

Birmingham City Council

Planning Committee

19 August 2021

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>
Refuse	6	2021/04164/PA The Farcroft Rookery Road Handsworth Wood Birmingham B21 9QY Change of use from public house to community centre including social event halls, restaurant, funeral service, school, prayer halls and residential accommodation
Approve – Temporary Until 30.09.22	7	2021/04633/PA Sutton Park - off Stonehouse Road Sutton Coldfield Birmingham B73 6BU Temporary use of Sutton Park for 2022 Commonwealth Games triathlon events alongside erection of temporary structures and associated fencing to facilitate the hosting and spectating of the events
Approve – Conditions	8	2021/04566/PA Peddimore (Unit B, Development Zone 1a) comprising land north of Minworth, land predominantly to the east of the A38 and the west of Wiggins Hill Road. Reserved matters application for access, landscaping, appearance, layout and scale for erection of storage and distribution centre (B8) including ancillary offices and welfare facilities and all associated works following hybrid planning permission 2021/02972/PA.

Committee Date:	19/08/2021	Application Number:	2021/04164/PA
Accepted:	28/06/2021	Application Type:	Full Planning
Target Date:	23/08/2021		
Ward:	Holyhead		

The Farcroft, Rookery Road, Handsworth Wood, Birmingham, B21 9QY

Change of use from public house to community centre including social event halls, restaurant, funeral service, school, prayer halls and residential accommodation

Recommendation

Refuse

1. Proposal

- 1.1. This application proposed the change of use from an existing Public House to a community centre, social event hall, restaurant, funeral service, school, prayer halls and residential accommodation. The proposed internal layout could consist of:
 - Lower ground floor: women's WC and a kitchen.
 - Upper ground floor: Men's WC and a kitchen.
 - Ground floor: x2 social events halls, meeting room, x2 kitchens, x2 lounges, restaurant, funeral service, office WC's, x5 classrooms and an office.
 - First floor: prayer room for men, prayer room for women, x4 bedrooms, x2 bathrooms, x2 toilets, lounge and a kitchen.
- 1.2. A supporting statement identifies that the Community Centre and School would provide the Kurdish community with educational practices on Kurdish language and culture. The number of teachers, administration staff and board members are to be between 3 and 7, teaching children from the ages of 5 to 15 year olds.
- 1.3. The proposed restaurant would be rented out to a third party and operating from 10:00 hours to 22:00 hours daily, with 3 to 7 staff proposed.
- 1.4. The proposed Social Events Hall would be used for occasional marriage and lectures and managed by the community. Opening hours are subject to bookings and would operate during evenings. Staff would be limited to 3 to 5 persons.
- 1.5. No details have been provided regarding funeral service element of this proposal.
- 1.6. No details have been provided regarding the proposed prayer halls element of this proposal.
- 1.7. No details have been provided regarding the proposed residential accommodation at first floor level.
- 1.8. This application has been submitted following an enforcement investigation (Ref. 2021/0487/ENF) for the alleged unauthorised use to a mosque and community

centre. The enforcement investigation identifies that the alleged unauthorised use from the leaseholder has now ceased and the owner has reclaimed the site, changing locks on the building and securing the site.

- 1.9. A declaration has been made that the applicant is related to a member of staff, upon further clarification sought from the agent in regard to who that person is and their position in the Council, the agent has only stated 'I'm a friend of the member of the staff'.

1.10. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The Farcroft Public House is currently vacant and is located on the west side of Rookery Road between Onibury Road and Albion Road junctions with Rookery Road. The site is within Rookery Road Primary Shopping Area, however the surrounding neighbourhood is predominantly residential in character.

3. Relevant Enforcement History

- 3.1. 2021/0487/ENF - Alleged unauthorised change of use to a mosque and community centre. The investigation is on going but it has been confirmed that the leaseholder has vacated the premises, the alleged unauthorised use has now ceased, and the site has now been secured by the landowner. The building is currently vacant.

4. Consultation/PP Responses

- 4.1. Neighbours, local Councillors, MP, resident's associations were consulted, and a site notice was displayed. A petition with 197 signatures has been submitted from Councillor Hamilton on behalf of her constituents, objecting on the following grounds:

- Residents were not consulted about this change of use.
- Traffic and parking issues increased with disregard for public right of way rules.
- Increased environmental issues including vermin.
- Too many places of worship nearby.
- No consideration for residents.

- 4.2. A further 5 objections (in addition to the petition) have been received which are summarised below:

- The building should not be used for any other purpose than a public house.
- Many residents are unaware of this application.
- Noise and anti-social behaviour.
- Inconsiderate parking.
- The site has been used unlawfully as a place of worship.
- Causing upset to an aging population in the locality.

- 4.3. 28 letters in support of the proposal have been received where residents considered that the proposal would be great for the local and wider community and would benefit people of all ages.

- 4.4. Regulatory Services – Object and recommend refusal due to insufficient information in relation to hours of use for all operations on site; that an Noise Assessment and Air Quality Assessment should be submitted, more information of the proposed operation use of each room/area is required to further evaluate the impacts, question whether any amplification equipment/speakers are proposed and if so

where will this/these be located and finally that no details of the extraction units and discharge points from the kitchens have been provided.

- 4.5. Transportation Development – advise that insufficient information has been submitted in relation the first floor residential use; car parking, parking demand management whilst they also request a comprehensive Transport Assessment and Travel Plan.
5. Policy Context
 - 5.1. Birmingham Development Plan, Birmingham Unitary Development Plan (saved policies), draft Development Management In Birmingham Development Plan Document, Places for Worship (SPD), Places for Living (SPD), Planning Guidelines For Development Involving Public Houses (SPG) and the National Planning Policy Framework.
- 6.1. Planning Considerations
 - 6.2. The main considerations are whether this proposal would be acceptable development in this location and whether any harm would be caused to surrounding amenity, highway and public safety.
 - 6.3. Loss of Public House
 - 6.4. The principle of any change of use of a Public House must be considered against the criteria which is set out within the Planning Guidelines For Development Involving Public Houses (SPG). In this instance, the applicant has failed to justify the loss of the existing Public House as required by the aforementioned planning guidance. In the absence of this information, I conclude that this proposal is unacceptable development in this location.
 - 6.5. Impact on amenity
 - 6.6. Taking into consideration the advice from Regulatory Services, it is evident that the applicant has submitted insufficient information in relation to how the building and each proposed use within it would operate, including days of operation/hours of use, total capacity/daily attendance levels, proposed staff and rotas, timetable(s) of daily events and general management of the building and site. Furthermore, a Noise Assessment and Air Quality Assessment has not been submitted and therefore, it is not possible to assess whether this proposal would adversely affect the amenities of neighbouring occupiers in terms of unacceptable noise, disturbance from activities associated with the proposed use and from people/vehicles comings and goings and subsequent impact on air quality. On this basis, in the absence of such information the development would potentially have an adverse impact in terms of noise and disturbance and give rise to other adverse environmental impacts such as on air quality.
 - 6.7. Residential accommodation
 - 6.8. It would appear on the first floor, that a residential element consisting of 4 bedrooms, 2 bathrooms, 2 toilets, a lounge and a kitchen is being proposed. The applicant has not provided any existing plans or information regarding this element of the proposal and it is unclear whether this residential accommodation previously existed when the Public House was in use. In assessing this application, it is not clear whether this residential accommodation is intended to be a single self-contained unit or shared

accommodation and clarification is required. Therefore, given the lack of information regarding this element of the proposal, it has not been demonstrated that residential accommodation would provide satisfactory living accommodation for future occupiers.

6.9. Highway safety

- 6.10. Transportation Development recommend refusal. I concur with this view. In the absence of an accompanying Transport Assessment, Travel Plan, parking and vehicular circulation layout, it is not possible to assess whether this proposal would adversely affect highway and public safety. Therefore, in the absence of such information the proposal in its current form the development would potentially give rise to adverse parking and highway impacts.

6.11. Conservation

- 6.12. The Farcroft is one of the largest Birmingham's 'improved public houses' which was originally built for Holts Brewery of 1921. The information submitted by the applicant is limited and a Heritage Statement is required to assess the historic and heritage significance of this historic pub (non-designated heritage asset). In the absence of this information, it is not possible to conclude whether this proposal would not adversely affect this locally significant asset and its setting. My conservation advisor concurs with this view.

6.13. Other issues

- 6.14. Residents comments have been noted regarding the public consultation; however, the consultation complied with the Council's consultation policy and legislation.
- 6.15. Alongside the objections, residents' support for this application has duly been noted. However, due to the insufficient information, the proposal cannot be assessed to justify the community benefits. No justification has been provided to demonstrate that the proposal would outweigh any harm that has been identified within the proposed development.

6.16. Cumulative impact

- 6.17. Adopted SPD Places for worship identifies that the existing number and concentration of other similar places of worship within an area will be taken into account. It sets out that proposals for a new place of worship should clearly justify and demonstrate the need. For example, why existing places of worship cannot be used by the applicants group, what additional benefit or services it would bring to the community, and what strategy or mitigation is proposed to deal with any potential impacts of similar uses operating within close proximity to each other at the same time. I consider that in the absence of information in relation to some of these points I am unable to make an appropriate judgement on the cumulative impact of the proposal.
- 6.18. The concern raised regarding there being too many places of worship nearby is a consideration that would need to be assessed upon the submission of all outstanding information, justification of the loss of the public house, demand of the proposed use and what overall impact this may have on surrounding amenity.

7.0. Conclusion

- 7.1. No information has been provided to justify the loss of a well-known and well established historic public house and whether the development have any adverse cumulative impact. The submitted information fails to demonstrate that the proposed development would be acceptable on this site and would not result in adverse impact on the neighbouring residential amenities, surrounding environment, i.e. on air quality and on the nearby highway network in terms of highway safety and free flow of traffic. No information has been provided to assess the historic and heritage importance of this building. The application in its current form does not comply with the local and national planning policies and therefore is recommended for refusal.

7. Recommendation

- 7.1. Refuse.

Reasons for Refusal

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- 1 The development would potentially have an adverse impact in terms of noise and disturbance and air quality and therefore in the absence of suitable information in relation to matters such as how the building and each proposed use within it would operate, including days of operation/hours of use, total capacity/daily attendance levels, proposed staff and rotas, timetable(s) of daily events, general management of the building and in the absence of a Noise Assessment and Air Quality Assessment it is not possible to satisfactorily determine if such impacts would not occur and also if the development would have an adverse cumulative impact. As such, the proposal would be contrary to Policy PG3 of the Birmingham Development Plan, Draft Policies DM1, DM2, DM6 and DM8 of the emerging Development Management in Birmingham Development Plan Document, SPD Places for Worship and the National Planning Policy Framework.
 - 2 The proposed development would potentially have an adverse impact by reason of the loss of a community facility. No information has been provided to justify the loss of the existing Public House and the impact this loss would have on the valuable function as a focal point for local and social community activities. Therefore, it is not possible to assess this element of the proposal in accordance with Policy TP25 of the Birmingham Development Plan, Planning Guidelines For Development Involving Public Houses (SPG) and the National Planning Policy Framework.
 - 3 The development would potentially have an adverse impact on highway safety. Therefore, in the absence of an accompanying Transport Assessment, Travel Plan, parking and vehicle circulation layout, it is not possible to assess whether this proposal would not adversely impact on highway safety. As such, the proposal would be contrary to Policies PG3 and TP44 of the Birmingham Development Plan, Policy DM14 and DM15 of the emerging Development Management In Birmingham Development Plan and the National Planning Policy Framework.
 - 4 This proposal would potentially result in a harmful effect upon the historic features of the building and character and appearance of the area. Therefore, in the absence of an accompanying Heritage Statement, which should include details of the historic features of the building that have survived internally and externally and how this proposal would impact on these features, it is not possible to assess whether this proposal would not result in a harmful effect upon the historic features of the building and character and appearance of the area. As such this would be contrary to Policy PG3 and TP12 of the Birmingham Development Plan and the National Planning Policy Framework.
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- 5 In the absence of information regarding the proposed residential accommodation at first floor level that clarifies whether this is intended to be a single self-contained residential flat or shared accommodation, the proposed development would potentially result in inadequate living conditions. As such, this proposal would be contrary to Policies PG3, TP27 and TP28 of the Birmingham Development Plan, Policy DM10 of the emerging Development Management In Birmingham Development Plan, Places For Living (SPG) and the National Planning Policy Framework.
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Case Officer: Daniel Ilott

Photo(s)



Location Plan



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Committee Date:	19/08/2021	Application Number:	2021/04633/PA
Accepted:	21/05/2021	Application Type:	Full Planning
Target Date:	20/08/2021		
Ward:	Sutton Vesey		

Sutton Park - off Stonehouse Road, Sutton Coldfield, Birmingham, B73 6BU

Temporary use of Sutton Park for 2022 Commonwealth Games triathlon events alongside erection of temporary structures and associated fencing to facilitate the hosting and spectating of the events.

Recommendation

Approve Temporary

1. **Proposal**

1.1. This planning application seeks consent for the temporary use of Sutton Park for 2022 Commonwealth Games triathlon events alongside the erection of temporary structures and associated fencing to facilitate the hosting and spectating of the events.

1.2. The temporary structures would include:

- a 2,000 (up to 500 seated) capacity spectator area (7.5m maximum height);
- catering units and toilets;
- field of play (including transition area);
- temporary pontoon on the Powell's Pool;
- vehicle and pedestrian access areas;
- spectator arrival points;
- broadcast compound, media centre and tv camera locations;
- operation compounds;
- preparation areas of athletes;
- security fencing (maximum height 2.1m); and
- workforce breakout space.

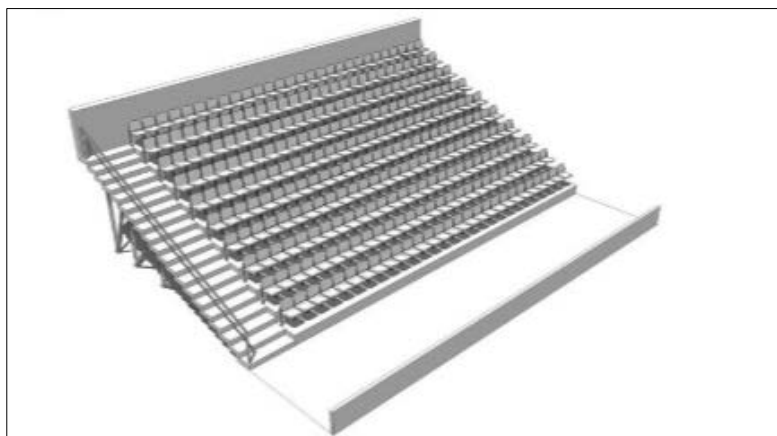


Figure 1: Spectator seating

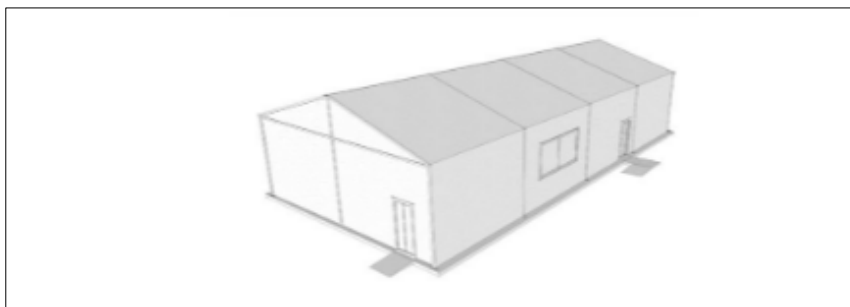


Figure 2: Spectator arrival point



Figure 3: Typical compound structure



Figure 4: Site Plan

- 1.3. The structures would be erected June/July 2022, used for the games 29th July-8th August, and decommissioned with the site re-instated to existing by the end of August 2022.

- 1.4. Information submitted in support of the application includes an Ecological Impact Assessment, Noise Impact Assessment, Air Quality Screening Assessment, Arboricultural Impact Assessment and Tree Protection Plan, Flood Risk Assessment and Drainage Strategy, Heritage Assessment, Design and Access Statement, Planning Statement (including Energy and Sustainability Statement), Transport Statement and Draft Event Management Plan. In addition, an EIA Screening request was submitted in support of the pre-application submission and it was determined that the development was not EIA development.
- 1.5. Members will recall they received an overview presentation of the various CWG overlay applications, of which this is one, February 4th 2021.
- 1.6. [Link to Documents](#)
2. Site & Surroundings
 - 2.1. The application site comprises land within Sutton Park, within the vicinity of Boldmere Gate, Stonehouse Drive, Sutton Coldfield. The area to be used to stage the triathlon is located north of Powell's Pool. Stonehouse Road extends from the north to the south of the Site.
 - 2.2. The total redline boundary, including the operation compounds to the north, is 11.09 ha. The Site comprises approximately 10.96 hectares bisected by the Stonehouse Road to create two distinct areas. The event space footprint is 3.8 hectares, of which the majority is located in Sutton Park Site of Special Scientific Interest (SSSI).
 - 2.3. Sutton Park has open heathland, woodlands, seven lakes, wetlands and marshes. Sutton Park is approximately 2,400 acres. Across the site are a number of pools (Little Bracebridge Pool, Bracebridge Pool, Blackroot Pool, Keepers Pool, Wyndley Pool, Powell's Pool and Longmoor Pool).
 - 2.4. [Site Location](#)
3. Planning History
 - 3.1. 28.05.2021 – 2021/00528/PA - Alterations and refurbishment of existing car park – Approved subject to conditions.
4. Consultation/PP Responses
 - 4.1. Transportation Development – recommend conditions to secure that a Construction Management Plan is completed before any works commence on site and submitted to BCC for approval; and a Local Area Traffic Management Plan is submitted to BCC for approval before the site activities commence and events take place.
 - 4.2. Regulatory Services – recommend conditions to secure a Construction Management Plan; Maximum Noise Levels for Plant and Machinery; and a Noise Assessment and Management Plan for proposed sound systems.
 - 4.3. Local Lead Flood Authority – requires condition to secure sustainable drainage scheme.
 - 4.4. Leisure Services - No objection however seeks assurances that the application proposals would take account of the consent granted for the alterations and improvements to Boldmere Gate car park (application reference 2021/00528/PA) and require the cattle fencing installed on the western boundary of the legacy car-park to be reinstated after the Games.

- 4.5. Royal Sutton Coldfield Town Council – welcome the use of Sutton Park to facilitate the 2022 Commonwealth Games.
- 4.6. Historic England – no objection.
- 4.7. Sport England – support application.
- 4.8. Natural England – recommend conditions to secure drainage strategy and information packs for spectators.
- 4.9. Severn Trent – recommend condition to secure drainage plans for the disposal of foul and surface water flows.
- 4.10. Site Notice displayed and press notice advertised. MP, Ward Members and neighbours notified. One letter of representation received raising concerns with regards to event-related traffic, congestion and inconsiderate parking on the roads surrounding the events space.

5. Policy Context

- 5.1. National Planning Policy Framework (2021); Birmingham Development Plan 2031 (2017); Birmingham UDP saved policies (2005); Emerging Development Management DPD (2020); Places for All SPG (2001); Access for People with Disabilities SPG, Car Parking Guidelines SPD (2012); Floodlighting SPG; Nature Conservation Strategy for Birmingham (2017)

6. Planning Considerations

Principle of Development

- 6.1. The application seeks consent for temporary structures to support the hosting of the Triathlon events during the Commonwealth Games 2022.
- 6.2. Given the existing use of the site and the policy context identified the principle of the development is supported entirely.
- 6.3. The key issues for consideration are therefore visual impact, air quality, noise and light spill, transportation and ecology.

Visual and Heritage Impact

- 6.4. The application is for temporary structures and facilities associated with staging of the triathlon event during the 2022 Commonwealth Games, for the athletes' 'field of play' (swimming, cycling, running), 'front of house' (spectator facilities including temporary seating / stands) and back of house (athletes; facilities, catering, security, cleaning and waste, etc). The facilities will be temporary, and the site will be reinstated after the event. It is considered that the proposals would have an acceptable visual impact given their temporary nature.
- 6.5. The scheme comprises of a series of temporary structures that will be erected in the park for the duration of the events. The submitted Heritage Assessment concludes that the works will represent less than substantial harm to the Registered Park and Garden and the Scheduled Monument and no harm to non-designated archaeology. This low level of harm is concluded as being acceptable when balanced against the benefits of the Games to the City, the temporary nature of the development and because the development will mostly be fully reversible with design mitigating any

permanent harm. The Council's Conservation Officer has been consulted on the application and concurs with the conclusions of the Heritage Statement, raising no objection to the proposals.

- 6.6. Queries were raised by the Conservation Officer on the impact on the Scheduled Ancient Monument, however this falls outside of the application boundary and accordingly is dealt with by Historic England, outside of the planning application process.

Air quality, noise and light spill

- 6.7. An Air Quality Screening Assessment has been submitted. During the games there would be significant variation to existing traffic and associated impact, but this is viewed on balance with the significant positive benefits of the games. It is proposed that vehicular access to the site would not provide parking for workforce or spectators and that 70% of the trips will be by public transport or active transport. The transport assessment suggests that during the construction phase they will be an additional 200 traffic movements per day. Regulatory Services raise some concerns over some of the statements made in respect of the screening criteria but as the operational phase impacts are over a short period of time any impact on air quality will have a short duration and limited extent. A condition to secure a construction method statement and management plan is recommended to mitigate the impact of the proposal on this basis.
- 6.8. A Noise Impact Assessment includes the results of a limited baseline noise assessment using a number of short term 15 minute measurements at daytime and evening time to assess the current noise climate. The report observes that the primary noise source at all monitored locations was traffic noise. The development would however generate noise from the construction phase and the events themselves. Regulatory Services are content that construction noise impacts can be managed through a construction management plan, as recommended above. With regards to the noise generated during the events, information is currently unavailable about the public address and sound reinforcement systems associated with the venue. Regulatory Services has recommended a condition to secure these details. The full list of mechanical plant proposed is also not known at this stage and a condition has been recommended to secure this. The noise likely to be generated from traffic is considered to be negligible and short term and would be unlikely to have an adverse impact on amenity.
- 6.9. There is no information provided in respect of lighting as again this detail is not yet known. Regulatory Services has concerns that there would be adverse impact due to lighting overspill onto residential properties however provided the lighting is not used after 11pm it is not expected that this would be a significant concern for a temporary event. It has since been confirmed by the applicant that the triathlon events will take place in daylight and no artificial lighting is proposed. No condition is required.

Impact on Highway Safety

- 6.10. The proposals have implications for highway safety and particularly traffic generation during the construction phase and the events taking place. A Transport Statement has been submitted in support of the application proposals. It is noted this event is expected to attract spectators who will travel (and be encouraged to do so) by public transport. In mitigation there are various measures planned to manage any highway impacts such as on-street parking through temporary traffic management measures, and these will be in place before and after the actual events.

- 6.11. Transportation Development raise no objection subject to conditions to secure a construction method statement and management plan, and a local area traffic management plan to be prepared and submitted for approval. I consider that such conditions along with the proposed mitigation measures would be sufficient in ensuring that the proposals would not have an adverse impact on highway safety.

Flooding and Drainage

- 6.12. Natural England raise no objection subject to a condition to secure drainage plans for the disposal of foul water, in respect of the use of the participants, crew and spectator toilets at the events. Whilst the proposals are temporary in nature, concerns are raised in respect of inadequate foul drainage leading to the accidental and inadvertent pollution of Powell's Pool and the wider SSSI. These concerns are echoed by the Lead Local Flood Authority and Severn Trent Water, who all recommend conditions to secure drainage plans and a drainage scheme to ensure the appropriate drainage of the toilets and surface water (related to the use of the overlay). On this basis, it is recommended that a condition to secure a sustainable drainage scheme for the discharge of surface and foul water is attached to any grant of planning permission.

Impact on Trees and Ecology

- 6.13. The Tree Officer has no objection.
- 6.14. An Ecological Impact Assessment (EclA) has been completed in support of the planning application. Taking account of the temporary nature of the proposals, the nature of the habitats present (despite the site being designated as SSSI, NNR and SLINC) and the existing use of the site, the EclA concludes the proposals are unlikely to result in significant residual ecological effects provided avoidance and mitigation measures are implemented. The City Ecologist agrees with this conclusion. Conditions should be attached to secure the implementation of the mitigation measures set out in the EclA. I concur with this view and recommend that such conditions are attached to any grant of planning permission.
- 6.15. Natural England consider that without appropriate mitigation, the proposals would damage or destroy the interest features for which Sutton Park SSSI has been notified. In addition to the condition to secure appropriate drainage of waste water, they recommend that a condition to secure information packs for staff and spectators on the SSSI to include educational awareness raising information addressing relevant ecological issues. I am concerned that the condition would not meet the six tests set out within paragraph 56 of the NPPF. The construction phase would be subject to a construction ecological management plan and the events would be subject to spectator management, including access to spectator zones. I am satisfied that the proposed operation and management for these events would be sufficient in preserving the SSSI over this temporary period. On this basis, the condition would not be necessary.

- 6.16. Due to the site's designation as a SSSI, Natural England consent is required. This aspect is outside of the planning process however the Council understands that the necessary discussions between the applicant and Natural England are ongoing.

Impact on Residential Amenity

- 6.17. The proposed development is contained entirely within the boundaries of Sutton Park. The nearest dwellinghouses to the tiered spectator stands are located approximately 385m to the south on Monmouth Drive. No concerns are raised in respect of the impact that the proposals could have upon residential amenity for this temporary

period, when weighted against the substantial benefits hosting the Commonwealth Games could deliver.

Other Matters

- 6.18. Leisure Services has no objection subject to the context of the improvements and alterations to Boldmere Gate car park following the games is accounted for by the temporary use of the park for the Commonwealth Games. Leisure Services also require the reinstatement of the cattle grid to be undertaken at the entrance of the car park to prevent the cattle which occupy this area of the park from straying beyond the path. I am satisfied that these requirements would be covered by the conditions recommended to remove the structures, discontinue the use and restore the land.

7. Conclusion

- 7.1. The proposed structures are necessary to support the hosting of the Triathlon events at Sutton Park during the Commonwealth Games 2022. The structures are temporary in nature and safeguarding conditions ensure that the site would be returned to its current condition post event and that no long-lasting adverse impacts would occur.

- 7.2. The proposal would have significant short and long term positive economic and social benefits in accordance with local and national planning policy. It is therefore recommended that the application be approved subject to conditions, on a temporary basis.

8. Recommendation

- 8.1. Approve subject to conditions.

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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the structures be removed and use discontinued within a timescale |
| 3 | Requires the prior submission of a construction method statement/management plan |
| 4 | Requires submission of sound systems |
| 5 | Limits the noise levels for Plant and Machinery |
| 6 | Requires the submission of Local Area Traffic Management Plan |
| 7 | Requires the implementation of the submitted mitigation/enhancement plan |
| 8 | Requires the prior submission of a construction ecological management plan (CEcMP) |
| 9 | Requires the prior submission of a drainage scheme |
| 10 | Requires the submission of drainage details for foul and surface water |
-

Case Officer: Claudia Clemente

Photo(s)

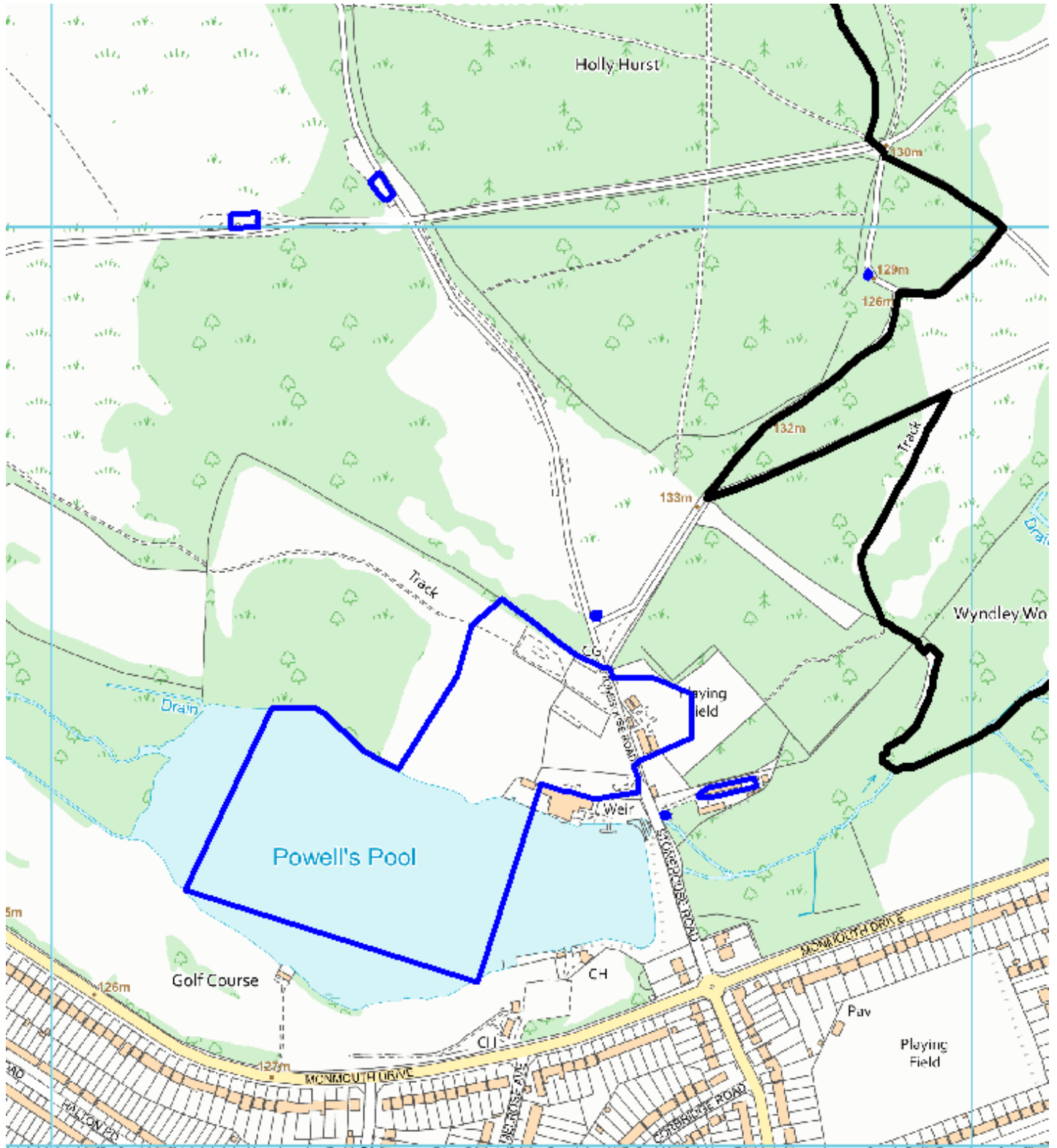


Image 1: Aerial view of site



Image 2: View across site to Powell's Pool |

Location Plan



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Committee Date:	19/08/2021	Application Number:	2021/04566/PA
Accepted:	19/05/2021	Application Type:	Reserved Matters Development
Target Date:	18/08/2021		
Ward:	Sutton Walmley & Minworth		

Peddimore (Unit B, Development Zone 1a) comprising land north of Minworth, land predominantly to the east of the A38 and the west of Wiggins Hill Road.

Reserved matters application for access, landscaping, appearance, layout and scale for erection of storage and distribution centre (B8) including ancillary offices and welfare facilities and all associated works following hybrid planning permission 2021/02972/PA.

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1 The application is a reserved matters application for a 16.79 ha parcel of land within Development Zone 1A on the previously approved Peddimore site. Details for access, landscaping, appearance, layout and scale are provided in relation to the erection of a B8 warehouse unit with ancillary facilities.



Figure 1: Unit B application site within DZ1a and the wider Peddimore site (from applicant's D+A)



Figure 2: Proposed site layout

- 1.2 The proposed unit would comprise a steel framed warehouse. It would be 365m x 188m (max) and have a ground floor footprint of 57,991 sq m. In addition, internally there would be 3 mezzanine floors and these along with a small gatehouse would result in a total building floorspace of 216, 071 sq m. The bulk of the building would have a max roof height of 22.88m with projecting staircores up to a max height of 24.8m. External elevations would comprise of plasticol coated composite cladding of different shades of grey, dark to light from ground to roof level. Feature blue cladding would be used on the vertical stair cores and as trims to the office and welfare blocks. Photovoltaic panels would be provided on the roof.



Figure 3: Proposed visuals, from applicant's D+A

- 1.3 Ancillary offices would be located to the south side of the site with the 188 HGV bay service area to the north and east (including shunter and maintenance parking provision). 791 car parking spaces (40 accessible), 40 motorcycle spaces, 80 covered bike spaces and a dedicated drop off and pick up point with 4 bus parking spaces would also be provided to the south of the site. Showers, lockers and changing facilities would be provided internally. 79 of the car parking spaces would be enabled as electric charging points.
- 1.4 A mix of 1.2m high post and wire fence, 600mm timber and steel trip rail, a 2.4m high steel green paladin fence would be used to secure the site edges and a 3m light grey perforated steel/aluminium fence would be used internal to the site. A sculptural hedge on the northern boundary (exact details to be agreed), space for public artwork installation and green/blue landscaping would also be provided across the site.
- 1.5 Proposal is expected to create 1,471 on-site operational jobs.
- 1.6 A Design and Access Compliance Statement, Statement of Community Engagement, Transport Statement and Planning Statement (including an economic benefits statement) have been submitted in support of the application. The application is development subsequent to previous ES development and has been screened accordingly. No additional information is considered necessary.
- 1.7 An overview presentation of the previously considered S73 application and two reserved matters applications for DZ1A, including this site, was presented to Members February 4th 2021.
- 1.8 [Link to Documents](#)
2. Site & Surroundings
 - 2.1 The application site is 16.79 hectares and within DZ1A, part of the wider 109 hectares Peddimore site. The Peddimore site lies on the north east edge of Birmingham and is enclosed by the A38 on the west, housing at Minworth and the Birmingham and Fazeley Canal to the south, Wiggins Hill Road to the east and Peddimore Hall and Barns and agricultural fields to the north. On the opposite side of the A38 is the land allocated as Langley Sustainable Urban Extension. There are 8 Grade II listed buildings, 1 Scheduled Ancient Monument (SAM) and 3 local non-designated heritage assets in the immediate area surrounding the site.
 - 2.2 Work on the A38 roundabout has recently commenced.
 - 2.3 [Site location](#)
3. Planning History
 - 3.1 2nd September 2019 - 2019/00108/PA - Hybrid planning application comprising: Outline application with all matters reserved for an employment park comprising B1b, B1c, B2 and/or B8 uses, including ancillary offices (B1a), gatehouses and security facilities, service yards and HGV parking, plant, vehicular and cycle parking, landscaping, pedestrian and cycle infrastructure, green and blue infrastructure, ancillary business and community facilities (D1/D2/B1a/A3/Sui Generis) including a multi-purpose hub building and associated development. Full planning application for a new roundabout access from the A38, construction access and compound area, internal spine road, site gatehouse, primary substation and tower, engineering operations including foul pumping station, acoustic fencing, earthworks (including creation of development plot plateaus), pedestrian and cycle infrastructure and structural landscaping including drainage infrastructure and development platform

within Peddimore Brook corridor for ancillary business and community facilities.
Approved with conditions and S106 Agreement.

- 3.2 2021/02972/PA – Section 73 application to vary conditions 3, 17, 19, 20, 21, 22, 34 and 35 attached to planning permission 2019/00108/PA to relocate Peddimore Brook vehicular crossing, re-align northern boundary of Development Zone 1A, incorporate minor changes to the internal spine road and structural landscaping (including paths), reposition pumping station, reduce plateau levels of Development Zones 1A, 1B and 2, rationalise quantum of maximum floorspace and increase maximum building heights at Development Zone 1A, and variation of conditions 5, 7, 8, 9, 14, 24, 25 and 37 to reflect approved non-material amendments and details approved to discharge conditions pursuant to 2019/00108/PA. Committee approved subject to completion of Deed of Variation 22nd July 2021.
- 3.3 2021/04579/PA – Application for the discharge of Condition Nos: 35, 40, 41, 44, 45, 47, 48, 49, 54, 55 and 56 attached to approval 2021/02972/PA (Plot DZ1A Unit B only). Currently being assessed.

4 Consultation/PP Responses

- 4.1 Canal and River Trust – No comment.
- 4.2 Highways Agency – No objection.
- 4.3 Natural England – No comment.
- 4.4 Historic England – No objection.
- 4.5 Network Rail – No comment.
- 4.6 Regulatory Services – No objection subject to satisfactory detail with the relevant noise condition.
- 4.7 Severn Trent – No objection.
- 4.8 Transportation Development – To be reported verbally.
- 4.9 West Midlands Police – No objection.
- 4.10 Local Resident Associations', neighbours, Ward Councillors and the MP were notified. Site and press notices were also displayed. 3 letters of objection received on the basis that the proposal;
- Would be a waste of greenfield land, there being plenty of brownfield land
 - Inadequate infrastructure and this would result in more traffic
 - It will be an eyesore and detrimental to residents' mental health
 - Already suffering from noise and dust pollution from construction works on site
 - Concerned about footpath immediately to rear of houses.

5 Policy Context

- 5.1 Birmingham Development Plan (BDP) 2017, Birmingham Unitary Development Plan (UDP) 2005 saved policies Emerging Development Management DPD, Peddimore SPD 2019, Langley SPD 2019, Nature Conservation SPD 1997, Places for All SPG 2001, Archaeology Strategy SPG 2004, Access for People with Disabilities SPD 2006, Lighting Places SPD 2008, Car Parking Guidelines SPD 2012 and National Planning Policy Framework (NPPF) 2021.

6 Planning Considerations

- 6.1 This application is a reserved matters application for a B8 warehouse (Unit B) within Development Zone 1a and follows the recent S73 application to hybrid application 2019/00108/PA. The hybrid application established the uses, primary site access, infrastructure and strategic landscaping with numerous conditions controlling the detailed matters. The conditions included a reserved matters design guide which set out and built upon BDP and SPD policies to ensure a 'landscape led' 'best in class' employment park by providing additional guidance around 5 key design principles which each development parcel is expected to comply with. As a reserved matters application access, landscaping, appearance, layout and scale for this plot only are detailed.

Reserved matters

- 6.2 The information submitted in support of the application, including the Design and Access Compliance Statement, identifies how the proposal aligns with the outline application parameters and the design guide. In addition, the supporting information compares initially envisaged illustrative masterplans and the current submission to highlight areas of planning gain such as;
- additional and enhanced landscaping at site entrance, adjoining spine road and new green and blue corridor (to the west)
 - more naturalised and undisturbed Peddimore Brook corridor
 - an improved built form and better relationship to the residential urban area to the south; and
 - improved pedestrian and cycle permeability



Figure 4: Example comparison – what it may have looked like and what it will look like

- 6.3 The site would comprise a single warehouse building, positioned centrally within the site with the service area to the north and staff car parking to the south. The building elevations follow the spirit of the agreed Peddimore Design Guide with bands of muted colours that become lighter towards the top of the building with blue highlights adding visual interest around offices to the south elevation and some stairwells. Whilst the ancillary offices would be located to the south windows are proposed to all elevations of the main building to add interest and support active frontages. Further the office position, given the overall plot layout, provides a legible link to the south. Consequently, the buildings appearance and position within the plot ensure its scale,

whilst functional, is 'human' and distinctive. The building is also in accordance with the max parameters.

- 6.4 The detailed landscape scheme around the site's perimeter is well-considered and makes good use of both informal native planting, including a native mix hedge to much of the plot's perimeter, and more formal planting and sculptural features. The northern edge fronting the main site access road is marked by an avenue of tree planting using a mix of large-growing species including lime, beech, hornbeam and Norway maple that will be of a scale appropriate to the buildings and roads serving the site. This road is also marked by a 'sculptural hedge' featuring vertical metal posts and a beech hedge in a wave-like rhythm along the eastern part of the road with space for future sculptural features and associated mounding and planting accommodated at the northwest corner. This provides interest and screening accordingly. Additional blue and green infrastructure is proposed to the west and further increases the site's biodiversity whilst the improved pedestrian/cycle routes would increase the sites accessibility. Finally, the fencing works with the landscaping to ensure it does not detract from the visual appearance of the site.
- 6.5 I therefore consider the layout, appearance and landscaping of the site have been carefully considered and combine effectively with the scale of the building to result in a development which would accord with the previously approved design guidance and local and national planning policy.
- 6.6 Transportation Development have not provided comments and Committee will be updated verbally. However, I note the proposed access to the plot is consistent with the hybrid application. Further, whilst car parking/HGV/cycle provision is required by conditions 54, 55 and 56 the proposed plot layout shows how this provision would be consistent with the requirements of the Car Parking SPD whilst also supporting a multi-modal, sustainable approach by incorporating a bus drop off area and linking into the network of permissive paths consistent with the design guide and local and national planning policies.

Other

- 6.7 The hybrid application dealt with construction noise/pollution/vibration and safeguarding conditions attached. Operational noise was also considered however given the outline element was speculative Condition 48 was attached requiring the submission of a noise impact assessment for each development parcel as they came forward. This information has been submitted and is currently being considered under reference 2021/04579/PA. Satisfactory compliance with this condition will safeguard any noise sensitive receptors. I also note that the current proposal moves the proposed building further away from the plot boundary and that the HGV Service area would be positioned to the north of the site further away from the residential properties to the south. Regulatory Services also raise no objection subject to satisfactory compliance with Condition 48. Therefore, whilst acknowledging objectors' comments, given the safeguarding conditions I do not consider noise matters would prevent consideration of the reserved matters details.
- 6.8 Finally, I note that matters of sustainability and carbon reduction, drainage, ecological mitigation plan, ground conditions, lighting and site levels are also required by condition and are detailed as part of the discharge of condition application (2021/04579/PA).

7. Conclusion

- 7.1 The proposed development is the first reserved matters application at Peddimore. The current proposal, when compared to the originally envisaged illustrative

masterplans offers significant benefits, consultees have raised no objections and objections raised by residents have been addressed previously. Therefore, subject to compliance with all safeguarding conditions, existing and proposed, I consider that the proposal would be consistent with the outline consent, accord with the reserved matters design guide and relevant policies within the Peddimore SPD, BDP and the NPPF. The application should therefore be approved.

8. Recommendation

8.1 Approve subject to conditions

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires sculptural hedge details |
| 3 | Plot landscape management |
| 4 | Requires the submission of example cladding materials |
-

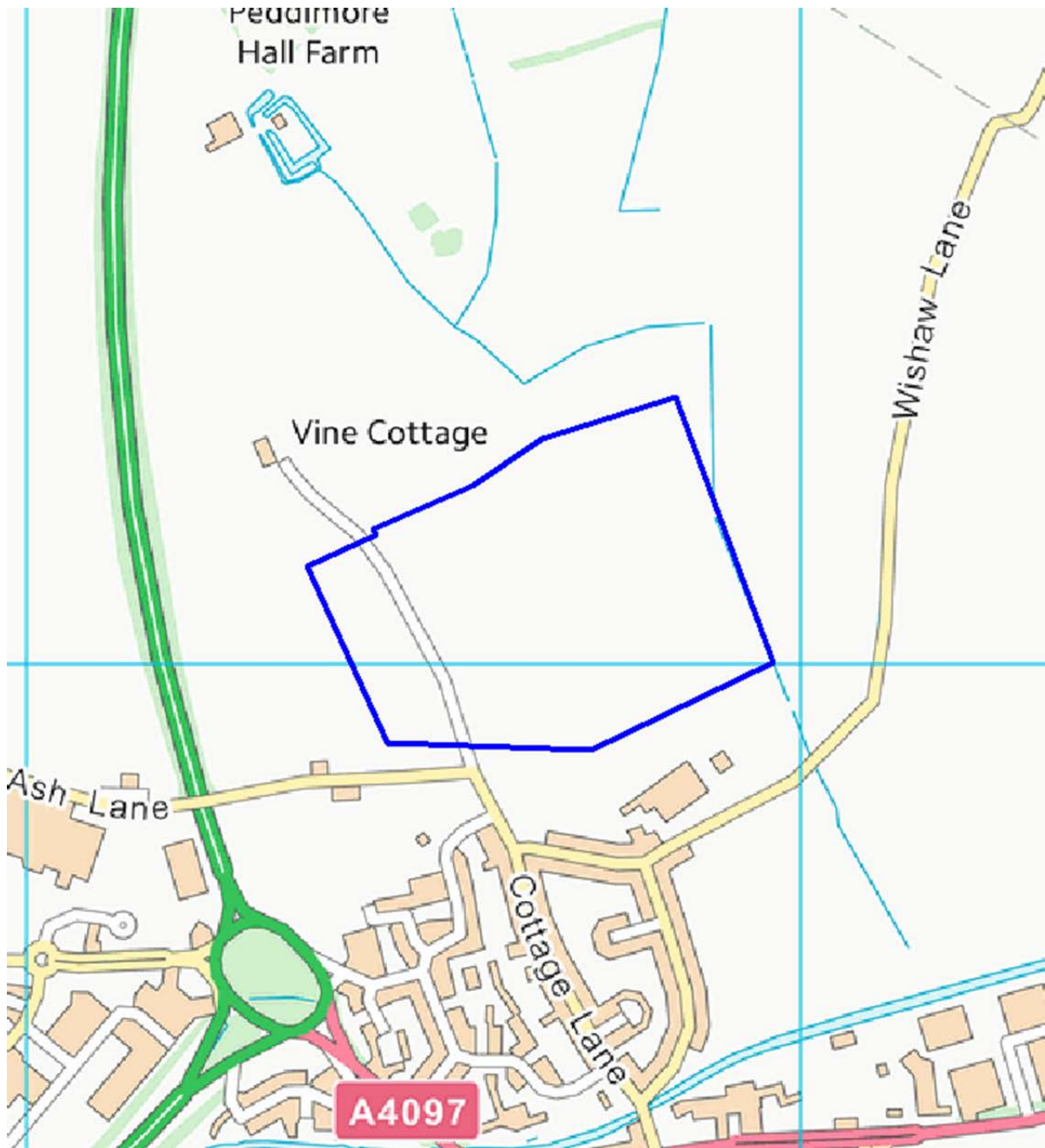
Case Officer: Joanne Todd

Photo(s)



Figure 5: Google ariel view of wider site

Location Plan



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