminated freestanding advertising column reaching an overall height of 6.2m with a width of 2.3m. It is considered that due to the reduction in the height and width of the proposed replacement it would appear less prominent within the street scene and there would be no adverse impact upon amenity.

##### PUBLIC SAFETY

6.3 BCC Transportation Development advise that the proposed position would be clear of the traffic signal sightlines and pedestrian crossing area visibility requirements, and therefore it is considered that there would be no impact upon public safety.

#### 7 Conclusion

7.1 The proposed advertisement is considered to be appropriate in terms of the impact upon visual amenity and public safety.

8 Recommendation

8.1 Approve temporary

---

1 Limits the use of advert

2 Limits length of the display of advert

3 Limits the control of the intensity of the illumination

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

5 Limits the approval to 5 years (advert)

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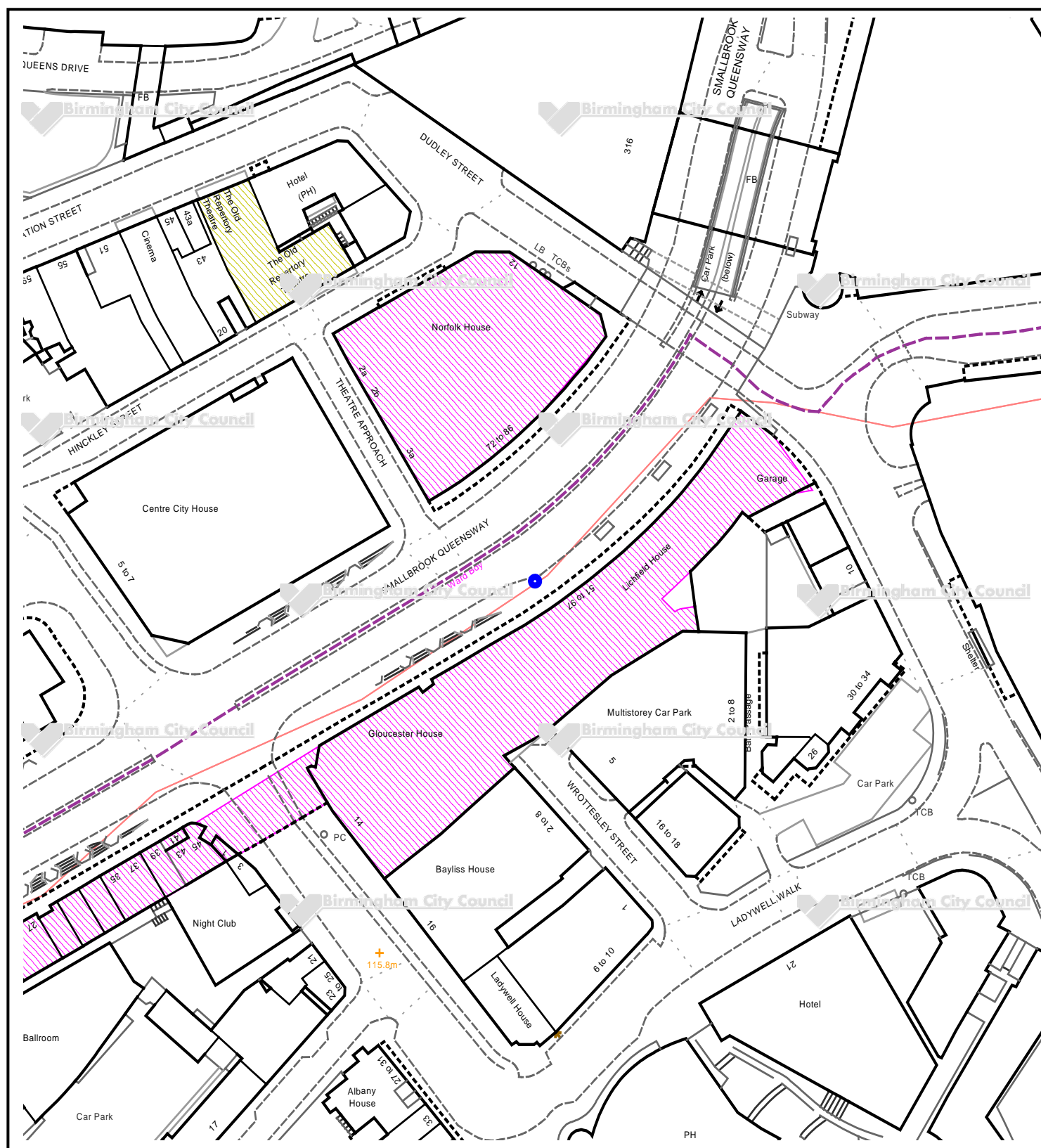
Case Officer: Julia Summerfield

**Photo(s)**



View East

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06540/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Broad Street, o/s Cumberland House, City Centre, Birmingham, B15 1TA

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the footway on the south side of Broad Street, approximately 100m east of the junction with Bishopsgate Street. It would be positioned in front of Cumberland House which is vacant at ground floor.

1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.

1.3 The proposed advert unit is part of a contract within the City.

1.4 [Link to Documents](#)

2. Site & Surroundings

2.1 The advertisement would be positioned at the kerbside edge of the footway. Broad Street is characterised by a range of commercial late night uses fronting the highway.

2.2 [Site Location](#)

3. Planning History

3.1. 1992/03640/PA - Display of Double-Sided Illuminated Council Information Panel, Approved 19/11/1992

#### 4. Consultation/PP Responses

- 4.1. BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2. Birmingham City Centre Management have also been consulted but no response received.

#### 5. Policy Context

- 5.1. National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6. Planning Considerations

- 6.1. According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 The footway at this location measures approximately 5m in width and accommodates a range of street furniture including lighting columns, rubbish bins, railings and traffic lights. The proposed advertisement would replace an existing illuminated sign of very similar dimensions and therefore it is considered that there would be no impact upon amenity.

##### PUBLIC SAFETY

- 6.3 BCC Transportation Development advise that the proposed replacement advertisement would raises no issues in terms of footway width or visibility requirements and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

#### 7. Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8 Recommendation

- 8.1 Approve temporary

- 
- |   |   |
|---|---|
| 1 | Limits the use of advert                                |
| 2 | Limits length of the display of advert                  |
| 3 | Limits the control of the intensity of the illumination |
-



- 
- 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

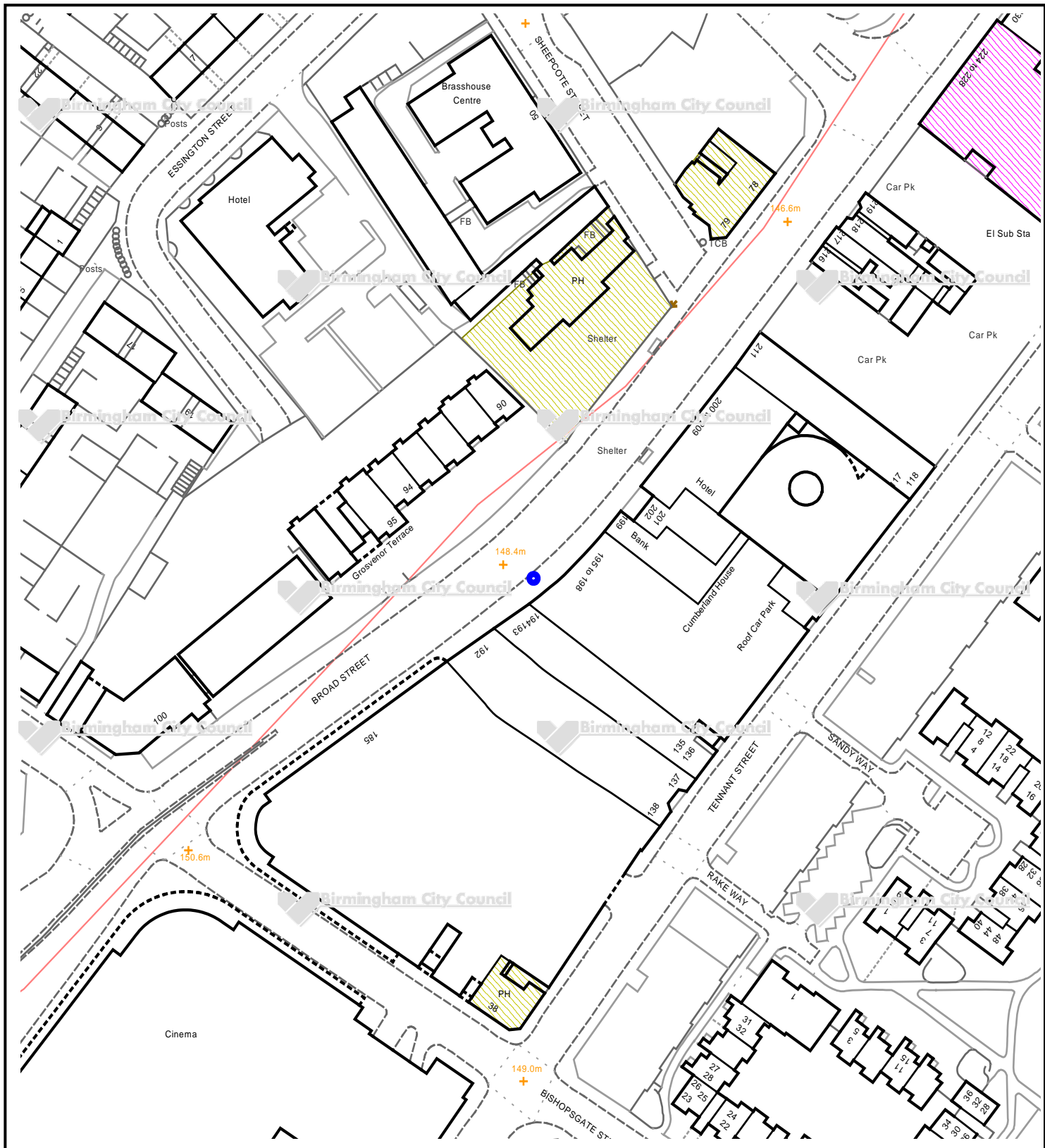
Case Officer: Julia Summerfield

**Photo(s)**



**View North**

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06673/PA
Accepted:	17/08/2015	Application Type:	Advertisement
Target Date:	12/10/2015		
Ward:	Aston		

New John Street West (South side), near Hockley Circus, City Centre, Birmingham, B19

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237 Council House, Victoria Square, Birmingham, B1 1BB

Agent:

---

Recommendation

**Approve Temporary**

1. Proposal

- 1.1 This application proposes the installation of a freestanding double sided digital advert to be located to the south of New John Street West, approximately 30m to the east of the Hockley Circus roundabout and the A41 flyover.
- 1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.
- 1.3 The proposed advert unit is part of a contract within the City.

[Link to Documents](#)

2. Site & Surroundings

- 2.1 The application site lies within a mixed commercial area with the proposed location in front of the existing National Autocare garage. On the opposite side of the road is a parade of retail units with individual signs.

[Site location](#)

3. Planning History

- 3.1 1991/04833/PA - Erection of Automatic Public Convenience Inside Retro Style Advertising Column, Approved 30/10/1991
- 3.2 1990/03462/PA - Erection Of Council Information Panels, Approved 18/03/1992

#### 4. Consultation/PP Responses

- 4.1 BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.
- 4.2 Birmingham City Centre Management have also been consulted but no response received.

#### 5. Policy Context

- 5.1. National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

#### 6. Planning Considerations

- 6.1. According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### AMENITY

- 6.2 The application site lies in a mixed commercial area which contains a range of advertisements. The proposed advertisement would replace an existing similar sized totem advertisement in the same location and therefore it is considered that it would not have an impact upon visual amenity.
- 6.3 The City Design Team raise concern at the power supply and the possibility of an stand-alone power supply in the form of a stand-alone feeder pillar or box. This is not however a matter that can be controlled via a condition attached to an advertisement consent and therefore should be restricted via the agreement reached with contractor.

##### PUBLIC SAFETY

- 6.4 BCC Transportation Development have noted that the proposed advertisement would replace an existing and would be sited clear of any visibility splay requirements whilst maintaining a suitable footway width. Subsequently no objections have been raised and it is considered that there would be no impact upon public safety.

#### 7. Conclusion

- 7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

#### 8 Recommendation

- 8.1 Approve temporary

- 
- 1 Limits the use of advert
  - 2 Limits length of the display of advert
  - 3 Limits the control of the intensity of the illumination
  - 4 Requires the scheme to be in accordance with the listed approved plans
  - 5 Limits the approval to 5 years (advert)
- 

Case Officer: Julia Summerfield

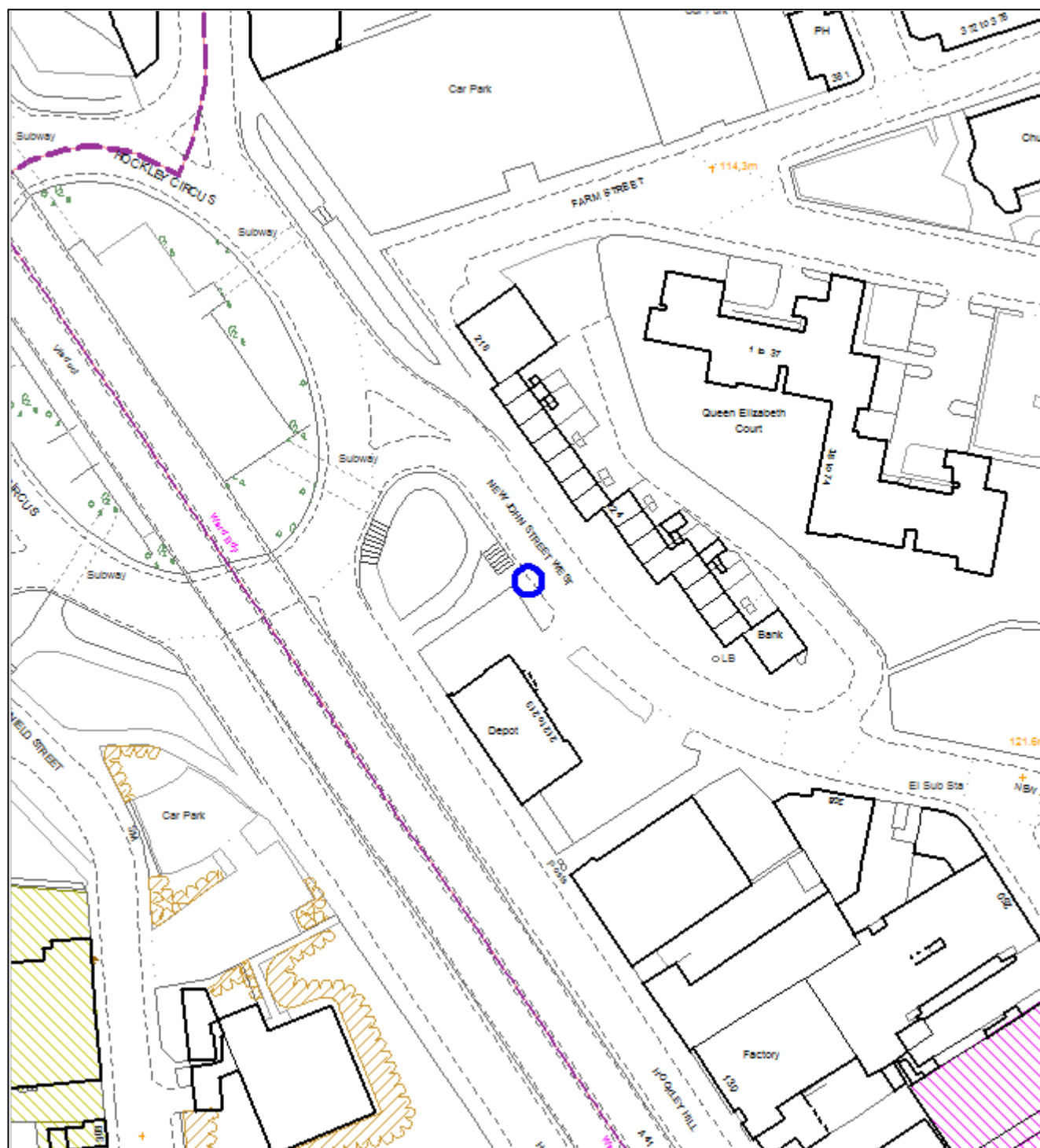


## Photo(s)



Photo 1: Looking south

## Location Plan



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Committee Date:	01/10/2015	Application Number:	2015/06541/PA
Accepted:	13/08/2015	Application Type:	Advertisement
Target Date:	08/10/2015		
Ward:	Ladywood		

Dale End, o/s Dale House, City Centre, Birmingham, B4 7LN

Installation of double-sided digital advertising totem

Applicant: Birmingham City Council  
Commercial Development, Room 237, Council House, Victoria Square, Birmingham, B1 1BB

Agent:

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Recommendation

**Approve Temporary**

1. Proposal

1.1 This application proposes the installation of a freestanding double sided digital advert to be located on the footway on the east side of Dale End, approximately 50m south of where The Priory Queensway crosses the Dale End by way of a vehicular bridge.

1.2 The advertisement unit would measure 2.6m (h) x 1.2m (w) x 0.3m (d). The advertisement area would be 1.8m (h) x 1.1 (w). The unit would be digital matrix and stainless steel and would be internally illuminated at 300cd/m. The design of the advertisement is the same as the Interconnect totems that are displayed within the City Centre. The proposed advert would replace an existing internally illuminated freestanding totem sign at the same location.

1.3 The proposed advert unit is part of a contract within the City.

1.1. [Link to Documents](#)

2. Site & Surroundings

2.1 The advertisement would be positioned in the middle of the footway in front of a large vacant commercial premises previously occupied by Toys R' Us, close to the entrance to Albert Street multi storey car park.

2.2 [Site Location](#)

3. Planning History

3.1. 1993/04965/PA - 17 Free Standing Commercial Advertising/Council Information Panels, Approved 12/05/1994

4. Consultation/PP Responses

4.1. BCC Transportation Development - No objection subject to conditions to restrict the interval between successive displays, to restrict the display of any special visual effects, to prohibit message sequencing, to prevent the emission of noise, sound, smoke, smell or odours; to include a default mechanism that would freeze the sign in one position if a malfunction occurs; to prevent the display of interactive messages or advertisements; to include controls to monitor ambient light conditions and adjust sign brightness accordingly including a maximum luminance limit.

4.2. Birmingham City Centre Management have also been consulted but no response received.

5. Policy Context

5.1. National Planning Policy Framework, Birmingham Unitary Development Plan (2005), Draft Birmingham Development Plan (2031).

6. Planning Considerations

6.1. According to paragraph 67 of the NPPF advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

AMENITY

6.2 The footway at this location measures approximately 6m in width and accommodates a range of street furniture including lighting columns, railings and traffic lights. The proposed advertisement would replace an existing illuminated sign of very similar dimensions and therefore it is considered that there would be no impact upon visual amenity.

PUBLIC SAFETY

6.3 BCC Transportation Development advise that the proposed replacement advertisement would raises no issues in terms of footway width or visibility requirements and therefore raise no objections to the proposal on the grounds of public safety subject to conditions.

7. Conclusion

7.1 The proposed advert is considered acceptable in terms of the impact upon the amenity of the area and public safety.

8 Recommendation

8.1 Approve temporary

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1 Limits the use of advert

2 Limits length of the display of advert

3 Limits the control of the intensity of the illumination

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

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5 Limits the approval to 5 years (advert)

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Case Officer: Julia Summerfield



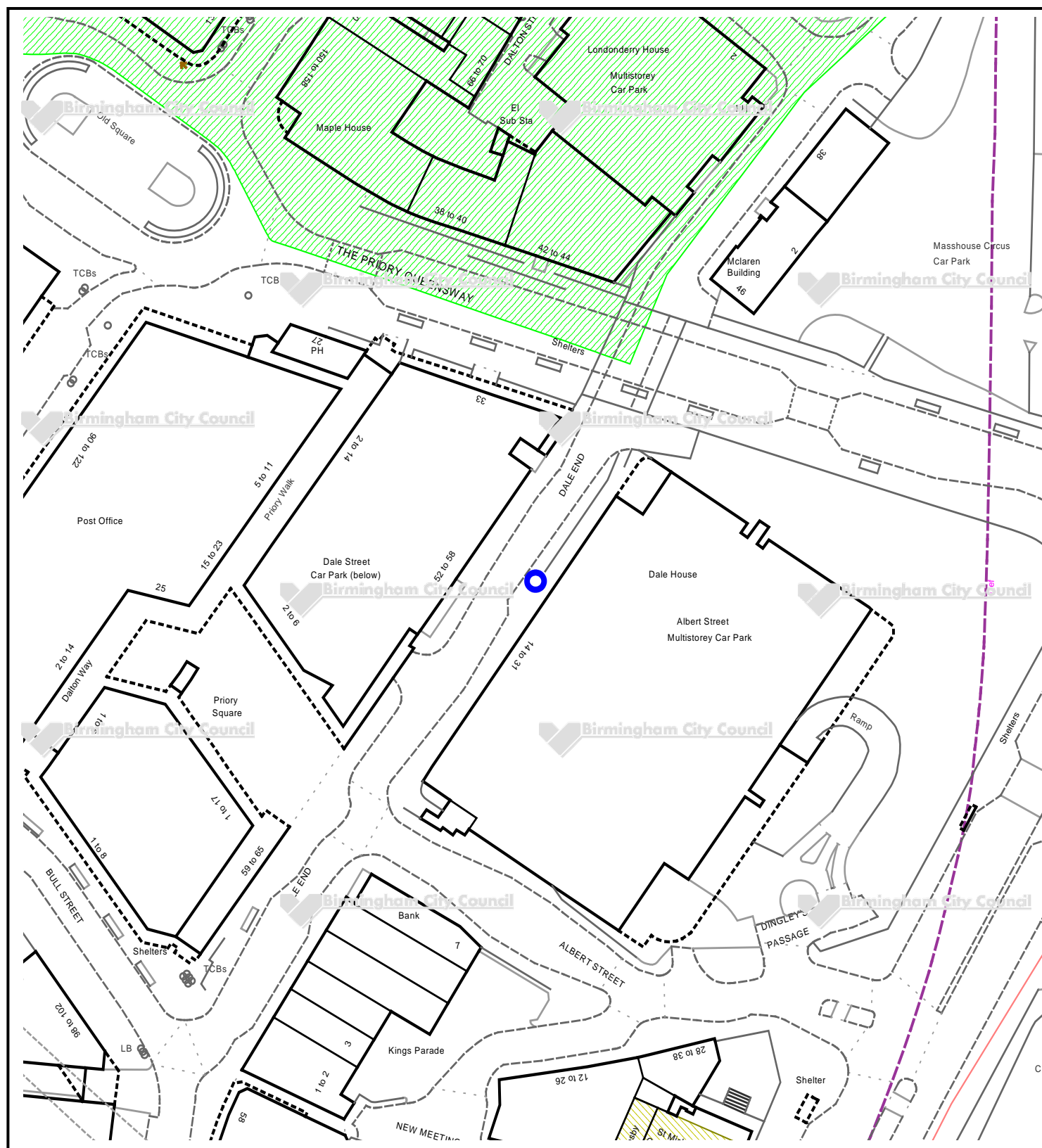
**Photo(s)**



**View South**



# Location Plan



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