Birmingham City Council

Planning Committee

04 January 2018

I submit for your consideration the attached reports for the North West team.

Recommendation	Report No.	Application No / Location / Proposal
Approve – Conditions	8	2017/07244/PA
		228-230 Lichfield Road Four Oaks Sutton Coldfield Birmingham B74 2UE
		Erection of single and two storey side extensions to provide additional consulting rooms and staff facilities with alterations to existing car parking/access and creation of 11 no: additional car spaces

Committee Date:	04/01/2018	Application Number:	2017/07244/PA
Accepted:	29/08/2017	Application Type:	Full Planning
Target Date:	24/10/2017		
Ward:	Sutton Four Oaks		

8

228-230 Lichfield Road, Four Oaks, Sutton Coldfield, Birmingham, B74 2UE

Erection of single and two storey side extensions to provide additional consulting rooms and staff facilities with alterations to existing car parking/access and creation of 11 no: additional car spaces

Applicant:	Ley Hill Surgery 228 Lichfield Road, Four Oaks, Sutton Coldfield, Birmingham, B74 2UE
Agent:	Gould Singleton Partnership Earls Way, Halesowen, B63 3HR

Recommendation Approve Subject To Conditions

- 1. <u>Proposal</u>
- 1.1. The proposal as amended includes the erection of single storey and two storey side extensions to the rear of the main building, alterations to the existing car park on the site frontage and formation of 2 parking areas to the rear of no.230 to provide 7 new visitor parking spaces and 4 new staff parking spaces. Gates are proposed between no's 228 and 230 at the access point to the new visitor parking. The applicants have stated there would be no increase in staff and the main purpose of the proposal is to provide more clinical rooms to accommodate existing staff and to enable the Practice to provide additional health services.
- 1.2. The proposed extensions would be of brick construction with a tiled pitched roof to match the existing building and would provide 5 new consulting rooms, an office and a staff training/meeting room. Plans have been submitted to show how the 2 storey extension could be built in 2 phases if required.
- 1.3. The frontage car parking area would be remodelled to provide a more efficient layout and the former access point to no.230 would be blocked off.
- 1.4. The new staff parking area would gain access off the existing staff car park and provide 4 additional spaces. 2 further spaces adjacent the boundary with no.232 Lichfield Road have been removed from the proposal to reduce any impact on existing trees and on the neighbouring property.
- 1.5. The proposed new visitor parking area at the rear of no.230 would be accessed from the existing front parking area. It was originally proposed to erect a first floor extension above the access point, however, this has now been removed although the gates to the parking area would remain.

- 1.6. The application is supported by a Design and Access Statement, Transport Statement, Tree Survey and Preliminary Ecological Appraisal.
- 1.7. Link to Documents

2. <u>Site & Surroundings</u>

- 2.1. The application site is located on the eastern side of Lichfield Road near the junction with Jordan Road and a short distance from Mere Green District Centre. The surgery occupies a purpose built medical building (no.228) and no.230 is used as ancillary offices.
- 2.2. There is currently staff and patient parking on the site frontage with staff parking to the rear of the main surgery building.
- 2.3. Ley Hill Surgery is located in a predominantly residential area with the Halfway House pub and car park directly to the south.
- 2.4. <u>Site Location and Street View</u>

3. <u>Planning History</u>

- 3.1. 21/01/1993. 1992/2993/PA. Demolition of existing building and erection of replacement doctor's surgery and car parking. Approved with conditions.
- 3.2. 10/07/1997. 1996/03743/PA. Erection of single-storey extension and extension to car park. Approved with conditions.
- 3.3. 13/01/2003. 2002/04678/PA. Erection of first floor rear extension to form proposed consulting rooms and seminar rooms for registrars and students, erection of first floor side extension to form 2 additional offices and external alterations including external staircase. Approved with conditions.
- 3.4. 06/02/2009. 2008/06394/PA. Change of use of existing dwellinghouse (no.230) (class use C3) to office purposes (class use B1a) associated with adjacent medical centre. Approved with conditions.

4. <u>Consultation/PP Responses</u>

- 4.1. Transportation Development No objections subject to conditions.
- 4.2. Regulatory Services No objection subject to conditions.
- 4.3. Councillors, Residents Associations and nearby occupiers notified. Site notice posted. 6 letters have been received objecting to the proposal on the following grounds:
 - Noise and pollution as a result of cars adjacent to gardens
 - Car park will be built on grassed area
 - Linking 228 to 230 would spoil the visual appearance and character of this part of Lichfield Road

- Increase in traffic leading to congestion and highway safety problems
- Security
- Loss in house values
- Current entrance/exit dangerous, opportunity to create an entrance and exit
- Traffic study inaccurate, have been accidents outside the surgery
- Disabled drivers and delivery drivers park outside the surgery
- No clarification of what will happen during building works
- No lighting plan for car park
- Entrance next to the Green Man pub will become more dangerous
- Impact on quality of life and well being
- Loss of privacy/overlooking
- Increase in litter
- Further incremental expansion of surgery not acceptable

5. Policy Context

5.1. Birmingham Development Plan 2017, UDP 2005 (saved policies), Places for All SPG, Car Parking Guidelines SPD, TPO 1542, NPPF 2012.

6. <u>Planning Considerations</u>

- 6.1. **Background** The Ley Hill Surgery currently operates from the purpose built surgery containing 28 consulting rooms with the administration function taking place within no.230. The current proposal would add 5 further consulting rooms and enable the surgery to provide additional services to meet demand on the existing site.
- 6.2. **Principle** The site is an established doctor's surgery which has been extended incrementally since it was constructed in the early 1990's. I raise no objections to the principle of the proposed extensions subject to the issues discussed below.
- 6.3. **Design** I consider the design of the proposed single and two storey rear extensions would be sympathetic to the existing building and is acceptable. The proposed side extension at first floor level at the front of the building above the access to the proposed visitor parking area has been removed as it would have resulted in a poor relationship with no.230 and adverse impact on the character and visual appearance of the area.
- 6.4. **Residential Amenity** I do not consider the proposal would result in any loss of amenity to adjoining or nearby residents. The main impact of the proposals would be on no.232 Lichfield Road and the layout of the proposed rear staff parking area has been amended to remove the 2 parking spaces directly adjacent to the boundary with no.232. Substantial boundary treatment would be retained on the boundary with no.232 reducing the impact of the proposed additional parking and the proposed extensions. A condition is recommended requiring the first floor window in the side elevation of the rear 2 storey extension to be obscure glazed to prevent any possibility of overlooking/loss of privacy to no.232.
- 6.5. I note that 3 spaces in the proposed rear staff car parking area would be in close proximity to the boundary fence with no.9 Jordan Road. No.9 has an unusual shaped rear garden in that the dwelling backs directly onto the existing staff car parking area at the rear of the surgery and the garden is separated from the dwelling

by the car park. Therefore, I do not consider the location of these 3 car parking spaces would have any adverse impact on the amenities of no.9 Jordan Road over and above that resulting from the existing staff car park.

- 6.6. **Highways** Transportation Development raise no objection to the blocking up of the existing access to the frontage of no.230 and note that the proposal to increase the parking provision on site from 34 to 45 spaces would improve the ratio from 1.21 to 1.36 car parking spaces per consulting room which is lower than the specified maximum of 4 spaces per consulting rooms. The site is in a very sustainable location on the Lichfield Road which is well served by bus routes and is only a very short walk from Four Oaks Railway Station.
- 6.7. The Transport Statement (TS) submitted in support of the application concludes that the proposed development is expected to create an increase of 10 trips (two-way) in either the morning or evening peak hour and this quantity of additional traffic is not considered to have adverse impact on Lichfield Road. The TS survey information shows that the existing car parks on site are operating close to capacity with sufficient staff parking but demand for patient parking sometimes exceed supply by up to 3 spaces. The proposals would increase patient parking from 11 to 24. The TS also states that accident statistics demonstrate that the adjacent road and junctions have a good safety record.
- 6.8. Transportation Development note the conclusions of the TS and comment that there have been 4 slight injury accidents in the vicinity in the last 5 years. They raise no objection to the parking provision but comment that there are issues in Jordan Road, Lichfield Road and Cremorne Road contributed to by motorists parking for various uses within the area including Ley Hill Surgery. Traffic Regulation Orders (TRO's) have been introduced previously on Jordan Road and Lichfield Road and Transportation Development have requested a contribution to for a TRO on Cremorne Road.
- 6.9. The applicants have responded that they do not consider a contribution to a TRO on Cremorne Road can be justified as Cremorne Road is some distance from the surgery, they are providing additional car parking and the TS submitted with the application demonstrates that there are not sufficient adverse highway impacts to warrant refusal of planning permission. I consider it is less likely that visitors to the surgery would park on Cremorne Road and do not consider a contribution to a TRO would be reasonable in this instance and that a refusal of planning permission on this basis could not be justified.
- 6.10. **Trees and Ecology** The site is covered by a TPO (1542) which covers an Oak and Lime tree on the site frontage. The application is supported by a Tree Survey which concludes that trees at the rear of the site were mainly of low to moderate quality. The Oak tree on the front of the site would be unaffected by the proposals as the applicants are proposing a reduced hand dig for the hard surfacing works close to the tree. Tree protection barriers are also proposed during construction.
- 6.11. A small group of cypress trees would be removed to allow the proposed access to the rear visitors parking area. To the rear of no.230 a dead Cherry tree would be removed and various low quality trees and a group of Cypress trees on the rear boundary. Existing trees and shrubs would be retained on the site boundary with no.232 Lichfield Road to provide an effective screen. The Tree Officer raises no objection subject to a condition requiring an Arboricultural Method Statement and details of tree protection.

- 6.12. A Preliminary Ecological Survey has been submitted in support of the application. The report concluded that there were no obvious and immediate issues with regard to any protected or notable species and no further surveys were recommended. The Planning Ecologist raises no objections.
- 7. <u>Conclusion</u>
- 7.1. I consider the proposal as amended is acceptable. It would be in accordance with relevant local and national planning policies and would not have any adverse impacts on residential amenity, highway safety or protected trees.
- 8. <u>Recommendation</u>
- 8.1. Approve Subject to Conditions.
- 1 Requires the prior submission of hard and/or soft landscape details
- 2 Requires the prior submission of hard surfacing materials
- 3 Requires the prior submission of boundary treatment details
- 4 Requires the prior submission details obscure glazing for specific areas of the approved building
- 5 Requires the prior submission of sample materials
- 6 Redundant footway crossong to be reinstated
- 7 Prevents occupation until the turning and parking area has been constructed
- 8 Requires the prior submission of cycle storage details
- 9 Arboricultural Method Statement Submission Required
- 10 Requires the scheme to be in accordance with the listed approved plans
- 11 Implement within 3 years (Full)

Case Officer: John Davies

Photo(s)



Figure 1 – Existing site frontage



Figure 2 – Site of proposed 2 storey extension and car park extension

Location Plan



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Birmingham City Council

Planning Committee

04 January 2018

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

Recommendation	<u>Report No</u> .	Application No / Location / Proposal
Approve - Conditions	9	2017/09217/PA
		2 Orphanage Road Erdington Birmingham B24 9HS
		Change of use from retail (Use Class A1) to restaurant (Use Class A3) with ancillary take away (Use Class A5), installation of extraction flue to rear and erection of single storey rear extension
Approve - Conditions	10	2017/05885/PA
		Birmingham Heartlands Hospital 45 Bordesley Green East Bordesley Green Birmingham B9 5ST
		Erection of new Ambulatory Care and Diagnostic Unit

Committee Date:	04/01/2018	Application Number:	2017/09217/PA
Accepted:	30/10/2017	Application Type:	Full Planning
Target Date:	05/01/2018		
Ward:	Erdington		

2 Orphanage Road, Erdington, Birmingham, B24 9HS

Change of use from retail (Use Class A1) to restaurant (Use Class A3) with ancillary take away (Use Class A5), installation of extraction flue to rear and erection of single storey rear extension

Applicant:	Mr Muhammad Saeed 2 Orphanage Road, Erdington, Birmingham, B24 9HS
Agent:	Planning, Design & Build Ltd 864 Washwood Heath Road, Ward End, Birmingham, B8 2NG

Recommendation Approve Subject To Conditions

- 1. <u>Proposal</u>
- 1.1. Consent is sought for the change of use from retail (Use Class A1) to restaurant (Use Class A3); with ancillary take away (Use Class A5), installation of extraction flue to rear and erection of single storey rear extension.
- 1.2. The internal layout of the ground floor comprises; customer seating area for 42 covers, service counter, kitchen and w/c areas. Supporting statements confirm that the ground floor use to the unit is split 90% in A3 usage and no more than 10% within A5 usage
- 1.3. The proposed infill single-storey flat roof extension would be situated to the rear of a centralised shared passage and would provide w/c areas to the proposed use. There would be no change to the access arrangements to the upper floor flats, which would continue to be maintained from Orphanage Road. An extraction system would be positioned to the rear side of the existing two-storey wing, at high level and 1 metre above the rear dormer window.
- 1.4. The proposed use would operate between 08:00-23:30 hours on Monday to Sundays including Bank Holidays. There would be 3 full-time and 2 part-time members of staff employed at the site.
- 1.5. No parking details have been submitted as part of this application.

Link to Documents

2. <u>Site & Surroundings</u>

2.1. The application property is located within the north eastern edge of the Erdington District Centre boundary, but not within the Primary Shopping Area. The property is

semi-detached comprising of an existing A1 use to the ground floor with residential flats above. No.4 forms the other half of the pair, which is within the ownership of the applicant and dry cleaners operate at ground floor level and self-contained flats above. The building forms part of a small parade at the southern end of Orphanage Road which forks to the northeast at the end of the High Street.

- 2.2. There are Traffic Regulation Orders (TRO) that restrict parking to a maximum of 1 hour between Mondays Saturday 07:45 18:45 to the front of the site. The nearest public car parking is at the Co-op that is approximately 100 metres from the application site and accessed from Mason Road. There is also car parking available within the central reserve area on Sutton New Road.
- 2.3. The surrounding area comprises a mixture of uses including residential, commercial and light industrial. To the northeast and southwest of the site are Grade II Listed Buildings (24 and 26 High St & Erdington Library). There is also Fire Station situated on the opposite side of Orphanage Road, which is a Category B Locally Listed Building Erdington Library.

Location Map

3. <u>Planning History</u>

- 3.1. 23/08/1990 1990/00346/PA Refurbishment of No.4 demolition and rebuilding of No.6. Approved subject to Conditions.
- 3.2. 28/02/1991 1991/00020/PA New shop fronts and open mesh security grilles installation of. Approved subject to Conditions.
- 3.3. 12/11/1992 1992/03353/PA Change of Use of Ground Floor to Hot Food Takeaway Shop. Refused.
- 3.4. 22/04/1993 1993/00250/PA Demolition of No.6 and out-buildings rear of No.4 and creation of revised access to existing car park. Approved subject to Conditions.
- 3.5. 16/09/2004 2004/04337/PA Change of Use of shop to educational tutoring centre, including ancillary sales of educational materials. Approved subject to Conditions.

4. <u>Consultation/PP Responses</u>

- 4.1. Site Notice displayed. Adjoining neighbours, Ward Councillors and Residents Association consulted. One response received from Councillor Gareth Moore. It is requested that the application be determined at Planning Committee on highway safety and cumulative impact grounds.
- 4.2. Regulatory Services No objection subject to conditions requiring noise insulation, restriction on operation hours and extraction/odour control details.
- 4.3. Transportation Development No objections.
- 5. <u>Policy Context</u>

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

6. <u>Planning Considerations</u>

- 6.1. The main considerations in the determination of this application are the scale and design of the proposed extension, the impact on vitality and viability, neighbour amenity and highway implications.
- 6.2. **Principle of the use:** UDP Saved policies 8.6 & 8.7 states that, due to the amenity issues and impact on traffic generation, hot food shops should generally be confined to shopping areas or areas of mixed commercial development. The policy seeks to ensure that hot food shops do not cause demonstrable harm for the occupiers of the nearby dwellings by giving rise to additional problems of noise and disturbance. Where a proposal involves evening opening, account will be taken of the proximity and extent of any nearby residential accommodation and ambient noise levels.
- 6.3. The premises are located within the Erdington District Centre in which a variety of large and small scale commercial uses exist. Flats are located above many of the commercial units within the centre including the application site, with the nearest houses being located approximately 100m to the south on Edwards Road beyond a fire station and Sutton Coldfield College of Further Education. The proposed opening times of the business are within usual daytime/evening opening hours, closing at 23:30 daily which is considered reasonable, furthermore this type of use is what would be expected within centres; therefore I consider that the principle of the use is acceptable.
- 6.4. Vitality and Viability: Whilst the application site is not within the primary shopping area, it is within the boundary of the Erdington District Centre as identified within the Shopping and Local Centres SPD. Policy 1, 2 and 5 of the SPD states that 55% of all ground floor units in District Centres should be retained in retail (Class A1 Use) and the need to avoid clustering of non-retail uses such as to create dead frontage and impact on character and function of the centre. The proposed change of use would amount to the loss of one retail unit, with a total of 150 units (63.55%) still retained within retail (Use Class A1) within the District Centre. The increase of A3 restaurant use would represent 18 units (7.20%) within Erdington District Centre. The proposed use would operate from 0800-2330 hours daily and include daytime hours to ensure that the character and function is retained within this section of the District Centre. The site also lies within a very small frontage of 7 units, which relates to a range of uses including vehicle repair, public house and office space. The site lies adjacent to HQ Bar which is A4 use. I consider that the adjoining public house would complement the proposed A3 use and present an opportunity to improve the vibrancy of this section of the District Centre. I note that there are 3 no. A5 units in a row on the opposite side of Orphanage Road. Whilst this does not make a positive contribution towards the vitality of the Erdington District Centre, I do not consider that this would lead to cluttering or exacerbate matters within the area. The proposed A5 use would be ancillary to the restaurant and as such, the 10% threshold for A5 uses (Policy 4) would not apply in this instance. However, I do consider that it is reasonable to impose a condition to restrict the hot food takeaway element to remain ancillary to the restaurant use. On this basis, I consider that the proposed change of use would be acceptable in principle and would not have an adverse impact on the vitality and viability of the Erdington District Centre. Furthermore, there is a large retail food store (Co-op) approximately 100 metres

from the site that would continue to maintain a range of goods to meet the needs of the local community.

- 6.5. **Design:** The proposed extension by virtue of its size and siting are minor and are subservient to the main building. Consequently, I consider the proposed extension would not detract from the visual amenity of the area.
- 6.6. **Neighbour amenity:** The premises currently has two residential flats at upper floors, which appear to be retained under this proposal, which I have no objection to. Regulatory Services have assessed the proposal and offer no objections subject to conditions to include noise insulation details, restrict opening hours to 08:00-2330 Monday to Sundays and further details regarding extraction/odour control system. In response, I concur with this view and consider that, subject to imposition of conditions, the proposal would protect amenity of residential occupiers within the immediate vicinity of the site.
- 6.7. **Highway safety:** Transportation Development have assessed the proposals and raise no objections. The proposed use has potential to benefit from shared/linked trips to the district centre/ employment uses and is located in a sustainable location, with excellent public transport links. Car borne customers using the restaurant use are likely to park in considerate/ legitimate locations, due to the relative large amount of time that they are likely to use the premises. The greatest level of use would be at evenings and weekends, when most of the adjacent businesses are closed. There would be a condition imposed to ensure that hot food takeaway remains ancillary to the restaurant use. Consequently, I consider that the proposal is unlikely to compromise highway safety within the immediate vicinity of the site.
- 7. <u>Conclusion</u>
- 7.1. The proposed change of use from retail (Use Class A1) to restaurant (Use Class A3) with ancillary hot food takeaway would not affect the vitality or viability of the centre, while no additional harm arises to either neighbouring amenity or highway safety. It is also considered that the design of the proposal is also acceptable. The proposal is therefore recommended for approval subject to conditions.
- 8. <u>Recommendation</u>
- 8.1. Approve subject to the following conditions:
- 1 Requires the scheme to be in accordance with the listed approved plans
- 2 Requires that the materials used match the main building
- 3 Requires the prior submission of noise insulation (variable)
- 4 Limits the hours of use (0800-2330 hours daily)
- 5 Limits delivery time of goods to or from the site (0800-2000 hours daily)
- 6 Limits the noise levels for Plant and Machinery
- 7 Limits the hot food takeaway use (Class A5) to be ancillary to the restaurant use (Class A3)

8 Implement within 3 years (Full)

Case Officer: Helen Hancox

Photo(s)



Building Frontage 1



Rear Elevation 2

Location Plan



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Committee Date:	04/01/2018	Application Number:	2017/05885/PA
Accepted:	10/08/2017	Application Type:	Full Planning
Target Date:	05/01/2018		
Ward:	Bordesley Green		

Birmingham Heartlands Hospital, 45 Bordesley Green East, Bordesley Green, Birmingham, B9 5ST

Erection of new Ambulatory Care and Diagnostic Unit

Applicant:	Heart of England NHS Foundation Trust Estates Department, Heartlands Hospital, Bordesley House,
Agent:	Bordesley Green East, Birmingham, B9 5SS The Design Buro 5 Euston Place, Leamington Spa, Warwickshire, CV32 4LN

Recommendation Approve Subject To Conditions

- 1. <u>Proposal</u>
- 1.1. Planning consent is sought for a 3-4 storey building to provide a new Ambulatory Care and Diagnostic unit (ACAD), providing outpatients, day surgery and endoscopy departments. The proposals are similar to those granted planning consent (App. No. 2011/02317/PA) in June 2011, which were not implemented and have now lapsed.
- 1.2. The proposed building would be roughly square in shape and would measure 66m x 63m (approx.) and would have a Gross Internal Floorspace of 17,165sq.m. It would be 22m in height at its highest point, with the bulk of the building being around 17m high (at parapet level). The proposed new building would link to existing hospital buildings via the existing main reception building and Ward Block 22, which contain the 'hospital street' (main corridor within the hospital complex).
- 1.3. The proposed building would be designed around a grid, with generous amounts of circulation space and natural light. Six internal lightwells/ courtyards would be provided within the building to ensure that all clinic spaces have access to natural light. In terms of activities, the proposed building would provide:
 - The lower ground floor Diagnostics and would include; consultation/ therapy/ examination rooms, scanner/ ultra sound/ x-ray rooms, gym, locker/ shower/ changing rooms, offices/ meeting rooms, staff room, toilets, stores, utilities, service/ plant rooms, lifts and stairs.
 - The upper ground floor Main Out-Patients Clinics and would include; consultation/ examination/ diagnostic/ therapy/ treatment/ clinical support rooms, waiting areas, toilets, offices, staff rooms, lifts and stairs.
 - The first floor Specialist Out-Patients Department, including Therapies, Fracture Clinic, Audiology and ENT Clinics and would include; consultation/

examination/ treatment rooms, waiting areas, shared services, gym, changing rooms, staff rooms, stores, lifts and stairs.

- The second floor Procedures unit, including Endoscopy and Day Surgery and would include; theatres, minor ops, prep. rooms, recovery rooms, Interventional radiology procedures suites, showers and stores.
- The top floor elements of flat roof, with roof lights to void areas and 3 separate structures; containing plant rooms, decontamination rooms (serving endoscopy on second floor), services, stores, lifts and stairs.
- 1.4. The proposed building would be a modern high quality building. It would complement existing buildings on the site, being similar in scale, mass and appearance to adjoining buildings. In general, the lower ground floor would be constructed of brickwork to match the main reception building. The upper floors would comprise a combination of double glazed curtain walling and composite cladding panels. The plant rooms would include louvre panels and the roofing system would include solar roof sheeting with integrated photovoltaic cells. The west elevation, which would face towards Belchers Lane Playing Fields, would include a second floor projection of approx. 1.5m and a steel brise soliel at upper ground and first floor to reduce solar gain within the building.
- 1.5. The proposed development is part of a wider programme of estate rationalisation at the hospital and as a result the number of staff would be reduced from 349 to 323.
- 1.6. Three low quality trees would need to be removed in order to facilitate the proposals. Within the Design and Access Statement, it is indicated that high quality landscaping would be provided, as well as replacement planting.
- 1.7. Reports included to support the planning application are:
 - Design and Access Statement
 - Transport Statement
 - Noise Survey
 - Air Quality Report
 - Ecology Appraisal
 - Arboricultural Assessment
 - Sustainable Drainage Strategy (SUDs) & Drainage Management Plan

Link to Documents

2. <u>Site & Surroundings</u>

2.1. Heartlands hospital has been on the current site since 1905. The proposed development would be located within the large Heartlands Hospital complex. It would be located around 35m from the Belchers Lane Playing Fields (western boundary) and adjacent to the existing main entrance building. The proposed development would be over 190m from Bordesley Green East (north) and over 160m from Yardley Green Road (south). The site was previously occupied by 2 ward blocks, which were demolished in 2011 as they were no longer fit for purpose. The site predominantly comprises of hardstanding and is relatively level. It is currently used for temporary staff car parking.

Location Map

3. <u>Planning History</u>

- 3.1. Various planning applications associated with the hospital complex which include the following:
- 3.2. 20/10/2017 2017/01609/PA Retention of use of site for car parking and provision of new access at land adjacent 163 Yardley Green Road Approved, subject to conditions.
- 3.3. 22/05/2017 2017/02559/PA Change of use of two storey health centre and squash court building (Use class D2) to staff training offices and store rooms (Use Class D1) Approved, subject to conditions.
- 08/03/2017 2017/00162/PA Retention of a single storey system-built building for medical records storage for a period of 10 years – Approved, temporary (until 9th March 2027).
- 3.5. 23.07.2017 2016/10671/PA Installation of new hub and plant room Approved, subject to conditions.
- 3.6. 30.07.2015 2015/04499/PA Erection of 3 storey extension together with refurbishment works at former Rowan and Beech wards to form new endoscopy facility and refurbishment of existing endoscopy facility to form new central decontamination unit Approved, subject to conditions.
- 3.7. 24.12.2013 2013/08252/PA Retention of a single storey system-built building for medical records storage Approved, temporary (until 30th December 2016).
- 3.8. 19.12.2013 2013/07973/PA Installation of new Solar PV system to various roofs Approved, subject to conditions.
- 3.9. 13.08.2013 2013/03902/PA Erection of a two storey extension located in an existing courtyard to provide a new hybrid theatre and support facilities Approved, subject to conditions.
- 3.10. 13.08.2013 2013/04834/PA Erection of a single storey extension for additional plant equipment for new high dependency neonatal unit Approved, subject to conditions.
- 3.11. 11.07.2013 2013/03433/PA Erection of single storey extension to neonatal units Approved, subject to conditions.
- 3.12. 12.01.2012 2011/07163/PA Demolition of existing buildings and erection of new estates and facilities building Approved, subject to conditions.
- 22.09.2011 2011/04183/PA Erection of an Ambulatory Care and Diagnostic Centre – Approved, subject to conditions (Not implemented and consent now lapsed).
- 3.14. 23.06.2011 2011/02317/PA Erection of two storey extension and associated landscaping works at Heartlands Hospital Approved, subject to conditions.

- 3.15. 10.05.2010 2010/01336/PA Formation of car park and 3 storey deck to provide 449 spaces at land to south of Yardley Green Road Approved, subject to conditions.
- 3.16. 08.03.2007 2006/07562/PA Erection of 2 storey building to accommodate a new diabetes centre to comply with details of outline application 2003/06258/PA at Heartlands Hospital Approved, subject to conditions.
- 3.17. 19.05.2005 2003/06258/PA Erection of buildings to accommodate hospital/health care related research, development and ancillary production activities with associated car parking, provision of relocated car parking for use in association with existing hospital buildings on adjoining site, site access improvements and landscaping outline (access only) at Heartlands Hospital and Belcher's Lane Playing Fields Approved, subject to conditions.
- 3.18. 28.02.2002 2001/05586/PA Erection of new main entrance building to hospital including reception facilities, offices, retail and catering Approved, subject to conditions.

4. <u>Consultation/PP Responses</u>

- 4.1. Local occupiers (around 100), Residents Associations, Ward Councillors and Liam Byrne M.P notified. Proposals advertised in the press and a site notice posted. No representations received.
- 4.2. Transportation Development No objections, subject to conditions; Revised Travel Plan to be implemented prior to occupation, Construction Management Plan/ Method Statement and alternative staff parking facility (approved under 2017/01609/PA) to be implemented prior to commencement of the development
- 4.3. Regulatory Services No objections.
- 4.4. Severn Trent Water No objections, subject to a drainage condition to secure a satisfactory means of foul and surface water drainage.
- 4.5. Leisure Services no objections.
- 4.6. West Midlands Fire Service no objections.
- 4.7. West Midlands Police no objections.
- 4.8. Local Flood Authority and Drainage Team No objections, subject to conditions -Prior submission of a Sustainable Drainage Scheme and submission of a Sustainable Drainage Operation & Maintenance Plan.
- 5. Policy Context
- 5.1. NPPF (2012), Birmingham Development Plan (2017), Birmingham Unitary Development Plan, Saved Policies (2005), Places for All SPG (2001), Car Parking Guidelines SPD (2012).
- 6. <u>Planning Considerations</u>
- 6.1. The Birmingham Development Plan (Policy TP37) advises that 'The City Council is committed to reducing health inequalities, increasing life expectancy and improving

quality of life' and considers that 'Proposals for the development of new and the improvement of existing health care infrastructure required to support Birmingham's growing population will be permitted provided they meet the requirements of other policies.'

- 6.2. Heartlands hospital has been located on the current site since 1905 and these current proposals are part of the gradual replacement of the original ward blocks in order to modernise and improve services and facilities. The provision of new improved hospital facilities is supported. The principle of providing an Ambulatory Care and Diagnostic Centre was approved in 2011 (App. No. 2011/04183/PA). The current proposals would be in the same location as the previous consent and as such, have already been agreed in principle and would accord with policy. The current proposals would be an additional storey higher than the previous consent although, due to design changes, the maximum height would be increased by only 2m, from 20m (ridge of the pitched roofs) to 22m (at its highest point), with the bulk of the building being around 17m high (at parapet level).
- 6.3. I consider that the main considerations in the determination of these current proposals to be the impact on car parking, visual/ residential amenity and landscaping.

6.4. Car Parking Issues

- 6.5. The proposed new Ambulatory Care and Diagnostics Unit (ACAD) would provide new outpatients, day surgery and endoscopy departments. The proposed development is part of a wider programme of estate rationalisation at the hospital and as a result the number of staff would be reduced from 349 to 323. Patient numbers would also not increase as the proposals would be relocated from services currently provided elsewhere on the site. In addition, the unit has been designed to ensure a more evenly spread of the flow of patients through the day and so spend less time in the hospital.
- 6.6. The site of the proposed unit was previously partly occupied by hospital buildings. However, it is currently used as temporary staff car parking providing 112 spaces which would be lost as a result of the proposals. The accompanying Transport Statement and Design and Access Statement make reference to a parking strategy for the hospital to ensure that sufficient car parking is provided as a consequence of the development. It is noted that the level of staff parking displaced from the main Heartlands site by the development would be accommodated on the Yardley Green Road site which was granted consent (App. No. 2017/01609/PA), in October 2017, for provision of a car park with spaces for 223 staff. Transportation Development have expressed no objections. It is considered that the proposed development is unlikely to have a substantive impact upon the local highway network, subject to a number of safeguarding conditions; Revised Travel Plan to be implemented prior to occupation, Construction Management Plan/ Method Statement and alternative staff parking facility (approved under 2017/01609/PA) to be implemented prior to the commencement of development. I concur with this view and consider that the suggested conditions are appropriate and necessary. The provision of replacement car parking at Yardley Green Road would more than compensate for the loss of car parking as a result of the proposals and as such, there would unlikely to be any additional impact on highway safety or free flow of traffic in the adjoining highways.

6.7. Design and Appearance

6.8. The design and style of buildings around the site vary greatly and there is no one particular style. The design of the proposals has evolved since the previous planning consent. The proposed building would be a modern high quality building. It would complement existing buildings on the site, being similar in scale, mass and appearance to adjoining buildings. In general, the lower ground floor would be constructed of brickwork to match the main reception building. The upper floors would comprise a combination of double glazed curtain walling and composite cladding panels. The plant rooms would include louvre panels and the roofing system would include solar roof sheeting with integrated photovoltaic cells. The west elevation, which would face towards Belchers Lane Playing Fields, would include a second floor projection (approx. 1.5m deep) and a steel brise soliel at upper ground and first floor to reduce solar gain within the building. I consider that the scale and mass of the proposed building is in keeping with adjoining buildings. The proposed design and materials would provide a modern high quality building which would complement adjoining buildings and would contribute to providing an attractive hospital complex.

6.9. *Impact on Residential Amenity*

6.10. The proposed building would be barely visible from outside of the hospital complex. No objections have been received and Regulatory Services have expressed no objections. I concur with this view. Local residential occupiers would be unlikely to be adversely affected in terms of the visual impact of the proposals.

6.11. Trees/ Landscaping

6.12. Three low quality trees (C category) would be removed in order to facilitate the proposals. Within the Design and Access Statement, it is indicated that replacement planting and high quality landscaping would be provided. The Tree Officer and Landscape Officer has expressed no objections, subject replacement tree/ landscaping conditions. I concur with this view, appropriate conditions attached.

7. <u>Conclusion</u>

7.1. The proposals are considered acceptable. The design and appearance would be in keeping with adjoining buildings, respecting the local site context. Re-placement car parking would be provided and it is considered that the proposals would be unlikely to detrimentally impact on the safety and free flow of traffic in the adjoining highways. Appropriate conditions attached to secure replacement/ additional landscaping.

8. <u>Recommendation</u>

- 8.1. Approve, subject to the following conditions:
- 1 Requires the prior submission of a drainage scheme for the disposal of foul and surface water
- 2 Submission of a Sustainable Drainage Operation & Maintenance Plan
- 3 Requires the prior submission of a sustainable drainage scheme
- 4 Requires the prior submission of hard and/or soft landscape details

- 5 Requires the prior submission of hard surfacing materials
- 6 Requires the prior submission of a landscape management plan
- 7 Requires the prior submission of sample materials
- 8 Requires the scheme to be in accordance with the listed approved plans
- 9 Requires the prior submission of a commercial travel plan
- 10 Requires the prior submission of a construction management plan / method statement
- 11 Requires the prior approval of an amended car park layout
- 12 Requires the prior provision of alternative staff parking facility
- 13 Implement within 3 years (Full)

Case Officer: Tony White

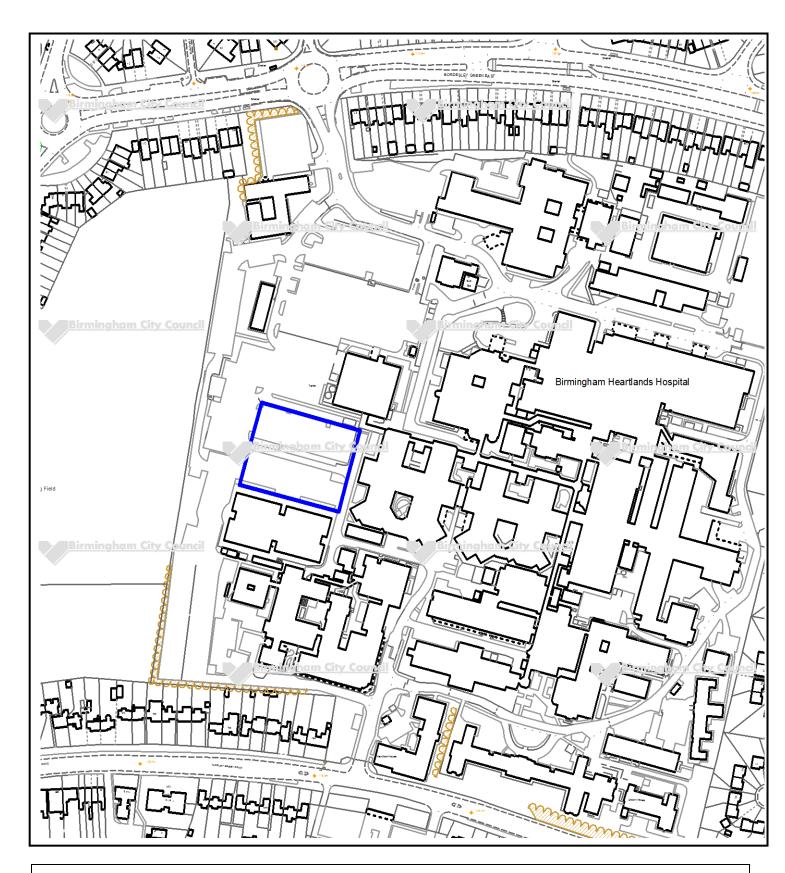
Photo(s)



Fig. 1: Application Site



Fig. 2: Adjoining Main Reception Building



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Birmingham City Council

Planning Committee

04 January 2018

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

Recommendation	Report No.	Application No / Location / Proposal
Defer – Informal Approval	11	2017/08367/PA
		Selly Oak Road Kings Norton Girls School And Language College Kings Norton Birmingham B30 1HW
		Erection of single storey and two storey teaching block/sixth form centre
Approve - Conditions	12	2017/08744/PA
		103 Kitchener Road Selly Oak Birmingham B29 7QE
		Change of use from residential dwellinghouse (Use Class C3) to HMO (Use Class C4)
No Prior Approval Required	13	2017/09806/PA
		Footpath of Edgewood Road (opposite No. 100) Rednal Birmingham B45 8SG
		Prior Notification for the installation of a 17.5m high telecommunications monopole and associated antennas, 3 no. equipment cabinets and 1 no. meter cabinet and associated ancillary works

Committee Date:	04/01/2018	Application Number:	2017/08367/PA
Accepted:	16/10/2017	Application Type:	Full Planning
Target Date:	11/12/2017		
Ward:	Bournville		

Selly Oak Road, Kings Norton Girls School And Language College, Kings Norton, Birmingham, B30 1HW

Erection of single storey and two storey teaching block/sixth form centre

Applicant:	Kings Norton Girls School Selly Oak Road, Kings Norton, Birmingham, B30 1HW
Agent:	Lucas Architects Ltd 3 The Hawthorns, Moseley, Birmingham, B13 9DY

Recommendation Approve Subject To A Section 106 Legal Agreement

- 1. <u>Proposal</u>
- 1.1. This application is for the erection of a new single storey and two storey teaching block/sixth form centre at Kings Norton Girls' School. The proposal would generate an additional 125 pupils and 4 staff at the School.
- 1.2. The proposed building would be sited on the eastern edge of the School's front playing field, to the rear (north) of the existing Caretaker's House, and with its entrance facing southwards. It would be located a minimum distance of 39m east of Selly Oak Road, a minimum distance of 29.6m north of the School driveway, and a distance of 5.8m west of the existing School building.
- 1.3. The proposed building would be rectangular in shape and would have a total gross internal floor area of 683sqm. It would measure a maximum of 30.7m in length, 16.2m in width, 8.4m in height to roof ridge of the two storey element, and 4m in height to the roof of the single storey element.
- 1.4. The proposed building would be contemporary in design, arranged into three distinct blocks. A single storey flat roofed block would face on to Selly Oak Road and would accommodate sixth form learning space, toilets and office. It would be finished in vertical timber cladding with feature timber ribs adding modelling to the façade and acting as solar shading. Grey framed aluminium vertical windows and curtain walling would be incorporated.
- 1.5. The proposed building would then step up in scale from single storey to two storeys in height, with a centrally located two storey glazed atrium providing entrance lobby and circulation space. The main entrance doors would be located on the south elevation of this element.
- 1.6. The third and largest element, which would be located closest to the existing School buildings, would comprise of a teaching block accommodating three ground floor classrooms and three first floor classrooms. Facades would be constructed in facing

brickwork, with feature brickwork courses integrated to the lower levels. Large glazed openings with grey aluminium windows are proposed to be incorporated to the ground floor classrooms with feature timber ribs to follow the language of the single storey block. Large and smaller window openings are proposed to the first floor. The proposed two-storey block would have a series of three pitched roofs, with brickwork extending up the gables and a concealed metal roof finish.

- 1.7. New hard landscaping is proposed to be laid around the southern edge of building, with an external hard landscape sixth form outdoor space located at the northern end of the building adjacent to the social learning space.
- 1.8. As part of the proposal two small trees would be removed.
- 1.9. No additional parking would be provided on site.
- 1.10. The proposed development would not attract a CIL contribution.
- 1.11. The Applicant has confirmed that they would provide a S106 contribution of £12,054 to compensate for the loss of existing open space. This would be spent on the provision, improvement and/or biodiversity enhancement of public open space and the maintenance thereof at Cotteridge Park within the Bournville Ward.
- 1.12. The site area is 0.06ha in size.
- 1.13. Link to Documents

2. <u>Site & Surroundings</u>

- 2.1. The application site comprises of a section of Kings Norton Girls' School's western playing field. The School is an all-girls academy school for pupils aged 11-19. The School operates joint sixth form provision with King's Norton Boys' School and went co-ed in 2014 to allow boys to only attend Kings Norton Girls' School at A level.
- 2.2. The playing field, which is the subject area of this application, comprises of mown grass but is not marked out for sports. There is a level change between the lower northern half and upper southern half, with a shallow embankment delineating the two. The northern boundary of the playing field is defined by a row of tall Poplar trees, beyond which are the two storey houses of Nos. 143-149 Selly Oak Road. The western boundary of the playing field to Selly Oak Road is also defined by several mature trees. A two storey caretaker's house and garden is located immediately to the south of the application site, and fronts on to the School's entrance driveway.
- 2.3. The existing School buildings (the original parts dating from 1910) are two and two and half storeys in height, brick built, and accommodate a series of outdoor courtyard spaces. To the north of the School buildings are the main playing fields and four outdoor tennis courts.
- 2.4. The wider School site is bounded to the west by Selly Oak Road; to the east by two storey houses fronting Linden Road; to the south by two storey houses fronting Franklin Road; and to the north by St Joseph's Catholic Primary School.
- 2.5. The School is accessed by two main routes from Selly Oak Road to the south is a vehicle and pedestrian route used by staff, visitors, and students, and to the north a

pedestrian route. The former leads to the main car parking area in front of the School buildings.

2.6. <u>Site Location Map</u>

3. <u>Planning History</u>

3.1. There is planning history relating to the School site, but none that appears relevant to this new application.

4. <u>Consultation/PP Responses</u>

- 4.1. Transportation Development No objection Subject to condition requiring submission of updated School travel plan.
- 4.2. Regulatory Services No objection Subject to condition restricting rating levels for cumulative noise from all plant and machinery.
- 4.3. Leisure Services No objection The area on which the teaching block would be built is open space with amenity value as opposed to public open space or playing field. This loss would generate an off-site contribution of $\pounds 25 \times 482$ sqm = $\pounds 12,054$ which would be spent on the provision, improvement and/or biodiversity enhancement of public open space and the maintenance thereof at Cotteridge Park within the Bournville Ward.
- 4.4. Education Would wish to discuss the proposal in more detail if the intention is to increase sixth form numbers at the school as a result of the extension.
- 4.5. Sport England No objection The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.
- 4.6. Local residents, Ward Councillors, M.P. and Residents Associations notified. Advertised by site notice. One letter of objection received from a local resident raising the following concerns:
 - Vehicles have parked across driveways during school drop-off times to avoid the yellow road markings outside the School
 - What is going to be done about the increased number of vehicles that additional classroom space will bring?

5. <u>Policy Context</u>

- 5.1. The following local policies are applicable:
 - Birmingham Development Plan (2031)
 - Birmingham UDP Saved Policies (2005)
 - Car Parking Guidelines SPD (2012)
 - Places for All SPG
- 5.2. The following national policies are applicable:

• National Planning Policy Framework (NPPF)

6. <u>Planning Considerations</u>

- 6.1. Pre-application discussions have been held with the Applicant and options explored as to the location of the proposed building on the site. The Applicant was advised that the proposed teaching block/sixth form centre would be more sustainably located in amongst the existing School buildings, rather than being built on open space. There are some School buildings which are in need of refurbishment/could be demolished or which are only single storey in height and the existing School buildings are rather sprawling and do not make best use of maximising their site. However, the Applicant has explained that the costs and logistics of adapting/demolishing existing School buildings to incorporate the new sixth form centre/teaching block would be prohibitive and that the proposal as is represents the only financially viable and logistical solution.
- 6.2. I consider the key planning issues in the determination of this application are: the loss of open space; the siting, scale and appearance of the proposed building; impact on parking and highway safety; and impact on trees.

Loss of Open Space

- *6.3.* Policy TP9 of the Birmingham Development Plan is concerned with open space, playing fields and allotments.
- 6.4. Leisure Services consider that the application site should be classed as 'open space' with amenity value rather than 'public open space' or 'playing field' land (Paragraph 6.57 of the BDP). I concur with this view given the site has not been used for sporting purposes for some years (no markings etc.), is not accessible to the general public, and the banked level change half way across the field prohibits the use for most sports. Therefore that section of Policy TP9 of the BDP relating to 'open space' is applicable:

"Planning permission will not normally be granted for development on open space except where:

- It can be shown by an up to date assessment of need that the open space is surplus taking account of a minimum standard of 2 ha per 1,000 population and the accessibility and quality criteria listed below.
- The lost site will be replaced by a similar 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 realistically dealt with, then in this case proposals that would result in the loss of a small part of a 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.
- The development is for alternative sport or recreational provision, the benefits of which clearly outweigh the loss."
- 6.5. Leisure Services have raised no objection to the proposed development. The proposal meets some of the policy objectives of Policy TP9, being surplus to requirements (Kings Norton Ward has 2.67 hectares open space per 1000 population) and having inherent problems in its layout for sports/recreational

purposes because of the banked level differences. I concur with Leisure Services that the loss of a relatively small part of this open space could best be compensated for off-site, via a Section 106 Agreement, particularly given the School already has extensive playing fields and tennis courts located to the north of the main buildings.

- 6.6. Leisure Services have advised that the loss of open space would generate a contribution of £25 per square metre, giving a total off-site contribution of £12,054 which would be spent on the provision, improvement and/or biodiversity enhancement of public open space and the maintenance thereof at Cotteridge Park within the Bournville Ward.
- 6.7. Sport England have taken the view that the land in question is playing field land. However, they note that the banked level change half way across the field effectively prevents it from being marked out as one youth football pitch, and individually the two portions could not accommodate the width of a mini football pitch. They advise that there is no evidence to suggest that this area has been marked out (or any goalposts etc.) for pitch sports in the past. Notwithstanding, there is some aerial photographic evidence of the land being marked out for sport in the past – possibly for athletics, and possible training grids in 2011. However, Sport England go on to explain that since that time the only indication of the site being used for sports is again more than five years ago. Therefore Sport England are satisfied that the proposed development would affect only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site. This being the case Sport England have raised no objection to the proposal.
- 6.8. Given the above, I am satisfied that the loss of part of an area of open space could be adequately compensated for by way of investment into an existing area of public open space, and that the proposed development would not result in land that is capable of forming a playing pitch.

Siting, Scale and Appearance

- 6.9. Policy PG3 of the BDP explains that "All new development will be expected to demonstrate high design quality, contributing to a strong sense of place." It goes on to explain that new development should: reinforce or create a positive sense of place and local distinctiveness; create safe environments that design out crime and make provision for people with disabilities; provide attractive environments that encourage people to move around by cycling and walking; ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term; take opportunities to make sustainable design integral to development; and make best use of existing buildings and efficient use of land.
- 6.10. Paragraph 56 of the NPPF states that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." Saved Policies 3.14-3.14D in the Birmingham UDP and Places for All SPG also give significant weight to achieving high quality design which recognises local character and distinctiveness.
- 6.11. I consider that the siting of the proposed building has some logic given it effectively extends further the existing School buildings to the west, with the gap of the

vehicular access retained adjacent to the existing two storey School building. The retention of this gap to the existing School building would ensure that light is not affected to the existing School classrooms. As the proposed building would be a sixth form block the Applicant is keen that it has its own identity and its own entrance towards the front of the School, and can be accessed directly from the main routes from Selly Oak Road. The Applicant has explained that the siting of the proposed building also works from a pupils'/students' safeguarding perspective. The green, open setting of the School from Selly Oak Road (provided by the existing open space) is visually important to the local area. Although the School buildings would be extended closer to Selly Oak Road as a result of this proposal I do not consider it would adversely affect the visual amenity of the surrounding area, with a large area of open space remaining and still providing an attractive setting to the School.

- 6.12. I consider the scale of the proposed development would be acceptable i.e. one / two storeys to relate to the scale of existing School buildings. The gradual stepping down in scale of the proposed building from east to west is also logical and sympathetic to its surroundings.
- 6.13. I consider the proposed development would be of high design quality. It would be arranged into three legible blocks to reflect the three different internal functions. The proposed building would be contemporary in appearance, yet still respond positively to the vernacular of existing School buildings. The single storey block facing Selly Oak road would be clad in vertical timber cladding with feature timber ribs adding articulation to the façade, whilst also acting as solar shading. The entrance and central circulation space would be glazed to make the entrance legible. A brickwork elevation treatment would be used on the two storey element to complement the brickwork used on the existing School building. Large and smaller window openings at first floor would reference some of the openings on the existing School building. The proposed two storey block would have a series of pitched roofs which again references some of the roofs of the existing School.
- 6.14. In light of the above, I am satisfied that the proposal meets policy requirements on providing good design and the siting, scale and appearance of the proposed development would be appropriate and sympathetic to the surrounding area.

Parking and Highway Safety

- 6.15. Policy TP44 of BDP is concerned with traffic and congestion management. It seeks to ensure amongst other things that the planning and location of new development supports the delivery of a sustainable transport network and development agenda. It advises "the prevention or refusal of development on transport grounds where the residual cumulative impacts of development are severe."
- 6.16. The School currently has 984 students, and a total of 69 teaching and 42 support staff (some of which work part time). There are 95 existing car park spaces at the School, which is adequate provision to serve the existing staff/visitors and actually above the recommended maximum parking guidelines set out in the Council's Car Parking Guidelines SPD.
- 6.17. No additional parking provision is proposed under this application. The Car Parking Guidelines SPD recommends a maximum of 1 space per 2 staff and 1 space per 15 students. In respect of the proposed development this would generate a maximum of 2 spaces for staff and 8 spaces for students a maximum of 10 spaces in total. I consider that the existing car park has sufficient capacity to accommodate this minor

increase in staff/students and the proposal, providing no additional car park spaces, would comply with the SPD.

- 6.18. I note the concerns of a local resident in respect of cars blocking driveways and the additional numbers of vehicles that the proposal might generate. However, I am satisfied that the proposed development would not generate a significant level of parking demand, and in the unlikely event that the proposal generates any additional overspill parking it could be safely accommodated on-street on local roads in the vicinity of the site (except for Selly Oak Road where there are mostly single yellow lines or 'Keep Clear' markings).
- 6.19. Transportation Development have raised no objection to the proposal subject to a condition being attached to any consent requiring submission of an updated School Travel Plan to be carried out and submitted prior to commencement of development.
- 6.20. The Car Parking Guidelines SPD advises that a minimum of 1 space per 10 staff or students be provided. I therefore recommend attaching a cycle storage condition to ensure that this level of cycle provision is provided on site.

Trees

- 6.21. Policy TP7 of the BDP seeks to conserve and enhance Birmingham's woodland resource and states that all new development schemes should allow for new tree planting.
- 6.22. My Arboricultural Officer has raised no objection to the removal of the two small trees located on the edge of the playing field.
- A row of mature Poplar trees are located on the northern edge of the western 6.23. playing field in close proximity to the application site. These trees are a positive landscape feature of the local area and should preferably be retained. Amended plans have been submitted, on the advice of my Arboricultural Officer, which show the re-siting of the proposed building 2.7m further to the south to avoid the suspected root protection area of the nearest, and end, Poplar tree. My Arboricultural Officer is now satisfied that that the proposed building could be constructed without harming the roots of the nearest Poplar trees. He advises that as the teaching block would only be occupied during the day and there are no windows on the north elevation of the building, overall management of the building by the School could monitor and address the relationship as the trees mature. He advises that to construct with confidence near these Poplar trees would require tree protection measures, and therefore recommends attaching a condition requiring submission of a tree survey plan with protection measures and any appropriate arboricultural methods.

Other Issues

- 6.24. The proposed development would be located a minimum distance of 11.5m from the nearest residential garden of No. 143 Selly Oak Road. It would therefore not result in any loss of privacy, outlook or light for adjoining residential occupiers to the north on Selly Oak Road.
- 6.25. Regulatory Services have raised no objection to the proposal, subject to a condition being attached to any consent restricting rating levels for cumulative noise from all plant and machinery. I am satisfied that the proposed development would not

generate a level of noise or disturbance which would harm the amenity of the nearest residential occupiers.

7. <u>Conclusion</u>

7.1. I consider the loss of existing open space as a result of the proposed development could be adequately compensated for by way of an off-site Section 106 contribution. The siting, scale and appearance of the proposed development would be acceptable; it would have a negligible impact on traffic and highway safety; and would unlikely have an adverse impact on existing trees. Therefore I consider the proposal would constitute sustainable development and I recommend that planning permission is granted subject to completion of a Section 106 Agreement.

8. <u>Recommendation</u>

- 8.1. Approve Subject to a Section 106 Legal Agreement.
 - I. That consideration of Application No. 2017/08367/PA be deferred pending the completion of a suitable Section 106 legal agreement to require:
 - a) A contribution of £12,054 (index linked to construction costs from the date of the Committee resolution to the date on which payment is made) to be paid prior to the implementation of the approved development. The fund would be spent on the provision, improvement and/or biodiversity enhancement of public open space and the maintenance thereof at Cotteridge Park within the Bournville Ward
 - b) Payment of a monitoring and administration fee associated with the legal agreement of £1,500.
 - II. In the event of the above Section 106 Legal Agreement not being completed to the satisfaction of the Local Planning Authority on or before 31st January 2018, planning permission be REFUSED for the following reason:-
 - a) In the absence of a financial contribution towards loss of open space the proposal would conflict with Paragraphs 8.51-8.53 of the Saved Birmingham UDP 2005, Policy TP9 of the Birmingham Development Plan, and the National Planning Policy Framework.
 - III. That the City Solicitor be authorised to prepare, seal and complete the appropriate Section 106 legal agreement.
 - IV. In the event of the S106 Legal Agreement being completed to the satisfaction of the Local Planning Authority on or before 31st January 2018 favourable consideration be given to application no. 2017/08367/PA, subject to the conditions listed below:
- 1 Requires the scheme to be in accordance with the listed approved plans
- 2 Requires the prior submission of sample materials
- 3 Limits the noise levels for Plant and Machinery

- 4 Requires the prior submission of hard and/or soft landscape details
- 5 Requires the prior submission of a drainage scheme
- 6 Arboricultural Method Statement Submission Required
- 7 Requires the prior submission of cycle storage details
- 8 Requires the prior submission of an updated school travel plan
- 9 Implement within 3 years (Full)

Case Officer: Andrew Conroy

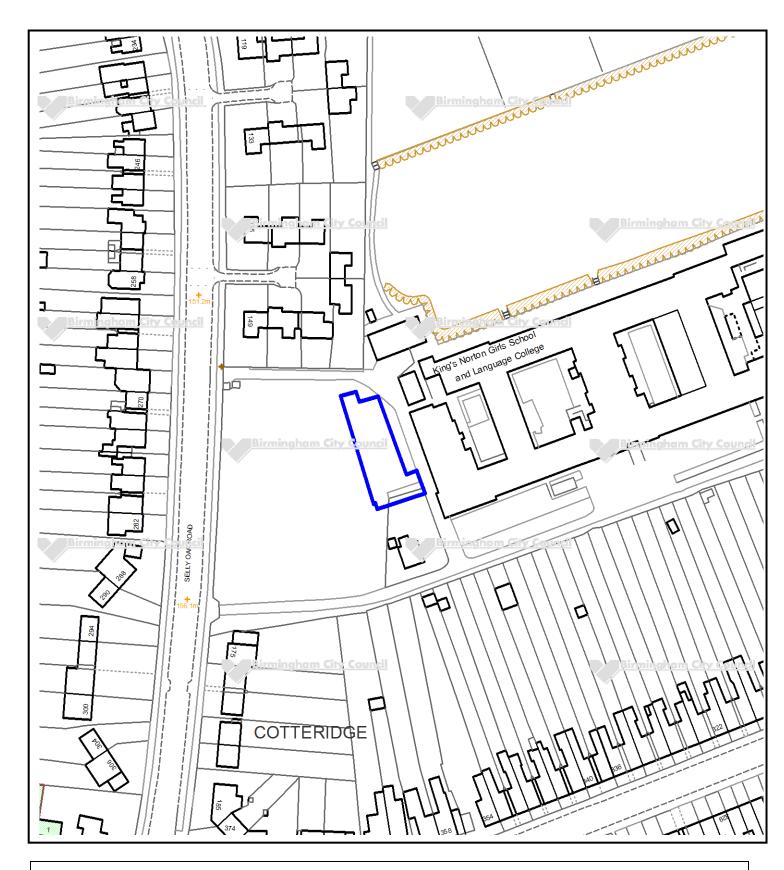
Photo(s)



Figure 1 – View from Selly Oak Road looking east to site (Poplars on left)



Figure 2 – View from Selly Oak Road looking south east to site (Caretaker's house in centre)



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Committee Date:	04/01/2018	Application Number:	2017/08744/PA
Accepted:	25/10/2017	Application Type:	Full Planning
Target Date:	20/12/2017		
Ward:	Selly Oak		

103 Kitchener Road, Selly Oak, Birmingham, B29 7QE

Change of use from residential dwellinghouse (Use Class C3) to HMO (Use Class C4)

Applicant: Mr Michael Howell 103 Kitchener Road, Birmingham, B29 7QE

Agent:

Recommendation Approve Subject To Conditions

- 1. Proposal
- 1.1. This application is for the change of use of 103 Kitchener Road from a dwellinghouse (Use Class C3) to small house in multiple occupation (Use Class C4).
- 1.2. The requirement for this application has arisen due to an Article 4(1) Direction, within a defined area within which the application site is situated, which states development consisting of a change of use of a building to a use falling within Class C4 (house in multiple occupation) from a use falling within Class C3 (dwellinghouse) would require planning permission.
- 1.3. No internal or external alterations are proposed. The ground floor would provide lounge, kitchen, dining room and bathroom, with the first floor providing three bedrooms.

Link to Documents

- 2. <u>Site & Surroundings</u>
- 2.1. The application site relates to the property of 103 Kitchener Road, Selly Park. This is a two storey terraced property situated within a row of similar properties fronting onto Kitchener Road.
- 2.2. The property is currently in use as a dwellinghouse (Use Class C3) and both neighbouring properties of 101 and 105 are in residential use.
- 2.3. The surrounding area has a predominantly residential character, with residential properties opposite and to the west along Kitchener Road and Cecil Road. To the east is the River Rea and area of open space.
- 2.4. The property is within Flood Zone 3. (Highest Risk)

Location map

- 3. <u>Planning History</u>
- 3.1. There is no relevant planning history associated with this site.
- 4. <u>Consultation/PP Responses</u>
- 4.1. Regulatory Services No objection.
- 4.2. Transportation Development No objection.
- 4.3. West Midlands Police No objection, recommend the installation of communal front door and private bedroom doors. They note that more burglaries take place in Selly Oak than any other type of crime and due to the large student population in Selly Oak it is a reality that the area is one of the more targeted places for this type of crime across the region. In the six month period between March and August 2017 there were 177 calls for service from the police in relation to anti-social behaviour and 140 burglaries reported in the Selly Oak neighbourhood.
- 4.4. Environment Agency Object to the application, there is no evacuation plan submitted with application.
- 4.5. Letters of notification have been sent to surrounding occupiers, local residents associations and local Ward Councillors. A site notice has also been posted.
- 4.6. Twenty six letters of objection have been received from surrounding occupiers, objecting to the proposal on the following grounds.
 - There is inadequate car parking provided for residents and visitors.
 - Inconsiderate parking already occurs.
 - The River Rea cycle path passes directly in front of the property an increase in traffic will have a negative safety impact.
 - Increase in litter and rubbish on the street.
 - Residential permit parking should be introduced.
 - Impact to the overall character of the area.
 - Loss of community cohesion.
 - Imbalance of family houses in the area.
 - Noise and nuisance from residents.
- 5. <u>Policy Context</u>
- 5.1. The following national policy is relevant
 - The National Planning Policy Framework (2012)
- 5.2. The following local policy is relevant.
 - Birmingham Development Plan (BDP) 2017.
 - The Birmingham Unitary Development Plan (UDP) 2005 (saved policies)
 - Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston and Harborne Wards (2014).
 - Specific Needs Residential Uses SPG

6. <u>Planning Considerations</u>

- 6.1. In normal circumstances, the conversion from a C3 use to a C4 use is permitted development and owners of properties would normally have no need to inform the Local Planning Authority that a dwellinghouse is changing to a small (C4) HMO. However, in November 2014, an Article 4 Direction was bought into effect that removes these permitted development rights within a designated area of Selly Oak, Edgbaston and Harborne wards. The application site falls within this area.
- 6.2. The decision to introduce an Article 4 Direction in this area resulted from an analysis of city wide concentrations of HMOs revealing the particularly high levels found in Bournbrook and the spread to surrounding areas of Selly Oak, Harborne and Edgbaston wards.
- 6.3. The policy accompanying the Article 4 direction 'Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston and Harborne Wards' which was adopted by the Local Planning Authority in September 2014 aims to manage the growth of HMOs by dispersing the locations of future HMOs and avoiding overconcentrations occurring, thus being able to maintain balanced communities. It notes that the neighbourhoods included in the confirmed Article 4 area have capacity to accommodate further HMOs in the right locations.
- 6.4. Policy HMO1 states the conversion of C3 family housing to HMOs will not be permitted where there is already an over concentration of HMO accommodation (C4 or Sui Generis) or where it would result in an over concentration. An over-concentration would occur when 10% or more of the houses, within a 100m radius of the application site, would not be in use as a single family dwelling (C3 use). The city council will resist those schemes that breach this on the basis that it would lead to an overconcentration of such uses.
- 6.5. Should the application not cause an over concentration, or the exacerbation of an existing over concentration, the city council will then apply the existing policies that apply to HMOs city wide in determining planning applications for C4 HMOs, as well as large HMOs in the Article 4 Direction area. The proposal would also need to satisfy these criteria in order to be granted planning consent.
- 6.6. Using the most robust data available to the Local Planning Authority, including Council Tax records, Planning Consents and HMO Licensing information it is revealed that within 100m of 103 Kitchener Road there are 53 residential properties. Of these properties and including the application site as a proposed HMO, 4 are identified as being HMO's, equating to 7.5% of houses within the 100m of the application site. As such it is considered that there would not be an overconcentration of HMO's in this particular area.
- 6.7. Saved policy 8.24 of the adopted UDP 2005 advises that when determining applications for houses in multiple paying occupation the effect of the proposal on the amenities of the surrounding area, and on adjoining premises; the size and character of the property; the floor space standards of the accommodation; and the facilities available for car parking should be assessed.
- 6.8. Specific Needs Residential Uses SPG recognises that dwellings intended for multiple paying occupations have a role to play in meeting the housing needs of certain groups in society.

- 6.9. The application site is located within a predominantly residential area. Whilst there appear to be other HMO type uses near to the site, the area primarily consists of family dwellings and has a typically residential character. The application premises is a terraced property that has three bedrooms and no changes are proposed internally or externally. I therefore consider that the proposal would have a minimal impact upon character.
- 6.10. The property would provide three bedrooms of 14.2sqm, 10.5sqm and 9sqm. These bedrooms would all exceed the recommended minimum size for double and single bedrooms in the national described space standards, which although not formally adopted provide a useful benchmark. A mix of single and double bed short term accommodation such as this would meet the needs of certain groups within society and therefore, I do not consider that the size of bedrooms in this instance would warrant the refusal of the application. Furthermore, the internal layout as proposed would allow easy conversion back to a family dwelling, should the need arise in the future.
- 6.11. The proposed HMO would not have an adverse impact on the amenities of adjoining residents given that no internal alterations are taking place and the property would most likely be lived in, in a similar manner to a family, with living accommodation at ground floor and bedrooms at first floor.
- 6.12. The guidance in Specific Needs Residential Uses SPG advises that car parking provision for HMO applications should be treated on its own merits.
- 6.13. My Transportation Development Officer raises no objection to the proposal. It is not considered traffic and parking demand for this three bedroom HMO would increase notably to that generated currently by three bedroom family dwelling. It is noted that on street parking is available, although demand is high. In addition there are regular buses running nearby the site throughout the day. It is suggested secure and sheltered cycle storage is installed in order to encourage this alternative mode of travel. A condition to secure this is recommended.
- 6.14. The site is also noted to be in an accessible location, close to Stirchley Centre. It is therefore considered that there would not be any detrimental impact to highway safety as a result of this change of use.
- 6.15. I note the comments of West Midlands Police regarding the high crime rates in the Selly Oak area. However, a high crime rate is not a reason in itself to withhold planning permission for an application such as this and I cannot see that the nature of Class C4 occupation would be so different to Class C3 as to warrant refusal. I note the police have suggested some features to enhance the security of the site including the installation of a communal front door and private bedroom doors. I have passed this information onto the application for them to consider these matters.
- 6.16. The site is within Flood Zone 3, although the flood risk vulnerability of the property is unaffected by the proposal, the site is within 20m of a main river as such, the Environment Agency have been consulted. In response to the consultation the Environment Agency maintain an objection, as they request an evacuation plan be submitted before the development is approved. Notwithstanding this objection, I am mindful, as noted above, the development would not result in any change to the flood risk vulnerability of the application premises due to no material difference in occupation i.e. one sub-type of residential to another. In fact, the Environment Agency acknowledge that no bedrooms are provided on the ground floor. In

addition, there are no changes whatsoever to the internal or external layout of the property as a whole.

6.17. Furthermore, two identical applications have been considered for this type of development elsewhere within Flood Zone 3 (63 Hobson Road 2016/06500/PA and (41 Kitchener Road 2015/09220/PA). In both instances, the Environment Agency did not offer any objections. Instead, it was requested that an informative be added to the approvals recommending that in order to mitigate against any potential flood risk that the owners/occupiers of the property sign up to receive free flood warnings and that flood resistance/resilience measures are incorporated into the building's design. I see no reason to deviate from this approach given that no physical work is needed to undertake this development, so will provide the relevant informative to the applicant.

7. <u>Conclusion</u>

- 7.1. I consider that the proposed use of the property as a C4 small house in multiple occupation would be acceptable in principle and would help to meet a need for this type of housing in a sustainable location. There would not be an overconcentration of such uses in the area and the proposal would therefore accord with the Article 4 direction policy. In addition, the proposed scheme would not have a detrimental impact on the character of the area, or upon the amenities of adjoining residents and highway safety.
- 8. <u>Recommendation</u>
- 8.1. Approve subject to conditions.
- 1 Requires the scheme to be in accordance with the listed approved plans (including maximum of three bedrooms, and at first floor only)
- 2 Requires the prior submission of cycle storage details
- 3 Implement within 3 years (Full)

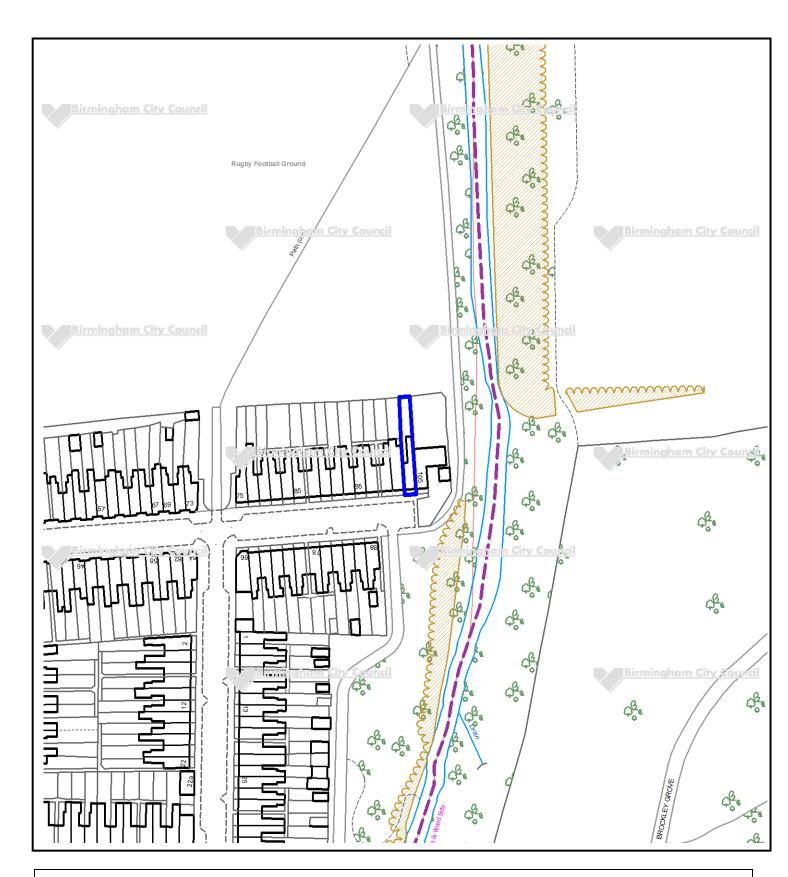
Case Officer: James Mead

Photo(s)



Photograph 1: Front elevation of 103 Kitchener Road

Location Plan



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Committee Date:	04/01/2018	Application Number:	2017/09806/PA
Accepted:	15/11/2017	Application Type:	Telecommunications
Target Date:	09/01/2018		Determination
Ward:	Longbridge		

Footpath of Edgewood Road (opposite No. 100), Rednal, Birmingham, B45 8SG

Prior Notification for the installation of a 17.5m high telecommunications monopole and associated antennas, 3 no. equipment cabinets and 1 no. meter cabinet and associated ancillary works

Applicant:	Vodafone Limited
	c/o Agent
Agent:	Mono Consultants Limited
-	Steam Packet House, 76 Cross Street, Manchester, M2 4JG

Recommendation No Prior Approval Required

- 1. <u>Proposal</u>
- 1.1. This is a prior notification application for the installation of a 17.5 metre high dual user telecommunications monopole and 3 No. associated antennas mounted to the top, 3 No. equipment cabinets and 1 No. metre cabinet and associated ancillary works to be located next to the grass verge at the footpath of Edgewood Road (opposite 100 Edgewood Road), Longbridge. This section of footpath measure 3.5 metres in width. The monopole and cabinets would be located at the rear: 2.7 metres from the edge of the footpath.
- 1.2. The proposal would provide 2G, 3G and 4G coverage and capacity for Vodafone and Telefonica UK Limited (commonly known as O2). The lowest section of the monopole would measure 408mm in diameter, the main stem would have a diameter of 324mm and the 2500mm long cylindrical antenna shroud section would have a diameter of 540mm. There would be a transmission dish attached to the mast at a height of 12.5 metres, measuring 300mm in diameter. The monopole would be constructed of galvanised steel and painted grey (RAL 7043).
- 1.3. The 3 proposed equipment cabinets would be installed to the north west of the pole. 2 No. would measure 770mm in width, 750mm in depth and 1925mm in height and the third would measure 600mm in width, 600mm in depth and 1415mm in height. The metre cabinet would be installed to the side of the equipment cabinets, measuring 655mm in width, 260mm in depth and 1015mm in height. All 4 cabinets would be constructed of galvanised steel and painted fir green (RAL 6009).
- 1.4. The applicant states the proposed equipment would be ICNIRP-compliant (International Commission on Non-Ionizing Radiation Protection).
- 1.5. Link to Documents

2. <u>Site & Surroundings</u>

- 2.1. The application site is located on the footpath of Edgewood Road (opposite No. 100) in Longbridge. The footpath is situated alongside a wide and rising grass verge which is located between the main highway of Edgewood Road and the slip road which provides access to commercial units.
- 2.2. The site is located in a predominantly residential area. To the south west of the site is a retail parade with residential uses above, to the immediate north is St. Stephens's Church and to the north east is Rednal Hill Junior and Infants School-approximately 90 metres away. There are mature street trees, the largest of which is estimated to reach 13 metres in height and street furniture within the vicinity including lampposts, a post box, litterbins and bollards.
- 2.3. <u>Site Location</u>

3. Planning History

- 3.1. 06/06/2017 2017/04778/PA Pre-application enquiry for the installation of telecommunications equipment comprisining a 17.5 metre Streetworks pole, three equipment cabinets and one meter cabinet Advice given stated that the proposed location is likely to be suitable and an application is likely to be supported by the LPA.
- 3.2. 14/08/2017 2017/07083/PA Application for prior notification for the installation of a 17.5 metre high monopole with 3 antennas, associated transmission dish and 3 equipment cabinets Withdrawn

4. <u>Consultation/PP Responses</u>

- 4.1. Neighbouring residents, Rednal Hill Junior and Infants School, local Ward Councillors and MP and residents associations have been consulted. A site notice has been displayed and a press notice published.
- 4.2. Four letters of objections have been received from residents on the following grounds:
 - Size is not appropriate too large
 - Very close proximity to a school Rednal Hill Infants School
 - Very close to households a prominent position, loss of view and effect on property values, Edgwood Road is 90% residential and a mast would be a definate blot on the landscape, it is in the wrong location
 - Vodafone signal is already good in the area
 - Would be a target for graffiti and vandalism: already anti-social behaviour in the area
- 4.3. Transportation Development No objection.

5. <u>Policy Context</u>

- 5.1. Relevant Local Planning Policy:
 - Birmingham Development Plan (BDP) 2017
 - Birmingham Unitary Development Plan (UDP) Saved Policies 2005
 - Telecommunication Development: Mobile Phone Infrastructure SPD 2008;
- 5.2. Relevant National Planning Policy:
 - National Planning Policy Framework (NPPF) 2012
 - The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 16 (as amended 2016)

6. <u>Planning Considerations</u>

- 6.1. Principle of Development
- 6.2. This is a prior notification application. As such, the only issues that can be considered when assessing this application are the siting and appearance of the proposed telecommunications monopole and cabinets. The principle of development is therefore not an issue of consideration for this prior approval application.

Policy Context

- 6.3. **NPPF**: Paragraphs 42-46 of the National Planning Policy Framework (NPPF) relate to the installation of telecommunications equipment. Paragraph 43 advises that local planning authorities should support the expansion of electronic communications networks but should aim to keep the numbers of telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. It explains that existing masts, buildings and other structures should be used, unless the need for a new site has been justified and that where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
- 6.4. Paragraph 46 advises that "Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure".
- 6.5. **BDP:** Policy TP46 (Connectivity) of the BDP recognises that technology developments and access to digital services such as the internet are critical to Birmingham's economic, environmental and social development.
- 6.6. **UDP and SPD**: The Telecommunications Policy (Paragraphs. 8.55-8.55C) in the Birmingham UDP (2005) and the Telecommunications Development SPD state that a modern and comprehensive telecommunications system is an essential element in the life of the local community and the economy of the City but that in assessing applications for telecommunications equipment, account will be taken of the impact of radio masts, antennae and ancillary structures on existing landscape features, buildings and the outlook from neighbouring properties. In respect of ground-based masts, the Council's SPD states that they should make the most of existing

screening or backdrop to buildings and avoid open locations, that they should be mitigated by landscaping and planting, that street locations will be discouraged but where they are the only option they should appear as an unobtrusive addition, and where possible sites should have a backdrop of trees to reduce visual contrast.

Siting and Appearance

- 6.7. The proposed installation is required in order to provide enhanced 2G, 3G and 4G coverage for Telefonica and Vodafone. The applicant carried out a study of alternative sites within the area and discounted them as they did not meet the operators' requirements. The reasons for this included; the height of nearby trees would affect radio signals, nearby buildings being relatively low rise, and having a detrimental impact on visibility splays on nearby junctions. The alternative site assessment is robust and the current site provides the most suitable location to provide improvements to the existing and proposed network coverage and meet capacity requirements.
- 6.8. In terms of siting, the application site is on a footpath adjacent to a grass verge. The grass verge contains several mature trees, the largest of which is estimated to reach 13 metres in height. There are also several lampposts within the vicinity; located at regular intervals on both sides of Edgewood Road and on the slip road between the commercial units and grass verge. The commercial units are set back from the road from a forecourt, which contains bollards adjacent to the highway, steps and an access ramp, litterbins and a post box.
- 6.9. I acknowledge the objections raised by nearby residents regarding the size of the proposal. The proposed height of the monopole of 17.5 metres exceeds the height of the surrounding trees and existing street furniture, and the width is greater than that of the nearby lampposts. However, it is acknowledged that this height is required to enable a reliable signal to reach the desired area through the surrounding obstacles. The proposal would be located 2.7 metres from the highway, and when the cabinet doors open 1.9 metres of the public footway would be available. I acknowledge that they are sizeable cabinets, but not excessive in this location, in my opinion. Transportation Development have raised no objection to this application, however have stated that the applicant will need to contact the district engineer at the Northfield office in relation to carrying out these works. As such, I consider that the equipment is of an appropriate size in this location.
- 6.10. The monopole would be painted grey (RAL 7043) and the cabinets would be painted fir green (RAL 6009). They would therefore blend in with the surrounding lampposts, trees and grass verge. I consider that the fundamental principles have been applied by the applicant to minimise the contrast between the proposal and its surroundings through appropriate siting and design.
- 6.11. The nearest residential property is 1 Amroth Close which is located 21 metres from the application site. The property has a gable end roof design facing Edgewood Road and there are three large trees located to the side of this property, adjacent to Edgewood Road which would partially shield the monopole and cabinets from view. I acknowledge that the proposal would be visible but I consider that it would have a similar impact on the outlook of these occupiers as the existing street furniture. Trees would also provide significant backdrop or screening for other local residents, who would have different views of the equipment. There is a school nearby, with the nearest part of the school grounds at some 50m to the north and north-east of the application site. I do not consider there would be any adverse visual impact on the school and I note there has not been an objection submitted by the school.

Impact on public health

6.12. Paragraph 46 of the NPPF states that the Local Planning Authority must determine applications on planning grounds. The applicant has demonstrated, by way of an appropriate certificate, that the proposed installation would meet the standards of the ICNIRP for public exposure as recommended by Paragraph 46 of the NPPF and a fully compliant certificate has been submitted. Consequently, I consider the application is acceptable on the grounds of public health.

7. <u>Conclusion</u>

7.1. I consider that the site and appearance of the proposed monopole and 3 No. associated antennas mounted to the top, 3 No. equipment cabinets and 1 No. metre cabinet and associated ancillary works would not have an undue effect on the visual amenity of the area. I also consider that the proposal would be a sufficient distance from nearby residential properties and from the highway, and would not cause harm to residential amenity, nor highway safety.

8. <u>Recommendation</u>

8.1. No Prior Approval Required.

Case Officer: Caroline Featherston

Photo(s)





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