

Birmingham City Council

Planning Committee

11 May 2017

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Conditions	8	2016/08038/PA 241 Wellington Road Handsworth Birmingham B20 2EA Outline planning permission (with details of layout, scale, access and appearance to be considered and with landscape details reserved) for demolition of existing building and erection of 14 no. houses and creation of new access road and associated parking.
Approve – Conditions	9	2016/09866/PA Knights House Parade Sutton Coldfield Birmingham B72 1PD Construction of rooftop extension to form 12 no. apartments and elevation upgrades

Committee Date:	11/05/2017	Application Number:	2016/08038/PA
Accepted:	17/10/2016	Application Type:	Outline
Target Date:	12/05/2017		
Ward:	Lozells and East Handsworth		

241 Wellington Road, Handsworth, Birmingham, B20 2EA

Outline planning permission (with details of layout, scale, access and appearance to be considered and with landscape details reserved) for demolition of existing building and erection of 14 no. houses and creation of new access road and associated parking.

Applicant:	Mehta Family Partnership c/o Minor Weir And Willis, Altitude 206 Deykin Avenue, Witton, Birmingham, B6 7BH
Agent:	John Pryce Architectural 5a Drew Road, Stourbridge, DY9 0UZ,

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. This proposal seeks outline planning permission for the erection of 14 new residential dwellings, with matters of layout, scale, access and appearance to be considered with this application and only matters of landscaping are reserved for later determination. The submitted plans do provide indicative information with regards to landscaping matters.
- 1.2. The application is supported by a layout plan accommodating a mix of semi-detached and detached properties, with associated parking facilities and gardens. The scheme also includes one small area of open space with associated landscaping.
- 1.3. The proposed housing is to be served from the creation of a new private road which is proposed to be linked to the existing turning circle at the end of Lea Hill Road.
- 1.4. The proposed scheme is for 14 four bed open market properties, with 200% car parking provision. The internal layout for the 12 semi-detached properties include a kitchen/dining room, lounge, w.c. and cloak room at ground floor, two double bedrooms on the first floor with an ensuite and family bathroom and two further bedrooms within the roof space.
- 1.5. The 2 detached properties include a kitchen/dining room, lounge, w.c. and utility room at ground floor, with three double bedrooms one ensuite, a single bedroom and family bathroom at first floor.
- 1.6. The scale of the semi-detached properties would be 8.5m to the ridge and 5.2m to the eaves height. The appearance is for brick and tile built properties of a modern

simplistic form, with some properties including panelled features. To accommodate three levels of accommodation the dwellings would have rooms in the roof and proposed dormer windows located in either the front or rear roof plane. The two storey dwellings would be 7m in height to the ridge and 5.2m to the eaves height.

- 1.7. The site measures 0.48 hectares and the proposed density is for 28 dwellings per hectare. The north eastern corner of the site is located in Flood Zone 2.
- 1.8. The application is supported by a Design and Access Statement, Transport Statement, Marketing Report, Travel Plans, Contaminated Report, Demolition Statements, Noise Appraisal and Surface Water Drainage Assessment.
- 1.9. This scheme has been amended from an outline application for 30 dwellings, which included indicative plans for 30 apartments, created in 5 blocks around a new road. The amended plans for a 14 houses which are now for consideration is the applicant's response to comments raised by consultees, neighbours and officers.
- 1.10. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is roughly rectangular in shape and was part of a larger industrial site at 241 Wellington Road. The site contains a small proportion of the large industrial unit. The building was used as a fruit and vegetable wholesale business. This part of the building was formerly the loading dock which was in 24 hour use. The remainder of the site is hard surfaced and used for parking, for up to 40 vehicles. There is 2m high palisade fencing to the boundaries which is consistent with the industrial use.
- 2.2. The ground within the site is relatively flat. There are significant ground level changes surrounding the site with existing housing rising above the application site level along Lea Hill road and there is a large retaining wall to the southern boundary of the site with properties on Bromford Hill set on higher ground by approx. 4m.
- 2.3. The existing housing along Lea Hill Road are predominantly 1930's style, 2 storey semi-detached buildings with red brick work and clay roof tiles, some have rendered elevations. On Bromford Hill the properties are 1970's style and contain a mix of 2 and 3 storey houses and apartments.
- 2.4. To the north west of the site there is an area of private allotments and the boundary with this site includes a number of trees. There are also a number of trees along Bromford Hill, adjacent to the southern boundary of the site.
- 2.5. The Walsall to Birmingham railway line forms the northern boundary to the site. The site is in close proximity to the Perry Barr District centre which offers a wide range of shops and services. There is also access to the rail network within this centre. The closest bus services run along Wellington road and are approx. 310m from the site, which is within a suitable walking distance.
- 2.6. To the north of the site beyond the railway line is an area of open land Perry Hall Playing Fields, which is designated green belt and operates as flood plain to the River Tame.

- 2.7. There is a main sewer which runs through the site along the western and southern boundaries; this has a 12m easement associated with it. There is also a storm sewer within the centre of the site with a 6m easement.
- 2.8. [Site Location](#)
3. [Planning History](#)
- 3.1. Planning permission 2016/07929/PA was granted on 5th January 2017 for the change of use of the majority of the existing industrial building at 241 Wellington Road to a Place of worship.
- 3.2. Planning consent 2000/03599/PA for 'erection of cold store warehouse extension and two storey amenity block and construction of new loading bays, formation of car-parking areas, extension of service yard etc.' was approved with conditions. A condition was attached with regards to the access off Lea Hill Rd, which reads, "The vehicle access from Lea Hill Road to be closed off at all times. Reason: in order to safeguard the amenities of the occupier of dwellings in the vicinity".
- 3.3. There is other planning history relating to the extension to the warehouse building over the last 25 years but none are relevant to this proposal.
4. [Consultation/PP Responses](#)
- 4.1. A site notice and press notice have been displayed and notification letters sent to the Local MP, Local Councillors, residents associations and neighbouring properties. A total of 34 letters of objection have been received from nearby residents.
- 4.2. Local MP Khalid Mahmood has objected to the original proposal for 30 flats as this scheme is disproportionate. There is no objection to a modest development of family homes. It is suggested that the construction traffic should be routed through the adjacent site 241 Wellington Road. No further comments have been received on the revised scheme.
- 4.3. Cllr Quinnen has objected to the original scheme and considers that 30 flats is out of keeping with the area, along with three storey block. It is suggested that semi-detached housing would be more in keeping with the existing character. There is a need for lower density family housing in this area, and a scheme for housing would have less traffic and noise related issues. Concerns are also raised about the potential security risk relating to the potential link to the adjacent allotments. In addition construction traffic route and hours of works should be controlled. No further comments have been received on the revised scheme.
- 4.4. Cllr Zaffar welcomes the revision of the proposal to 14 houses, but considers that the height should be limited to two storeys. No construction traffic should utilise Lea Hill road, and the hours of operation for construction should be limited to 8am to 5pm Monday to Friday only, excluding bank holidays. There should be no pedestrian link to adjacent allotments. The response requests that this matter be referred to planning committee for consideration.
- 4.5. Cllr Hussain has objected to the original scheme and considers that lower density housing would be more appropriate with regards to traffic. Three storey blocks would obscure views of park land; flats are out of character with the existing semi-detached

housing, the path to Lea Hall allotments should be removed on safety grounds. All construction traffic should be via Wellington road and there should be no weekend working. No further comments have been received on the amended scheme.

- 4.6. 27 of the neighbour objection letters related to the original proposal for 30 flats on the site, these can be summarised as follows:
- Flats are not in keeping with the existing family accommodation
 - The proposal is too dense
 - Proposal will result in traffic, noise and air pollution
 - There will be a loss of views to open space and parks
 - The scheme is contrary to planning policy and guidance
 - The scheme will result in issues of anti-social behaviour
 - The design and access statement includes false statements in relation to the existing access arrangements to the site.
 - The existing boundary treatment adjacent to properties should be retained
 - Construction traffic should only access/egress the site through the existing 241 Wellington Road access and not use Lea Hill road.
- 4.7. A further 7 letters of representation have been received to the amended scheme for 14 houses on the site, these can be summarised as follows:
- The alteration of the scheme to housing is welcomed
 - Objections continue to be raised to the development being 2 ½ storey in height and states that it should be limited to 2 storey only.
 - The design and access statement still contains inaccuracies
 - The proposal should not include a path to Lea Hall allotments
 - The proposed new road should include a turning facility
 - The open space is vulnerable to anti-social behaviour i.e. fly tipping.
 - There will be noise and traffic disturbance issues.
 - The scheme will impact on highway safety, particularly for children
 - The proposal will decrease property values
 - Construction traffic should not use Lea Hill Road and hours of operation for construction should be limited to 8am to 5pm Monday to Friday excluding bank holidays.
- 4.8. Regulatory Services: As the proposal is for residential use on previous industrial land there is potential for land contamination and an assessment needs to be undertaken, this can be secured through a condition. Given the proximity to the railway line there is potential for disturbance in terms of noise and vibration therefore a scheme of noise insulation is recommended. To reduce CO2 emissions recommend the incorporation of electric vehicle charging points.
- 4.9. Leisure Services: No objections
- 4.10. Transportation Development: No objections: subject to conditions relating to highway works, visibility splays, and construction management plan.
- 4.11. West Midlands Police: Make a number of comments relating to the scheme: The level of parking provision is acceptable however positioning should allow for overlooking from the property to which it belongs. Recommend a lighting plan for the site, correct maintenance of open space to prevent anti-social behaviour and crime. Further details relating to a future footpath link to adjacent site. Recommends that boundary treatments are robust and positions of rear gates prevent recessed areas.

- 4.12. Network Rail: No objections, the applicant should be aware that further consents from Network rail maybe necessary.
- 4.13. Severn Trent Water: no objections subject to drainage conditions.
- 4.14. Education School Places: No objections.
- 4.15. Environment Agency: No objection subject to conditions to the amended proposal based on the additional information received. The recommended conditions relate to land contamination, surface water drainage, and foundation design.
- 4.16. Local Lead Flood Authority: No objections subject to conditions relating to finished floor levels and details drainage system design and operation.

5. Policy Context

- 5.1. Birmingham Development Plan, Birmingham Unitary Development Plan (saved policies), Aston, Newtown and Lozells Area Action Plan, Places for Living SPD, Mature Suburbs SPD, Car Parking Guidelines SPD, Loss of Industrial Land to Alternative Uses SPD, Technical housing standards nationally described space standard 2015 and guidance in the NPPF.

6. Planning Considerations

Policy

- 6.1. The golden thread of the NPPF relates to sustainable development and the presumption in favour of this. There are three dimensions to sustainability, the economic role, the social role and the environmental role. These roles are mutually dependant. Having sufficient land for a strong and competitive economy is key to securing economic growth. The framework is clear however, that policies should avoid the long term protection of sites for employment use, where there is no reasonable prospect of the site being used as employment use and alternative uses should be judged on their own merits.
- 6.2. Policy TP16 of the BDP relates to having a provision of readily available employment land to have a 5 year minimum reservoir, this is supplemented by policy TP19 which seeks to protect employment land. This is not a blanket protection and the policy notes there are occasions when employment land becomes obsolete and no longer contributes towards the portfolio. There are criteria to be demonstrated when considering changes of use applications from employment land. This includes non-conforming use, or the site is no longer attractive for employment development. The SPD on the Loss of Industrial Land to Alternative Uses expands further on this.
- 6.3. Paragraph 17 of the NPPF supports sustainable economic development to deliver new homes and encourages the use of brownfield land.
- 6.4. The framework is clear that good design is indivisible from good planning and should contribute positively to make places better for people. This will include optimising site potential, responding to the character of the area, creating a safe and accessible environment which is visually attractive.

- 6.5. Policy GA3 relates to the site being within the Aston, Newtown and Lozells area action plan, which seeks to secure 1700 new homes within the plan area.
- 6.6. The BDP recognises that the existing dense, built up character of Birmingham presents challenges in identifying sites to accommodate growth. It also recognises the importance of improving the built environment to strengthen local distinctiveness with high architectural standards. Policy TP27 states that sustainable neighbourhoods include a wide choice of housing to cater for all parts of the community. Policy PG3 expects that new development will be designed to a high standard and will reinforce a sense of place and local distinctiveness. Create a safe environment; ensure attractive and functional private and public spaces. Utilise sustainable design elements. The City also seeks to ensure increased environmental standards of buildings to address issues of climate change. Policy SD3 of the AAP also requires good design quality and links to the design SPD documents.
- 6.7. The BDP seeks to support the City in achieving reductions in carbon dioxide emissions through policy TP1; for housing development this utilises the principles of sustainable neighbourhoods contained within Policy TP27. The council seeks to encourage developers to consider new technologies and sustainable construction methods to address issues of climate change.
- 6.8. To ensure that land is being efficiently utilised for residential development policy TP30 includes target density levels, and for this location 40 dwellings per hectare is the target figure, however the policy does acknowledge that proposals need to fully assess the context of the site, and lower density levels may be acceptable to respect the character of an area for example.
- 6.9. The Aston, Newtown and Lozells Area Action Plan, is seeking to transform the housing market within the area and seeks to build around 1700 new homes. Whilst the site is not specifically identified as having potential for housing within the document, this does not prevent it being considered an appropriate location for new housing. Policy H2 supports proposal for mixed, balanced and sustainable communities and the need for larger family accommodation. Policy H5 relates to the design and quality of new housing and the guidance in Places for Living, this is reinforced in policy SD3.
- 6.10. Birmingham Unitary Development Plan (UDP) 2005 within the saved policy 3.14 states that the design and landscaping of new development will be expected to contribute to the enhancement of the City's environment. Good design may also help to promote and secure sustainable forms of development.
- 6.11. Places for Living SPG advises that responding to the local context can ensure the unique identity of a place is not harmed as well as avoid any potential adverse impact on neighbouring buildings, landscape and uses. It identifies numerical guidelines for garden, bedroom sizes and separation distances for new residential developments.
- 6.12. Mature Suburbs SPD recognises the importance of suburbs in contributing to the character of the area. It also recognises the pressures for new housing, seeking to intensify development in existing housing areas with infill and backland plots. Such development can be acceptable but issues of privacy, amenity and character need to be fully assessed. The character of a mature suburb is defined by built form, spatial composition, architectural style, enclosure, density, landscaping and public realm. The guidance sets out in detail how to assess the design criteria in terms of

plot size, building form and massing, siting, landscaping and boundary treatment, plot access, parking and traffic implications and design styles. Proposals that undermine and harm the positive characteristics of a mature suburb will be resisted.

Principle of development and the Loss of Industrial Land

- 6.13. With regard to the former industrial use of the site, there has been over 3 years of active marketing undertaken to attract an industrial user and there have been no serious offers from potential purchasers or occupiers. The applicant has submitted a marketing report in support of the application and analyses comments from potential buyers and for a variety of reasons including, size and age of buildings, location and size of plot this site was not considered acceptable. It should also be noted that the principle of loss of this industrial use has been accepted by the approval of the change of use to a place for worship for the remainder of the building. I am therefore satisfied that a suitable level of marketing has been undertaken and this has demonstrated that this site is no longer viable for an industrial use and therefore alternative uses should be considered.
- 6.14. The application site relates to a previously developed site and is located within an established residential area with good access to local shops, services and facilities in Perry Barr. The proposed development would encourage the most efficient use of land in sustainable locations. I therefore consider that the principle of development is acceptable subject to the following site specific considerations.

Design and Impact on local character

- 6.15. A key element in the consideration of the design of new development is having regard of the existing site context and characteristics. The surrounding area is predominantly residential in character and the existing industrial use is out of character. The local housing is a mix of traditional 1930's semi-detached two storey properties, which create a well-defined building line, which front the highway Lea Hill Road and the 1970's housing on Bromford Hill is more of a courtyard arrangement of two and three storey buildings, with a mix of garages and remote parking locations and shared amenity spaces.
- 6.16. The application site is located at the end of Lea Hill road and adjacent to the Bromford Hill 1970's housing. Due to the shape and position of the site the new road will be perpendicular to the existing road and create an extension to this existing cul de sac.
- 6.17. The proposed housing would be largely positioned to front this new road; however there are constraints to the site due to an existing mains sewer system running close to the western and southern boundaries. The positioning of the buildings with front gardens addressing the road and the plot sizes would be reflective of the positive character of development along Lea Hill Road.
- 6.18. Local residents have raised concerns that the 2 1/2 storey nature of some of the proposed housing is not in keeping with the character of the local area. The existing housing in Lea Hill Road is approx. 7.8m in height to the ridge and 5.2m in height to the eaves. The proposed dwellings would be slightly larger with a ridge height of 8.5m. However, the eaves height is consistent with the existing properties. Due to the position of the proposed properties within the site, and the existing mature trees along the southern boundary of the site, only Plots H3, 4 and 5 would be visible when approaching the site from Lea Hill Road. Plot H3 has been amended to a detached two storey property which is the same height as the existing properties.

Plots H4 and 5, are slightly larger than the existing dwellings, but the dormer windows for the upper floor accommodation are located within the rear roof plane, to offer a more traditional appearance to the property, and therefore be in keeping with the existing character. I consider that the overall height difference is not at a level to make the proposed properties appear out of character or have a detrimental impact on the surrounding area.

- 6.19. There are limited positions where plots H3, H2 and H1 would be seen in relation to the existing housing. The proposed housing would have a 14m gap to the nearest property in Lea Hall Road, and along with existing mature planting along the shared boundary, I therefore consider that the proposed housing would not appear as a dominant feature within the street scene.
- 6.20. The frontages of existing properties on Lea Hill Road contain a mix of parking and landscaped garden, and the properties benefit from side garages. The proposed layout is reflective of this context with a mix of frontage and side parking, and one plot includes a garage.
- 6.21. I consider that the proposed development accords with local and national design guidance, as it does not copy the design of existing properties but is reflective of the form and respects the positive characteristics of the local area.

Impact on the amenities of existing and future occupiers

- 6.22. The siting of the new development exceeds the separation standards guidance in Places for Living to ensure the proposed development will not have an adverse impact on the amenities of occupiers of existing dwellings, in terms of privacy, overlooking or outlook.
- 6.23. Objections to the proposed housing have been raised on the grounds of loss of views across the site to the park land, although I note that none of the existing properties directly face the parkland. Therefore I do not consider that the proposed development will have an adverse impact on the amenities of neighbouring properties in terms of outlook.
- 6.24. With regards to the future occupier's amenities, the separation distance from the front elevation of plots H1 and H2 to the private amenity space of plot H4 is in excess of the required 10m and therefore accords with guidance in Places for Living and provides for a suitable level of amenity for the future occupiers of Plot H4.
- 6.25. Plot H14 is proposed within 5m of the existing vacant industrial building which has planning consent to operate as a place of worship. This consent includes conditions requiring a scheme of noise insulation to protect the amenities of existing residential properties.
- 6.26. Neighbours and the Police have raised concerns relating to a potential future footpath link adjacent to Plot H3. The original intention was to allow flexibility in the scheme to link to the adjacent site in event of that use ever changing. Given the concerns raised, the layout of the site has been amended to remove this footway and the garden area of Plot H3 has been expanded to abut the existing dwelling in Lea Hall Road.

Living environment for future occupiers

- 6.27. The proposed development would provide an acceptable living environment and the dwelling sizes would comply with the nationally described space standards 2015. The layout of the site would provide adequate family garden sizes for all dwelling houses, the smallest proposed garden is 77.5 sq.m, which exceeds the minimum guidelines contained in Places for Living SPG

Noise and Vibration

- 6.28. The site is bounded by an existing railway line to the north, and the nearest windowed elevations of the proposed properties are 12m from this boundary. Whilst Plot H1 is located 3m from the boundary, it has a blank elevation facing the boundary.
- 6.29. The applicant's noise assessment concludes that the peak rise in noise on the site relates to passing trains. Given the level of the ambient noise at this site it is necessary to have a scheme of mitigation including acoustic glazing to ensure an adequate level of amenity for future occupiers; this is to be controlled through conditions as recommended by Regulatory Services.
- 6.30. Due to the proximity of the site to the railway line, the issues of vibration have been assessed by the applicants. Regulatory services have requested that additional information relating to the assessment is required to determine if a specialist foundation design is required to ensure that vibrations do not impact on the amenities of future occupiers. This can be controlled through a suitable condition.

Highways

- 6.31. A key element of creating sustainable communities relates to connectivity of the site to existing routes, and facilities. The proposed new private road and associated footpaths will connect to the existing road and footways in Lea Hill Road, to link to the wide transport network.
- 6.32. Local residents have raised concern about the impact of the proposed development in terms of the increase in traffic and parking pressure on the existing free flow of traffic on Lea Hill Road. However, Transportation Development has raised no objection to the proposed development. The new road is of sufficient width to accommodate refuse and emergency vehicle traffic and this is supported by West Midlands Fire Service not raising concerns about access. Furthermore, the level of traffic proposed to be generated by the new dwellings is not of a significant level to have a detrimental impact on existing road capacity or highway safety.
- 6.33. The proposed car parking provision is in accordance with the maximum car parking standards outlined in the Car Parking Guidelines Supplementary Planning Document. The location of the car parking for Plots H2, H13 and H14 have been amended following comments from the Police and is within the curtilage of each plot which provides better natural surveillance of the spaces in accordance with design guidance. The applicants intend to provide charging points for the houses.
- 6.34. I have recommended the conditions suggested by Transportation Development to require details of highways works for the creation of the new private drive and link to Lea Hill road, and to ensure satisfactory vehicular visibility splays can be achieved at the access point.

Drainage and flooding

- 6.35. Part of the site is located within Flood Zone 2 and accordingly a drainage assessment has been submitted with the application.
- 6.36. The Environment Agency has assessed the additional information with regards to land contamination and is satisfied that the proposal will not have an adverse impact on controlled waters within the flood zone, subject to conditions relating to land contamination and finished floor levels.
- 6.37. Severn Trent Water has raised no objections to the scheme and recommends further drainage details be controlled through conditions.
- 6.38. The Local Lead Flood Authority considers that a suitable level of detail has been submitted with the application and that the strategy is considered acceptable and the detailed drainage plans can be secured through conditions.

Landscaping

- 6.39. As this proposal is for outline consent, details of landscaping are reserved for later consideration. The layout plan does however; indicate that the development will create a small area of open space which will provide green links to adjacent open spaces. There is potential for such spaces to become a focus for anti-social behaviour which is a concern raised by both local residents and West Midlands Police. These issues can be overcome through the natural surveillance of the site provided by the new housing and management of the landscaped area. The full details of this can be considered at reserved matters stage when the full landscaping details are available.

Other issues

- 6.40. Local residents', the Local MP and Local Councillors have all raised concerns relating to the construction phase of any development on this site, with regards to the route of delivery traffic and hours of operation.
- 6.41. The proposed works will require the demolition of a proportion of the existing industrial building. The application is accompanied by a demolition method statements which seeks to recycle as much of the structure as possible. All brick and concrete is to be crushed on site and re used on site. As this demolition work is to coincide with other demolition work on the wider site of 241 Wellington Road, access will be via the existing access on Wellington road rather than along Lea Hill Road. The demolition method statement also refers to working hours of 8am to 5pm Monday to Friday, 8 am to 2 pm Saturday and no working on Sundays or Bank holidays. This element of work is expected to last 8 to 10 weeks.
- 6.42. With regards to the construction work, as the adjacent site will be operated as a separate use, construction traffic is proposed to utilise Lea Hill Road. All loading, unloading, and turning of vehicles and parking provision are to be contained within the site to minimise the impact and disruption on residents in Lea Hall Road. It is anticipated that the building phase would be completed within 19 to 24 months. The proposed hours of operation are 8 am to 5pm Monday to Friday. 8 am to 2 pm Saturdays and no working on Sunday or Bank Holidays.
- 6.43. It should be noted that the construction phase of any development is time limited and therefore I consider that the impacts are only temporary. There are no highways

reasons to limit the use of Lea Hill Road for the access and egress of construction traffic, given that Lea Hall Road is already accessible for refuse and emergency vehicles. Furthermore, the proposed hours of operation provide a balance between preserving the amenities of nearby residents with reducing the overall build time. These matters can be controlled and monitored through a recommended construction management condition.

- 6.44. Local residents have objected to the proposal on the grounds of the potential for adverse impact on the existing property values. Planning guidance is clear that property values are not a material planning consideration for the determination of applications and has not therefore been considered when assessing this application.

7. Conclusion

- 7.1. This proposal seeks to effectively reuse an existing brownfield site in a sustainable location on the edge of Perry Barr District centre. The creation of new homes is consistent with the growth and regeneration aspirations of the Aston, Newtown and Lozells AAP and Birmingham Development Plan.
- 7.2. I consider that the proposed housing scheme as amended would provide a strong sense of place and an acceptable living environment for future occupiers. It would sit comfortably within the existing street scene and the proposed development would not have a detrimental impact on the character and appearance of the area.
- 7.3. The new housing would not give rise to any overlooking, overshadowing or other adverse impacts on existing occupiers of neighbouring properties. The development would provide appropriate parking provision for this site and would not have a detrimental impact on highway safety. I therefore consider that the proposed development would accord with policies set out in the Birmingham Development Plan 2017, saved policies in the UDP, Aston, Newtown and Lozells Area Action Plan, Places for Living SPG, Mature Suburbs SPD, Car Parking Guidelines SPD and the National Planning Policy Framework.

8. Recommendation

- 8.1. Approval subject to conditions

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|---|--|
| 1 | Requires the submission of reserved matter details following an outline approval |
| 2 | Requires the scheme to be in accordance with the listed approved plans |
| 3 | Requires the prior submission of a contamination remediation scheme |
| 4 | Requires the prior submission of a contaminated land verification report |
| 5 | Requires the prior submission of a sustainable drainage scheme |
| 6 | Requires the prior submission of a drainage scheme |
| 7 | SUDS Infiltration of surface water into ground |
| 8 | Piling works |
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- 9 Sets the level of the finished floor levels
 - 10 Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 11 Requires the prior submission of a vibration protection scheme
 - 12 Noise Insulation Scheme
 - 13 Requires the prior submission of a lighting scheme
 - 14 Requires the prior submission of a construction method statement/management plan
 - 15 Requires the prior submission of sample materials
 - 16 Requires the prior approval of the siting/design of the access
 - 17 Implement within 3 years (outline)
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Case Officer: Emma Green

Photo(s)

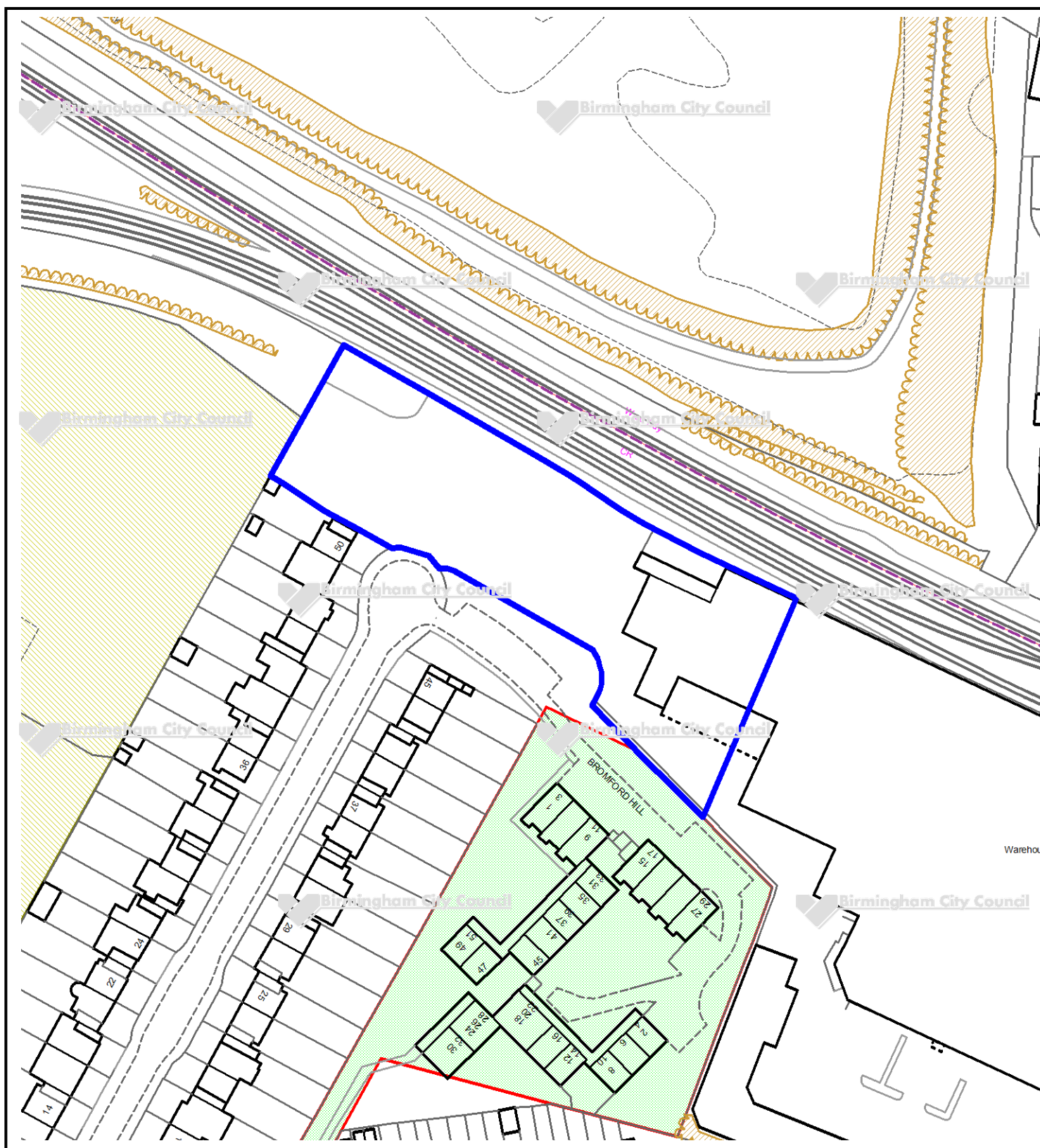


Application site and part of existing building viewed from Bromford Hill.



View of site approach from Lea Hill Road

Location Plan



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Committee Date:	11/05/2017	Application Number:	2016/09866/PA
Accepted:	05/01/2017	Application Type:	Full Planning
Target Date:	11/05/2017		
Ward:	Sutton Trinity		

Knights House, Parade, Sutton Coldfield, Birmingham, B72 1PD

Construction of rooftop extension to form 12 no. apartments and elevation upgrades

Applicant:	Knights Developments Ltd c/o agent
Agent:	ADC Ltd Britannia House, Britannia Way, Lichfield, Staffordshire, WS14 9UY

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The planning application is for a two storey extension to the roof top of an eight-storey building to provide 12 residential apartments, and includes refurbishments to the existing building. The existing building has consent through prior approval to be converted from offices to residential accommodation for approximately 52 apartments (application reference 2016/06891/PA).
- 1.2. The proposed extension would replace the existing roof top brick built plant room, the telecommunications equipment and the stair/lift shaft. It has been amended to reduce the scale of the rooftop extension and to improve its design to ensure a level of consistency between the existing building and the proposed extension. The extension would have a flat roof and would follow the rectangular formation of the existing building. It would be set in slightly from the main facades of the existing building and would include vertical columns to reflect the vertical brick columns in the existing building.
- 1.3. It was originally proposed to clad the existing building in a mixture of light and dark grey cladding and the proposed extension in a dark grey coloured cladding. However, following discussions with my City Design Advisor, the proposed scheme has been amended to retain the brick finish to the existing building and change the cladding to the extension to a brown colour to ensure it is in keeping with the dominant brick colour in the surrounding area. All existing windows would be replaced and the new windows to both the existing building and the extension would consist of black powder coated aluminium windows.
- 1.4. The proposed extension would provide 6 two-bed apartments (measuring either 61.1sqm or 61.4sqm in gross internal floor area) and 6 one-bed apartments (measuring 44.8sqm, 50.7sqm or 57.4sqm in gross internal floor area). Each apartment would consist of an open plan kitchen/dining/living room, separate storage cupboard and one or two bedrooms and either a bathroom or en-suite (four apartments would have both bathroom and en-suite).

- 1.5. No on-site parking provision is available or proposed. Bike and bin stores would be provided at ground floor.
- 1.6. A Design and Access Statement and Heritage Statement have been submitted in support of the planning application.
- 1.7. [Link to Documents](#)
2. Site & Surroundings
 - 2.1. The application site relates to a 1970s eight storey brick office building, which has consent through prior approval to be converted into residential apartments. The existing building is rectangular in configuration, although the first floor has additional accommodation in a 'bridge' that extends to the main Gracechurch Centre on the southern side. The main entrance is on the southern side of the building, underneath the bridge, which opens into a large glazed reception area.
 - 2.2. The site is located at the northern end of the Primary Shopping Area of Sutton Coldfield Town Centre. The site occupies a corner site adjacent to the road junctions between Brassington Avenue, Station Street, Mill Street and Victoria Road. It also lies adjacent to the High Street Sutton Coldfield Conservation Area, which extends north of the application site, on the opposite side of Station Street and Victoria Road.
 - 2.3. The surrounding area comprises predominantly commercial properties including offices, retail, bars, restaurants and public houses. The site has excellent accessibility to local shops and services including public transport services.
 - 2.4. [Site Location](#)
3. Planning History
 - 3.1. 20 October 2016 - 2016/06891/PA - Accepted as not needing prior approval for change of use from offices (Use Class B1[a]) to residential (Use Class C3) to form 52 units.
4. Consultation/PP Responses
 - 4.1. Ward Councillors, Residents Associations and adjoining occupiers were notified. Press Notice published and Site Notice displayed outside site.
 - 4.2. Sutton Coldfield Town Council - Objects to the application and considers that the proposed scheme is not in keeping with the area and they have raised concerns also about parking provision.
 - 4.3. The Gate Inn public house object to the proposed extension as they consider it would block out sunlight which helps to attract customers. They also advise that their public house is independent and a live music venue, which is not a noise problem at present because it is not a residential area.
 - 4.4. The Gate Inn public house has submitted a petition against the application, with 170 signatures, on behalf of its music loving clientele.
 - 4.5. The United Reform Church have raised no objection to the change of use of the building, however, they have asked that during any building works there is sufficient access to the Church to allow normal day to day activities to take place. The writer

also seeks reassurance that the noise, dust, debris etc., would not create a nuisance to the Church building and its users. Lastly, they have asked what parking provision has been made for future occupants of the new apartments as parking for vehicles is limited in the centre of Sutton Coldfield.

- 4.6. Conservation and Heritage Panel - Supports the application, as the building in its present form is unattractive and harmful to the setting of the Conservation Area. The Panel considered the design of the extension to be safe and some Members voiced the opportunity to be bolder in its design. The Panel requested clarification over whether there is a need to reinstate the telecoms etc.
- 4.7. Historic England - Does not support the application because of the impact of the proposed extension on the conservation area and on listed buildings in the vicinity of the site, including the Grade II listed Masonic Hall Buildings. It is expressed that the greater height of the building would cause some harm to the significance of the heritage assets by being more visually dominant. Furthermore, it is advised that the proposed scheme would not be a visual improvement.
- 4.8. Regulatory Services – No objection subject to a condition to secure an appropriate scheme of noise insulation to all windows and any other glazed areas and external doors to habitable rooms on all elevations.
- 4.9. Transportation Development – No objection subject to a condition to secure cycle parking provision.
- 4.10. Lead Local Flood Authority – No objection.
- 4.11. Severn Trent Water – No objection subject to a condition to ensure suitable drainage of the site. It is also advised that there is a public sewer located within this site.
- 4.12. West Midlands Police – No objection.
- 4.13. Network Rail - No objection and recommend the LPA and the developer (along with their chosen acoustic contractor) engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings. Network Rail further state that they are aware that residents of dwellings adjacent or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the LPA via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.
- 4.14. West Midlands Fire Services – No objection.
- 4.15. Education – No objection.

5. Policy Context

- 5.1. Birmingham Development Plan (BDP) 2017, Unitary Development Plan 2005 (saved policies), Places for Living SPG, Nature Conservation Strategy for Birmingham SPG, Car Parking Guidelines SPD, Sutton Coldfield High Street Conservation Area Character Appraisal and Management Plan (CAAMP) SPD, Sutton Coldfield Town Centre Regeneration Framework SPD, the National Planning Policy Framework

2012, Planning Practice Guidance and Technical housing standards - nationally described space standard

6. Planning Considerations

6.1. Policy Context and Principle of development

6.2. The National Planning Policy Framework (NPPF) confirms that there is a presumption in favour of sustainable development and identifies the three dimensions of sustainable development as economic, social and environmental. It encourages the effective use of land by utilising previously developed (brownfield) sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

6.3. Policy TP27 of the Birmingham Development Plan requires new residential development to be located outside of flood zones 2 and 3a and 3b, be adequately serviced by infrastructure, be accessible to local services, be sympathetic to historic, cultural or natural assets and satisfy other important land use related policies of the Plan.

6.4. The proposed two storey extension would provide 12 additional apartments to an existing 1970s office building, which has approval to be converted into 52 apartments. The application site is located in a sustainable Town Centre location where higher densities of residential development are encouraged.

6.5. I therefore consider that the principle of residential development is acceptable subject to the following assessment on whether the proposed development would be acceptable in terms of its impact on Heritage Assets, on neighbouring occupiers and upon highway safety.

6.6. Impact on Heritage Assets

6.7. The National Planning Policy Framework (NPPF) recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Great weight should be given to the conservation of designated heritage assets, including any harm or loss of significance through development within their setting. The NPPF also places great importance on development being of good design and responding to local character to ensure the integration of new development into the existing environment.

6.8. Policy TP12 of the Birmingham Development Plan states that new development affecting a designated or non-designated heritage asset or its setting, including alterations and additions, will be expected to make a positive contribution to its character, appearance and significance.

6.9. The National Planning Practice Guidance explains that setting can be more than just based on a visual assessment due to the need for additional considerations such as dust, noise and vibration from other land uses in the vicinity and by understanding the historic relationship between places.

6.10. The Sutton Coldfield High Street Conservation Area is valued for its special architectural and historic interest. It contains the only example in Birmingham of the

growth of a medieval market settlement into a small country town and of its later development as a large and prosperous suburb. There are three distinct character areas within the Conservation Area comprising the Historic Core; the Railway and Civic Centre; and the Early Twentieth Century Suburbia.

- 6.11. The application site lies adjacent to the Historic Core of the conservation area which comprises mainly eighteenth to the early twentieth century buildings. The buildings rise to between two and three storeys in height and the streetscape along Mill Street, the High Street and Coleshill Street has a tight urban grain with mainly terrace buildings occupying relatively narrow frontages with a strong building line set at the back of the pavement.
- 6.12. From within the conservation area, the application building can be viewed from Victoria Road, Mill Street and at the road junction between High Street, Mill Street and Coleshill Street. These views are limited due to the tight urban grain and also due to the differences in topography between the application site and the conservation area. The building is also visible in long views from Railway Road, however, these views are only glimpses through gaps in the trees.
- 6.13. The proposed extension would be modest in scale, providing approximately 20% more floor area and would appear as a sympathetic extension to this already tall building. I am satisfied that the scale and height of the proposed extension is acceptable in relation to the existing building and surrounding development and would not over dominate or detract from the setting of the conservation area.
- 6.14. The Conservation and Heritage Panel and my Conservation Officer raise no objection to the application. I agree with these views and consider that the existing 1970s office building in its present form is relatively unattractive and harmful to the setting of the Conservation area and that the proposed extension and refurbishments to the existing building would significantly improve the appearance of the existing building. I therefore consider that the proposed development would improve the public realm and help to enhance the views down Mill Street from within the conservation area.
- 6.15. At the northern end of Mill Street, on the east side is Vesey Gardens and the Grade I Listed Holy Trinity Church. The Holy Trinity Church is a key feature of the conservation area. It is set back from the road frontage and well screened by trees and existing buildings. The application building cannot be viewed from Holy Trinity Church or its grounds. Therefore, I do not consider that the proposed development would impact on the setting of the Church. Similarly, the proposed extension would not block views of the Church and grounds from outside the conservation area.
- 6.16. Historic England have raised concerns about the impact of the proposed development on the setting of the Grade II listed Masonic Hall Buildings (the former Town Hall), which is located on the opposite side of the road junction to the application site, and on the east side of Mill Street. I note that the guidance within the Sutton Coldfield High Street Conservation Area Character Appraisal and Management Plan (CAAMP) advises that the setting of the Masonic Hall Buildings (the former Town Hall) is eroded by the adjacent gap site which is currently being used as a BCC pay and display public car park. The CAAMP further states that this building is affected by the scale of the late twentieth development on the opposite side of Mill Street and the heavy flow of traffic on Mill Street. Acknowledging the context, and that the application building is already a tall eight-storey building which has a strong presence within the setting of the Masonic Hall Buildings and I do not

consider that the proposed extension would detract from the setting of this historic asset.

- 6.17. I conclude that the proposed extension to the application building would lead to less than substantial harm to the significance of the designated heritage assets and that this harm would be outweighed by the public benefits of the proposal in terms of the improvements to the appearance of the existing building and the provision of much needed housing, in accordance with paragraph 134 of the NPPF and policy TP12 of the BDP.
- 6.18. In terms of the impact on non-designated heritage assets, I am of the view that the proposed extension would not undermine the significance of nearby locally listed buildings, including The Gate Inn public house, the Baptist Church and the Baptist Church Centre, which are all Locally Listed Grade B buildings. The proposed scheme is therefore in accordance with paragraph 135 of the NPPF and policy TP12 of the BDP, which seek to conserve the significance of non-designated heritage assets.
- 6.19. Noise Issues and Residential Amenity
- 6.20. The existing building already has consent to be converted into residential accommodation and I do not consider that the introduction of further high level residential development would have an additional adverse impact on adjoining town centre occupiers, including The Gate Inn public house.
- 6.21. Regulatory Services raises no objection subject to an appropriate noise insulation scheme to protect residents from traffic noise. Regulatory Services do not consider that the proposed apartments would be adversely affected by noise and vibration from the nearby operational railway and Network Rail has raised no objection to the application. I agree with these comments and have attached a condition to secure an appropriate scheme for noise insulation.
- 6.22. In terms of the proposed living accommodation, the application includes an indicative furniture layout for each apartment which shows that the apartments would provide acceptable living accommodation for future occupiers in terms of layout and size. All apartments would exceed the minimum gross internal floor areas for new dwellings as set out in the government's nationally described space standard. I therefore consider that the proposed development would provide a good standard of amenity for future occupiers, in accordance with policy PG3 of the Birmingham Development Plan and the National Planning Policy Framework.
- 6.23. Impact on Highway Safety
- 6.24. The existing building has no off-street parking provision and has approval for residential use for approximately 52 apartments. The application site is highly accessible by a range of public transport modes including trains and buses, and local routes for cyclists and pedestrians. Transportation Development raises no objection to the application. I therefore consider that the proposed development would not result in an adverse impact on the local highway network.
- 6.25. Other Matters
- 6.26. I consider it necessary to recommend a construction management plan to be secured and agreed to ensure construction traffic and materials do not impede highway safety or use of the adjoining church premises.

6.27. I note the objection from The Gate Inn public house about loss of sunlight to their premises. Given the separation distance between the application building and the public house, I do not consider that the proposed extension would result in a significant loss of sunlight to the public house.

6.28. Community Infrastructure Levy (CIL)

The development is liable for CIL and the submitted application forms specify that the floor area of the development would be 784sqm GIA. This would equate to a payment of £54,096.

7. Conclusion

7.1. The proposed development would provide additional high quality housing in a sustainable town centre location. The proposed extension would be modest in scale and would have a sympathetic design to ensure it relates well with the existing building and does not appear overly dominant. The proposed refurbishments to the existing building and the design of the extension would improve the visual appearance of the building, improve the public realm and help to make a positive contribution to the setting of nearby listed buildings and the character and appearance of the adjacent conservation area. The proposed development would be accessible by all forms of transport and would not result in a detrimental impact on parking demand within the town centre or upon highway safety. I therefore consider that the proposed development would accord with relevant local and national planning policies.

8. Recommendation

8.1. I recommend approval subject to the following conditions:

-
- | | |
|---|--|
| 1 | Requires the prior submission of sample materials |
| 2 | Requires the prior submission of window frame details |
| 3 | Requires the prior submission a noise study to establish residential acoustic protection |
| 4 | Requires the prior submission of cycle storage details |
| 5 | Requires the prior submission of a construction method statement/management plan |
| 6 | Requires the scheme to be in accordance with the listed approved plans |
| 7 | Implement within 3 years (Full) |
-

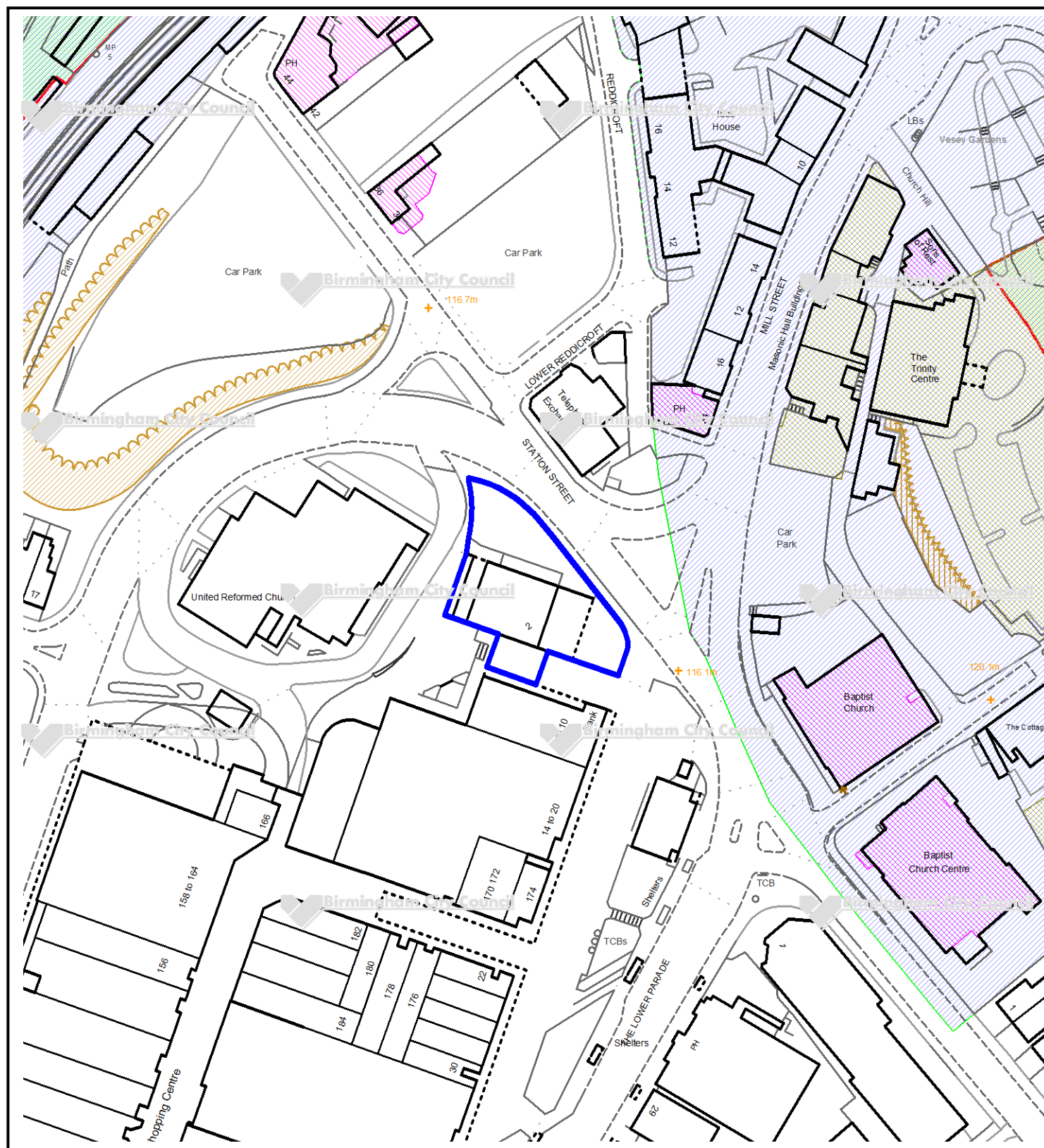
Case Officer: Helen Hawkes

Photo(s)



Application site

Location Plan



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Birmingham City Council

Planning Committee

11 May 2017

I submit for your consideration the attached reports for the **City Centre** team.

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Defer – Informal Approval	10	2016/10683/PA Sherborne Street Former Council Depot Ladywood Birmingham Clearance of the site and erection of buildings containing 146 apartments, car parking, landscaping, access and ancillary works
Defer – Informal Approval	11	2017/00544/PA Vacant plot on corner of Hampton Street and Henrietta Street Jewellery Quarter Birmingham B19 3LS Erection of a 4 storey building to create 32 apartments
Approve - Conditions	12	2017/02162/PA Former Post & Mail Printing Works Weaman Street City Centre Birmingham B4 6AT Reserved Matters Application for Phase 2 for 12 new storeys above Phase 1 for office use and rooftop plant
Approve - Conditions	13	2017/01976/PA Former Post & Mail Printing Works Weaman Street City Centre Birmingham B4 6AT Reserved Matters Application for Phase 2 for 13 new storeys above Phase 1 for office use and rooftop plant

Approve - Conditions

14

2017/01706/PA

Former Post & Mail Printing Works
Weaman Street
City Centre
Birmingham
B4 6DG

Reserved Matters Application for Phase 2 for 14
new storeys above Phase 1 for office use and
rooftop plant

Committee Date:	11/05/2017	Application Number:	2016/10683/PA
Accepted:	11/01/2017	Application Type:	Full Planning
Target Date:	12/05/2017		
Ward:	Ladywood		

Sherborne Street, Former Council Depot, Ladywood, Birmingham,

Clearance of the site and erection of buildings containing 146 apartments, car parking, landscaping, access and ancillary works

Applicant: Inland Ltd
c/o agent
Agent: Nexus Planning
Suite A, 3 Weybridge Business Park, Addlestone Road, Weybridge, Surrey, KT15 2BW

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal

- 1.1. Proposal is for the clearance of the site and erection of buildings containing 146 apartments, car parking, landscaping, access and ancillary works.
- 1.2 The accommodation would be provided in two main blocks fronting Sherborne Street separated by a new access route to the canal. The larger of the blocks would be positioned to the eastern end of Sherborne Street and would comprise of a frontage block facing onto both Sherborne Street and Grosvenor Street West with two wings to the rear, one of which would run along the eastern side of the proposed new route. The frontage block would range in height between 4-6 storeys and the wings would range in height between 3-6 storeys.
- 1.3 The smaller block would be positioned to the western end of Sherborne Street and provide frontages to private road access adjacent to 1 Sherborne Gate, the proposed new access route and Psonex house to the rear. This block would range in height from 2 to 4 storeys and step up and away from 1 Sherborne Gate.
- 1.4 The buildings would be of a modern, flatted roofed, simple design with floor to ceiling openings and projecting and recessed balconies articulated in a standard rhythmical pattern. The two blocks would be different shades of buff/brown brick but use the same 'other materials' such as perforated bricks, coloured glazed brick between windows, coloured render, timber cladding and powder coated metal balustrades. In addition a suite of window types would be used across the scheme with larger windows used for rooms such as living room/kitchens. Some windows would be recessed whilst others would be flush. Specific material and window reveal detail would be required by condition.

- 1.5 A new access is proposed off Sherborne Street and would provide vehicular access to the underground parking for a total of 102 cars. The underground car park would be created by virtue of the land level changes north from Sherborne Street. 3 surface level car parking spaces would also be provided along the new access road, providing a total of 105 car parking spaces. 136 bicycle spaces would be provided within 3 bike stores across the site. It is envisaged that the access would provide a new pedestrian link to the canal when the site to the north, in the applicant's ownership, is brought forward.
- 1.6 Two private courtyards would be created between the wings of the larger block and site on the 'podium' over the 'basement' car park and provide approx. 800sqm of communal space. 65 of the units (47%) would also have private terrace/balconies.
- 1.7 The development would comprise 1 studio apartment at 41.6 sqm, 47 one bed apartments at 50 sqm, 71 two bed apartments at 62 sqm and 27 two bed apartments at 70 sqm.
- 1.8 Amended plans have been submitted, and consulted on, and include alterations to address the lack of ground floor activity, removal of some rear balconies, alteration of the wing running along the proposed new route, introduction of a 'stepped' building adjacent to Dakato Apartments, removal of 'loitering areas', separate entrances for bike and bin stores and additional green roofing.
- 1.9 A Planning Statement (including community involvement), Design and Access Statement, Landscaping Strategy, Noise Assessment, Heritage Assessment, Transport Statement, Daylight and Sunlight Report, Archaeological Desk based Assessment, Phase 1 Geo-Environmental Desk Study, Ecological Assessment, Flood Risk Assessment and Drainage Strategy, Commercial Assessment Report and Viability Assessment have been submitted in support of the application.
- 1.10 The application has been screened at pre-application stage where it was concluded that the development would not be EIA development requiring the provision of an Environmental Statement.
- 1.11 [Link to Documents](#)
2. Site & Surroundings
- 2.1. The application site is a cleared area of land, which was the site of a former Local Authority depot. The site covers an area of approx. 0.49 hectares. It is situated towards the west of the City Centre in the Ladywood and Westside part of the City Centre. The area around the site is predominantly residential with a variety of apartments and more traditional family dwellings. Beyond this the character is more mixed with the larger commercial premises/mixed uses located toward the east, off Broad Street, including Brindley Place. The site is primarily a rectangular shape and has three road frontages. The frontage onto Grosvenor Street West (to the east) returns and follows the main frontage to Sherborne Street. Here the road slopes down to the north-west before returning for a short distance along the private access known as Sherborne Gate, to the wharf. The site is currently fenced off and, largely, cleared.
- 2.2. Level changes occur across the site. A 5m change in levels is evident across the length of the site on the Sherborne Street frontage. There is also a substantial change in levels between the site and Sherborne Wharf to the rear (north), down to which there is a drop of approximately 3m.

- 2.3. To the north-east of the site, at this lower level, is the Sherborne Lofts development. This is a feature building, set in its own space with a curved roofline. The building has been converted to residential use and has double height windows serving the main open plan living accommodation. Adjacent to this, fronting Grosvenor Street West, are the 2.5 storey Dakota Apartments, with the listed Old Union Mill building beyond. Traditional 2 storey dwellings front Grosvenor Street West on the east side. Directly adjacent, to the rear, is the actual wharf including boat yard and residential moorings with industrial buildings and a two storey office building which is currently vacant.
 - 2.4. To the north-west is the building known as No 1 Sherborne Gate, it is a converted two storey office building (converted to residential in approx. 2002) running the length of the private access to the wharf. This building is painted yellow and has strong visual appearance in the streetscape. Behind this is a cleared site and the larger Sherborne Mill, which has been converted/extended for residential use and fronts the canalside square. Running along the length of the southern side of Sherborne street is the 'Jupiter' development with perimeter blocks facing the road having heights of between 4 and 8 storeys.
 - 2.5. [Site location](#)
 3. [Planning History](#)
 - 3.1. 24th September 1998 – 1996/03550/PA (south eastern part of site) – 11 proposed new build apartments for residential use. Approved.
 - 3.2. 27th July 2006 – 2005/06080/PA – Erection of mixed use development comprising 185 apartments and two commercial units (classes A1-A5, B1 and D1) and associated infrastructure. Appeal against non-determination dismissed for 185 apartments but allowed for 167 apartments by the Secretary of State 27th July 2006 but this appeal decision was then quashed 26th February 2007 due to the Inspector's failure to assess the impact of loss of light.
 - 3.3. 11th September 2007 – 2006/07792/PA – Erection of mixed use development comprising 167 apartments (C3) and two commercial units (Class A1-A3, A5, B1 and D1). Approved with conditions and S106.
 - 3.4. 30th September 2008 – 2008/04062/PA – Erection of 2m high palisade fencing as part of associated demolition works. Approved.
 - 3.5. 13th September 2012 – 2012/04442/PA – Outline application with details of access, appearance, layout and scale for determination and landscaping reserved, for the construction of 31 x 3 bedroom and 4 x 2 bedroom town houses with associated parking. Approved with conditions and S106.
 - 3.6. 13th November 2015 – 2015/07052/PA – Reserved matters application for landscaping in connection with application 2012/04442/PA for erection of 31 x 3 bedroom and 4 x 2 bedroom townhouses with associated parking. Approved.
- 30-33 Sherborne Street
- 3.6. 28th March 2011 – 2011/00640/PA – Outline planning application for the erection of 7 three storey dwellings in two terraced groups with ancillary parking and access. Approved with conditions.

- 3.7 5th April 2016 – 2015/08644/PA – Construction of part four and part five storey building to provide 21 apartments, means of access and associated car parking. Approved with conditions and S106.

4. Consultation/PP Responses

- 4.1. Canal and River Trust – Conditions with regard landscape and lights, and informatives regarding surface water and site operations are required.
- 4.2. Lead Local Flood Authority – Principles of the drainage strategy are acceptable and conditions are recommended.
- 4.3. Leisure Services – This development is liable for an off-site contribution of £325,000 which would be spent on the provision, improvement and/or maintenance of POS at Edgbaston Reservoir within the Ladywood Ward.
- 4.4. Severn Trent – no objection subject to conditions.
- 4.5. Transportation Development – Conditions recommended
- 4.6. Regulatory Services – Object to the proposal on the basis that the future occupiers would be adversely affected by noise from the adjacent works if they opened their windows and sealed units would not be acceptable.
- 4.7. West Midlands Police – Access to bike stores via bin stores unacceptable, controlled access to car parking areas required, dwellings need to be constructed according to the standards laid out in Secured by Design 2016, conditions required to secure appropriate lights, cctv coverage and management of bin areas and mail delivery.
- 4.8. CABI – The scheme was presented to CABI during the pre-application process. Revisions to elevations and landscaping were made following their comments.
- 4.9. Local resident associations', neighbours, Ward Councillors, MP and District Director have been notified. Site and press notices have also been displayed. 9 objection letters and 6 letters of comment raising the following concerns have been received:

The proposal would be closer than developments previously approved with more balconies resulting in overlooking and a loss of privacy, the proposal would also result in a loss of light and overshadowing. The proposal would be overintensive and of an overbearing mass which would dominate the canal out of keeping with the surrounding area, the design is standard and disappointing and lacks in place making, it would have an adverse impact on the visual amenity and result in a loss of view. It also includes an inadequate light analysis. Proposed mix is inadequate and affordable housing is required. The proposal would also have an adverse impact on the existing highway due to more cars and an inadequate car parking provision. The impact of the construction period would be unacceptable, the previous application was much better, noise levels would be adversely affected and there are insufficient facilities such as doctors/dentists in the vicinity for new residents.

5. Policy Context

- 5.1. Birmingham Development Plan 2017 (BDP), Saved policies of the UDP 2005, Places for Living (2001), Places for All (2001), Affordable Housing (2001), Public Space in new Residential Development (2007), Car Parking Guidelines (2012), Sherborne Street Development Brief (2000), Nature Conservation Strategy for Birmingham (1997) and National Planning Policy Framework.

6. Planning Considerations

Background

- 6.1 Your Committee has previously considered this site on a number of occasions. The most recent being an application for reserved matters, 2015/07052/PA, for the erection of 31 x 3 bedroom and 4 x 2 bedroom townhouses with associated parking following outline consent in 2012. Prior to this your Committee considered an application for development of this site by Cala Homes for 167 apartments and two commercial units contained within a 4-7 storey building fronting both Grosvenor Street West and Sherborne Street, with two central 3 and 4 storey wings (2006/07792/PA). This was approved subject to a section 106 agreement for 11, one bed units at 75% discount and a new pedestrian route subject to the site to the north being developed. This application followed a previous one for 185 units which was quashed due to the failure of the Inspector to consider the level of daylight within 1 Sherborne Gate. The planning permission for the 35 houses is extant whilst the planning permission for 167 apartments expired in 2010. There is therefore a history of residential approvals on this site including for high density apartments.

Land use

- 6.2 Since the consideration of the most recent application on this site the Birmingham Development Plan (BDP) 2017 has been formally adopted and now forms the basis of the statutory planning framework.
- 6.3 The application site is located in the City Centre Growth Area as defined by BDP policy GA1. Policy GA1.1 states that the City Centre will be the focus for retail, office, residential and leisure activity. Furthermore, policy states that "Residential development will continue to be supported in the City Centre where it provides well-designed high quality living environments..." The application site lies within the Westside and Ladywood Quarter of the city centre, the aim for which is to "Create a vibrant mixed use area combining the visitor, cultural, commercial and residential offer into a dynamic well connected area.....". The application site is identified for residential development within the Sherborne Street Development Brief and within the 2016 Strategic Housing Land Availability Assessment (SHLAA). National planning policy also remains as previously, and as such, seeks to encourage well designed residential developments on brownfield land within sustainable locations.
- 6.4 Policy encourages the provision of mixed use developments. However, given the sites location in a largely residential area off Broad Street and existing unsuccessful commercial uses within the vicinity, as cited within the submitted Commercial Report, I consider it would be to the detriment of the overall scheme to require ground floor commercial uses to be introduced in this instance.
- 6.5 I therefore consider that the principle of residential development is acceptable in this location subject to detailed matters.

Siting/mass/design

- 6.5 Local and national policy requires high quality residential development and, in particular, the Sherborne Street Development Brief identifies a series of planning and design principles, including building heights, pedestrian permeability, materials, design and car parking for the site.
- 6.6 The current proposal would range in height between 2-6 storeys, it would provide two blocks of perimeter development with active frontages, result in development at a scale reflective of and appropriate to the surrounding existing development, provide a clear distinction between public and private spaces, provide a public route through a good level of private amenity and its siting and massing is similar to the 2006 Cala Homes application which was accepted as complying with planning policy.
- 6.7 I also note that the Head of City Design considers the design results in a robust and simple building form which would be broken up, and well-articulated by the use of large window openings and a mix of projecting and recessed balconies which would provide depth and interest to the elevations. Further the use of a palette of materials across the two blocks would tie the development together, complement the buildings form and ensure its mass is not over dominate.
- 6.8 Internally the accommodation would range in size between 41.6 sqm – 70 sqm and would provide accommodation in line with national standards with a good percentage of 2 bedroom units (66%). A number of the apartments would have patio/balcony areas and there would be 2 private courtyard areas which would provide in excess of 800sqm of communal amenity space. I therefore consider the scheme would provide a good level of accommodation, particularly given its location within the City Centre where external amenity is not normally provided.
- 6.9 I therefore consider the design, scale and mass of the development is in accordance with policy.

Residential amenity

- 6.10 The scheme is adjacent to a number of existing residential properties – namely houses opposite on Grosvenor Street West, the Jupiter development on the opposite side of Sherborne Street, Sherborne Lofts and no 1 Sherborne Gate, with Sherborne Mill beyond.
- 6.11 As noted above the siting and footprint of the current proposal is similar to that of the previously approved 2006 scheme and would not get closer to existing properties with the exception of 1) the centrally located rear wing on the larger block, 2) a two storey element opposite 1 Sherborne Gate and 3) the smaller perimeter block would be closer to Psonex House.
- 6.12 The previously approved scheme had a minimum distance of 15m between the end of the wings and windowed elevations of Sherborne Lofts. The current proposal shows the centrally located wing would extend almost to the site boundary reducing the separation distance between the proposed development and Sherborne Lofts. Consequently, amendments have been made to reduce the width of the wing resulting in the closest 3 storey element of the proposed building being amended to ensure there was a minimum of 14m from the nearest corner of Sherborne Lofts. Further due to the angled nature of the proposed wing the nearest window would be in excess of 16m and there would be no windowed elevations directly facing Sherborne Lofts any closer than the previously approved scheme. I also note that

the angled nature of the wing would mean the aspect to Sherborne Lofts would be more open. Projecting balconies have also been removed from the internal courtyard closest to Sherborne Lofts. I therefore consider the proposed development would not provide any greater opportunities for overlooking than the previously approved scheme and would not adversely affect the amenities of existing residents sufficient to warrant refusal.

- 6.13 1 Sherborne Gate was converted in around 2003 from an industrial building to a 2 bedroom unit and has its living accommodation at first floor with garage/storage areas at ground floor. The previously approved 2006, scheme included a single storey non active wing with communal amenity area above, opposite 1 Sherborne Gate. The current scheme would front the private highway with windowed elevations at 2 storeys. There are no habitable windows at ground floor in Sherborne Gate and it is therefore appropriate to consider the developments impact as a single storey element for which Places for Living does not provide specific guidance. The introduction of an active perimeter block with ground and first floor habitable windows to the private highway results in a much better form of urban design and significantly improves the natural surveillance of this area. Further I note that the separation distance of approx. 11m across an existing highway would not be unusual within such an urban location and that the first floor windows have been repositioned to ensure they do not line through directly with the existing windows at 1 Sherborne Gate.
- 6.14 The proposed smaller block would be close to the sites rear boundary and Psonex House to the north of the site. Whilst its lawful use is that of an office it is anticipated that it will be brought forward for residential redevelopment. Indicative plans for Psonex House have been submitted to demonstrate how it may be converted and amended plans have been submitted relocating windows on the rear elevation of this block to prevent overlooking.
- 6.15 I am therefore satisfied that the amended proposal would accord with the spirit of guidance within Places for Living and would not adversely affect the amenities of existing or future occupiers nor prejudice the future redevelopment of Psonex House by virtue of overlooking.

Sunlight/daylight

- 6.16 Notwithstanding the above, local residents have raised concerns about the loss of light and a Sunlight/daylight Assessment has been submitted in support of the current application. This assessment considers the impact of the proposed development on surrounding properties against the sites current form (vacant) and against the scheme as approved under 2006/07792/PA.
- 6.17 The Sunlight/daylight Assessment submitted in support of the 2006 apartment scheme was accepted as meeting the standards set out in the Building Research Establishment Report (BRE) and, as such, it was accepted that the then proposed development would not have an adverse impact on neighbouring properties.
- 6.18 The current report identifies that Liberty Place, Sheepcote Street, 18-20 Grosvenor Street West, The Glasshouse, Morville Street, King Edward Wharf, Browning Street and 1 Sherborne Gate would comply with the BRE Guidelines in terms of VSC (vertical sky component), daylight distribution and APSH (annual probable sunlight hours). Further the report concludes that the proposal's impact is considered to be equal or better than the previously approved (2006) scheme with the majority of rooms and windows around the development site fully compliant with the BRE

Guidelines. However, even in the isolated locations where the BRE Guidelines are not met (less than 5% of windows surveyed), the impacts and retained levels are considered good given the sites urbanised location and the change so marginal when compared to the previous scheme that existing occupants would not notice the difference.

- 6.19 Therefore, on the basis of the scale, massing and location of the proposed development, the site's locality, the content of the Sunlight/daylight Assessment and the historical consents on the site I find no reason to reject the report. I therefore accept that the proposal would not adversely affect the amenities of existing resident's by virtue of loss of light sufficient to warrant refusal.

Housing mix

- 6.20 The amended scheme proposes a total of 48 one bed apartments and 98 two bed apartments. However local residents have raised concerns about the mix of units particularly in relation to the number of 1 bed apartments given the BDP identifies a greater need for 3 and 4 bed units. Consequently, the agent has submitted information demonstrating that the composition of the household size in this area differs to the wider Birmingham market with a greater concentration of smaller 1 and 2 bed households in this location. In addition, the agent has advised that further analysis of the 2011 census data demonstrates that this area has approx. 31% of households under the age of 35 in contrast to the whole of Birmingham where that figure is 22% and that this area has a significantly higher proportion of people with greater education qualifications.
- 6.21 Therefore, whilst the City's housing evidence base indicates that there is a need for larger properties this is with reference to Birmingham's strategic housing area as a whole. It does not take account of demand in more localised locations such as the City Centre where there is significantly less land available, housing densities are expected to be higher and detailed data analysis suggests demand for smaller units is more likely. I also note policy TP28 which identifies the need for in excess of over 8000 new homes up until 2031 and that the current scheme would also positively contribute towards the City's windfall figures. I therefore consider the proposed mix is acceptable and in line with policy.

Noise

- 6.22 A noise assessment has been submitted in support of the application which highlights that on warm summer days there may be some noise generated by the telephone exchange, the "works", on the corner of Sherborne Street and Grovensor Street West. Additional information has been provided to demonstrate how both mechanical and natural ventilation options would be provided to the affected facades. Notwithstanding this, Regulatory Services object to the proposal on the basis that future occupiers would be adversely affected if they chose to open their windows (natural ventilation).
- 6.23 However, there is a long history of residential approvals on this site to which Regulatory Services have not previously objected. I also note there have been no recent planning permissions for the "works" which would change the circumstances against which this residential scheme is being assessed. Mechanical ventilation will be provided and whether mechanical or natural ventilation is used will be down to individual preference. I therefore consider that, subject to conditions, the amenities of existing and future occupiers will not be adversely affected and I raise no objection to the proposal on the basis of noise and disturbance.

Planning obligations

- 6.24 TP9 requires new public open space should be provided in accordance with the Public Open Space in New Residential Development SPD whilst TP31 requires 35% affordable housing unless it can be demonstrated that this would make the development unviable.
- 6.25 A financial appraisal has been submitted to demonstrate that, with a policy compliant contribution, the scheme would not be financially viable. An independent assessment has been commissioned by the City which agrees that the development is not viable with a full policy compliant scheme but considers that the scheme could support a financial contribution of £547,500.
- 6.26 Given the nature of the city centre development this contribution could be used towards off site affordable housing and enhancement of the public realm or existing open space. There are insufficient monies to include a contribution towards education. In this case I consider most of the money should go towards affordable housing, £400,000, with the remaining £147,500 to open space. This would be directed to enhancements at Edgbaston Reservoir for which there is an emerging masterplan and that this would comply with the CIL Regulations 2010.

Transportation Development

- 6.27 The proposal includes provision for 105 parking spaces and 136 bicycle spaces. The proposal is for 146 apartments and a car parking ratio of 77% and 93% bicycle parking would be therefore be provided. However, as with previous applications on this site a number of strong objections have been received in terms of the level of car parking proposed and the impact this development would have on the surrounding highway.
- 6.28 The level of car parking and cycle parking provision is similar to previously approved schemes on the site, local roads are generally subject to parking controls and census data confirms that half of local residents do not own a car. Furthermore, the site is excellently located for public transport close to bus, tram and train stops/stations and within walking distance of a wide range of facilities. I also note that this level of provision compares favourably to other residential schemes in the vicinity. I therefore concur with Transportation Development who raise no objection to the proposal subject to conditions, which I attach accordingly.

Other

- 6.29 The site is located within an air quality management zone (AQMA) (as is the whole of Birmingham), however Regulatory Services have confirmed that an Air Quality assessment is not required as the air quality in this location is acceptable.
- 6.30 The Land Contamination Survey suggests further survey work prior to the commencement of the development and appropriate conditions are recommended.
- 6.31 Severn Trent, Lead Local Flood Agency and the Canals and River Trust raise no objection to the proposed development subject to safeguarding conditions which are recommended accordingly.

6.32 My ecologist agrees with the ecological report submitted which identifies the site to currently be of a low ecological value. Therefore the mitigation and the green/brown roofs proposed would improve the biodiversity of the site in accordance with policy and I recommend safeguarding conditions accordingly.

6.33 The proposed development does not attract a CIL contribution.

7. Conclusion

7.1. The proposals, in their amended form, would result in a sensitive and well-designed, well-articulated development which has been supported by extensive supporting information, including a BRE Sunlight/daylight assessment, to demonstrate that existing residents would not be adversely impacted. The developer has also agreed to a financial contribution.

7.2. The proposal would therefore result in a high quality brownfield development within a sustainable City Centre location in accordance with the aims and objectives of both local and national planning policy. Therefore, subject to the signing of the S106 agreement, the proposal should be approved.

8. Recommendation

8.1. That consideration of planning application 2016/10683/PA be deferred pending the completion of a planning obligation agreement to secure the following:-

- a) A financial contribution of £400,000 (index linked from date of resolution) towards affordable housing within the City.
- b) A financial contribution of £147,500 (index linked from date of resolution) towards the provision or improvement of public open space at Edgbaston Reservoir.
- c) Payment of a monitoring and administration fee associated with the legal agreement of 3.5% of the financial contribution subject to a maximum of £10,000

8.2 In the absence of a suitable planning obligation agreement being completed to the satisfaction of the Local Planning Authority before 12th May 2017 the planning permission be refused for the following reason:

- a) In the absence of any suitable legal agreement to secure a financial contribution towards affordable housing and public open space the proposal would be contrary to Policy TP9 and TP31 of the Birmingham Development Plan.

8.3 That the City Solicitor be authorised to prepare, seal and complete the planning obligation.

8.4 That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority before 12th May 2017, favourable consideration be given to this application, subject to the conditions listed below.

1	Requires the prior submission of a contamination remediation scheme
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-
- 2 Requires the prior submission of a sustainable drainage scheme
 - 3 Requires the prior submission of a drainage scheme
 - 4 Requires the prior submission of hard and/or soft landscape details
 - 5 Requires the prior submission of boundary treatment details
 - 6 Requires the prior submission of earthworks details
 - 7 Requires the prior submission of a landscape management plan
 - 8 Requires the prior submission of details of green/brown roofs
 - 9 Requires the prior submission of level details
 - 10 Requires the scheme to be in accordance with the listed approved plans
 - 11 Requires the prior submission of a parking management strategy
 - 12 Requires gates to be set back
 - 13 Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
 - 14 Requires the prior submission and completion of works for the S278/TRO Agreement
 - 15 Requires the prior submission of details of turning, loading and parking
 - 16 Requires the provision of cycle parking prior to occupation
 - 17 Requires the prior submission of a construction method statement/management plan
 - 18 Requires the prior submission of sample materials
 - 19 Requires the prior submission of a CCTV scheme
 - 20 Requires the prior submission of a lighting scheme
 - 21 Requires the prior submission of details of bird/bat boxes
 - 22 Secure public access to the canal
 - 23 Secure noise mitigation
 - 24 Requires the provision of a vehicle charging point
 - 25 Implement within 3 years (Full)
-

Case Officer: Joanne Todd

Photo(s)



Picture 1: Across the site

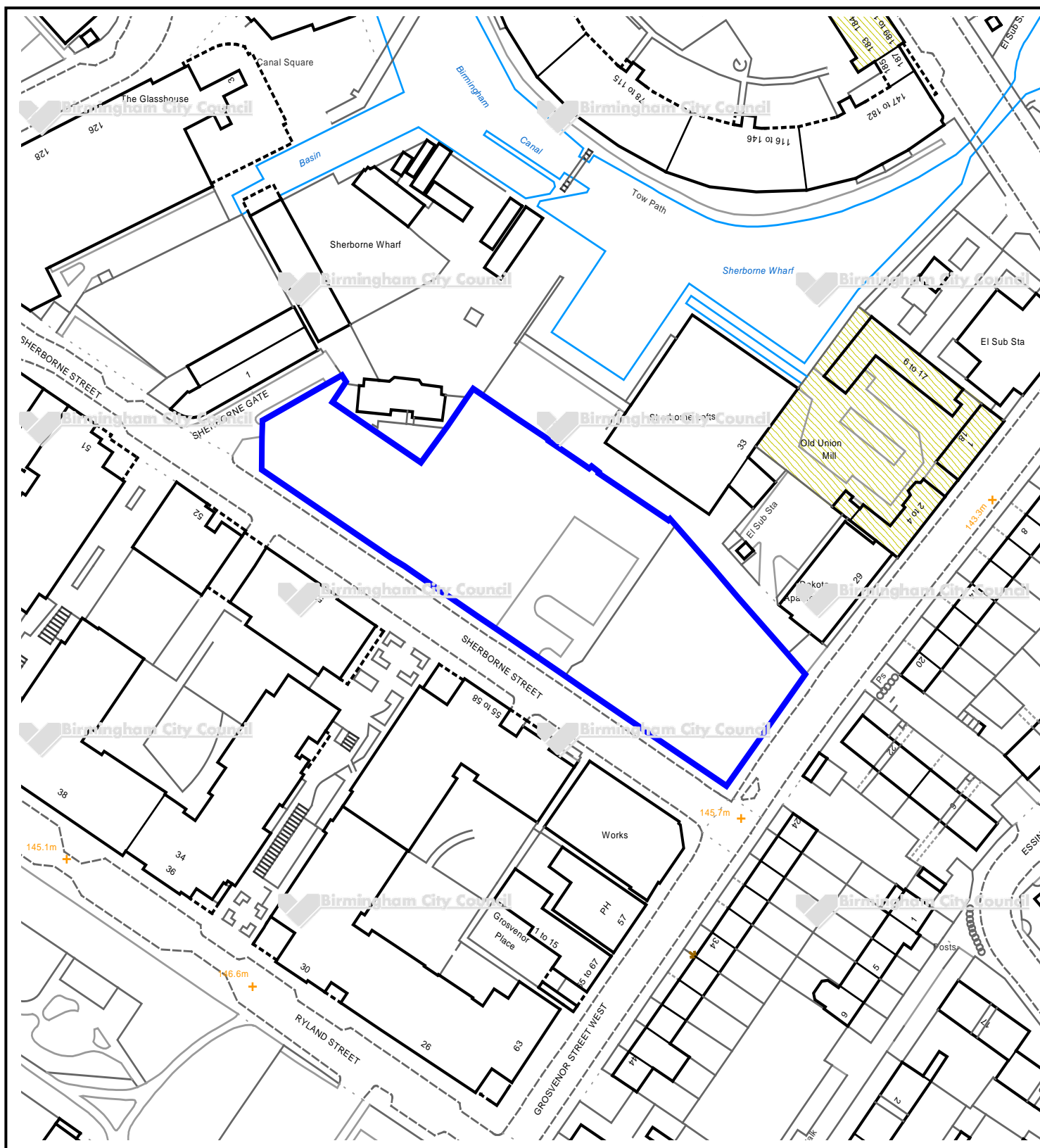


Picture 2: Looking at site and along Grosvenor Street West



Picture 3: Sherborne Wharf from Sherborne Street across the site

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/00544/PA
Accepted:	25/01/2017	Application Type:	Full Planning
Target Date:	19/05/2017		
Ward:	Aston		

Vacant plot on corner of Hampton Street and Henrietta Street, Jewellery Quarter, Birmingham, B19 3LS

Erection of a 4 storey building to create 32 apartments

Applicant:	Queensbridge Homes c/o Agent
Agent:	PADD Limited 20-22 Wenlock Road, London, N1 7GU

Recommendation

Approve Subject To A Section 106 Legal Agreement

1. Proposal
 - 1.1. Planning consent is sought for the erection of a 4 storey building to create 32 apartments comprising a mix of 1, 2, 3 and 4 bedroom units.
 - 1.2. The proposal seeks to provide 5 x 1-bedroom apartments; 22 x 2-bedroom apartments; 4 x 3-bedroom apartments and 1 x 4-bedroom apartment. The one bedroom units range from 41sqm – 55sqm; the two bedroom units range from 61.2sqm-90sqm; the 3 bedroom apartments range from 96.9sqm – 122.6sqm and the 4 bedroom unit would be 123.9sqm.
 - 1.3. Due to land level variation across the site the proposed development would be three storeys facing onto Bond Street and increase to four storeys as the development wraps around Hampton Street and Henrietta Street. The proposed scheme would be developed up to the back of pavement. An internal courtyard is proposed to the rear of the site. The main entrance to the building would be on the corner of Hampton Street and Bond Street.
 - 1.4. The proposed building is to be constructed predominantly in brick work with stone detailing and a slate roof. Included in the design of the building is brick corbelling to the head and reveals of main windows and the entrance door and corbelling details to create a recess where rain water goods are proposed. Windows are proposed in a rhythmic pattern cross the buildings street facing elevations. The proposed blank rear elevation visible from Henrietta Street has been designed with a contemporary false chimney stack finish to the top with projecting brick details following the window bays on the main street elevations. The rear elevation facing onto the private internal courtyard would have a more simplistic finish than the detailed brick work proposed on the street facing elevations.
 - 1.5. The proposal seeks to provide accommodation in the roof space of the building with conservation roof lights proposed in the slope of the roof to provide light to habitable rooms in this space. Fronting the roof would be a shallow stone parapet and the roof

pitch proposed is also reasonably shallow.

- 1.6. The proposal includes no car parking provision but seeks to provide 32 cycle parking spaces within the lower ground floor.
- 1.7. A planning obligation of £230,000 towards an off-site affordable housing contribution is proposed as part of this scheme.
- 1.8. Supporting documents submitted within this application include a Nosie Assessment; Heritage Statement; Transport Statement; Site Investigation; Sustainable Urban Drainage Assessment and Financial Viability Appraisal and Design and Access Statement.
- 1.9. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises a vacant plot on the corner of Henrietta Street, Hampton Street and Bond Street. The site is located within the viaduct sub-area of the Jewellery Quarter Conservation Area. The site was previously occupied by a building in use as a night club which was demolished following the grant of planning consent in July 2006 under application reference 2006/02392/PA for the erection of a mixed use development consisting of residential units and business floor space. The site has been vacant for a number of years following demolition as this previous consent was never implemented.
- 2.2. There are a number of heritage assets within the close proximity of the application site including the grade II listed Hen and Chicken public house (now converted to a restaurant) to the south of the site; 31-51 Constitution Hill a row of grade II listed buildings to the south west of the site and 1-3 Bond Street to the north west of the site which is a grade C local listed building.
- 2.3. The application site is located in a mixed character area with surrounding uses including a restaurant, workshops, warehousing uses, shops with residential at upper floor levels.
- 2.4. [Site location](#)

3. Planning History

- 3.1. 17/07/2006 - 2006/02392/PA - Demolition of nightclub and erection of mixed use development consisting of 24 residential units (C3 use) and 2 business units (B1), plus associated parking, access and amenity space – Approved subject to conditions and a S106 Legal Agreement for £36,00 (index linked) towards the improvement/ creation of public open space in Aston Ward and a sum of £22,169 (index linked) as compensation for the loss of three on street pay and display parking spaces.

4. Consultation/PP Responses

- 4.1. Transportation Development - No objection subject to conditions. The proposal includes no car parking but provides 32 cycle parking spaces on the lower ground floor. No objection is raised to zero parking provision given the surrounding roads are all subject to parking controls and the site is close to the City Centre. Conditions

are recommended for redundant footway crossing on Hampton Street to be reinstated to full height and cycle parking to be provided prior to occupation.

- 4.2. Regulatory Services – The supporting Noise Assessment has been reviewed. The noise impact of the nearby Asylum night club has been assessed and is a concern. The noise impact is due both to music arising at the premise and from street noise associated with club activity. Acoustically specified glazing and ventilation has been suggested by the applicant. Mitigation of commercial noise sources should not consist solely of acoustically specified glazing and ventilation, as it is considered appropriate that future occupiers should be able to open their windows without exposure to significant noise disturbance.
Noise from other commercial activities in the vicinity has been assessed and reported as low impact.
- 4.3. Leisure Services - No objections to this application, however this scheme of over 20 dwelling would be subject to both off –site public open space (POS) and play area contributions in accordance with the BDP. Based on the residential mix proposed a total contribution of £133,875 should be sought. This would be spent on the provision, improvement and or maintenance of POS and Play at St Georges Park, Tower Street Recreation Ground and Newtown POS all within the Aston Ward.
- 4.4. West Midlands Police – Secure cycle racking should be provided and the scheme should adhere to the principles set out in Secure by Design. CCTV is recommended and a management plan should be put in place for refuse collection and post-delivery to prevent unauthorised access to the building.
The majority of the ground floor apartments have windows accessible directly from the public pavement. This could lead to people adversely affecting the lives of residents within by simply banging on the windows, these windows could also provide an option for offenders to gain access to these rooms, non-opening windows onto the public realm would improve the security of the building at this level.
- 4.5. Severn Trent – No objections subject to the inclusion of a condition for the development not to commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details.
- 4.6. Lead Local Flood Authority – The submitted details are acceptable subject to safeguarding conditions ensuring that sustainable drainage methods are adhered to during construction and therefore after maintained.
- 4.7. Conservation Heritage Panel – Some panel members considered the scale of the building to be too tall and accommodation in the roof space to be out of character and that the removal of accommodation in the roof would allow a better proportioned structure to be designed. The degree of modelling was initially considered to be good, however the panel felt that there is a need to understand how the building will be delivered (for example if brick slips are proposed then what will be the quality of the finish). There was a concern that the true modelling might be weak and that the design was too grandiose. The panel considered that the basement level needs to be better considered with regard to materials and better proportioned openings.
- 4.8. Local occupiers; Ward Councillors, local MP and Jewellery Quarter Development Trust notified. Site and press notice displayed. No comments received.
5. Policy Context

- 5.1. Birmingham Development Plan (2017); Birmingham Unitary Development Plan 2005 (saved policies); Jewellery Quarter Conservation Area Character Appraisal (JQCACAMP) and Management Plan (2002); Jewellery Quarter Design Guide (2005) and the National Planning Policy Framework 2012 (NPPF).

6. Planning Considerations

Principle

- 6.1. The NPPF outlines a presumption in favour of sustainable development and underlines the Government's commitment to securing economic growth and job creation together with high quality design. Paragraph 17 of the NPPF supports sustainable economic development to deliver new homes and encourages the use of brownfield land. Paragraph 19 states that significant weight is placed on economic growth within the planning system, with paragraph 50 highlighting that residential development should reflect local demand and create mixed and balanced communities.
- 6.2. This site falls within the viaduct sub-area of the Jewellery Quarter Conservation Area. The JQCACAMP notes that whilst some industrial activity remains in this area, there is a mixture of uses here. Policy GA1.3 of the BDP states that new development must support and strengthen the distinctive character of the areas surrounding the city centre core and with regard to the Jewellery Quarter the overarching objectives are for the creation of an urban village supporting the areas unique heritage with the introduction of an appropriate mix of uses.
- 6.3. Planning permission has also previously been granted for the erection of a mixed use development on this site consisting of 24 apartments and 2 commercial units with associated parking and works under reference 2006/02392/PA. Although that permission has now lapsed the principle of allowing apartments on the site has previously been agreed and the principle would be acceptable again with regard to the policy objectives set out above and subject to meeting the detailed policy requirements set out below.

Design and Impact on Heritage Assets

- 6.4. Policy PG3 of the Birmingham Plan states that all new development will be expected to be designed to the highest possible standards, contributing to the a strong sense of place including by reinforcing or creating a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovative design.
- 6.5. The NPPF makes specific reference to 'Heritage Assets', which includes conservation areas and paragraph 129 refers to a need to assess the significance of a proposal on any heritage asset, with paragraph 131 stating that local planning authorities should take into account the desirability of sustaining and enhancing heritage assets and the positive contribution that the new development would make to local character and distinctiveness.
- 6.6. This proposal would infill a gap site within the Conservation Area. The proposed building would be of a similar height to surrounding buildings and follow the pattern of development in this area with a building erected up to the back of the pavement.
- 6.7. I note the comments received from the Conservation Heritage Panel (CHP) and have consulted with my Conservation Officer on this scheme. This scheme has been amended and further details required since it was originally submitted in order to ensure that the details of the proposed design can be achieved. The applicant has

submitted an example detail of proposed conservation roof lights demonstrating that these windows would follow the slope of the roof and would not sit proud of the roof slope. The applicant has noted that the proposed brick detailing would be best achieved using a high quality solid brick (not brick slips). I have recommended safeguarding conditions to ensure the details of these elements of the proposal.

6.8. I have noted the comments received from CHP regarding the basement windows and materials proposed at this level. Amendments have subsequently been made to this aspect of the proposal changing the basements external treatment from stone to brick work, which is more characteristic of the Jewellery Quarter. Window proportions have also been amended so the basement windows are of a more consistent size.

6.9. Subject to conditions ensuring the details of this proposed design my Conservation Officer has raised no objection to this proposal. I concur with this view and consider that this proposal has taken appropriate regard to the special character of this area including ensuring the integrity of adjoining and adjacent listed and locally listed buildings. In terms of design and place making I consider that this proposal meets with the principles set out in NPPF and policies PG3 and GA1.3 of the BDP.

Proposed residential amenity

6.10. This site proposes a good mix of residential units including just 16% 1 bedroom units. All proposed apartments would include independent living facilities. Guidance set out in the government's national described space standard recommends between 39sqm and 50sqm of floor space for one bedroom units set over a single floor; 61sqm – 70sqm for two bedroom apartments; 74sqm-95sqm for a three bedroom apartment and 90-177sqm for a 4 bedroom apartment. All proposed apartments would either fall within these ranges or in several cases exceed this floor space guidance. All proposed bedrooms would exceed guidance floor space set out in Places for Living SPG. I am satisfied that this proposal would result in apartment layouts that would achieve a good standard of accommodation for future occupiers.

6.11. The proposed apartments would be afforded a semi-private amenity space within a shared landscaped courtyard area to the rear of the site. This site falls within an area characterised by high density city living, the level of amenity space provision is considered acceptable given the constraints of the site and character of the area. The site is also located within close walking distance of the open space at St. Pauls church and along the canal network.

6.12. Regulatory Services have considered this proposal and had regard to the noise assessment submitted in support of this scheme and have consequently raised concern regarding the proximity of this residential development to the Asylum night club which is located approximately 100m from the proposed site on Hampton Street. The submitted noise report has recommended glazing details that would protect occupiers from noise sources in this location when the windows are closed. Notwithstanding the comments received from Regulatory Service I consider that the noise levels in this location are similar to other city centre locations, noise can be mitigated by closing windows and I consider this to be an acceptable arrangement in this location.

Transportation

6.13. The proposal includes no car parking provision but provides 32 cycle parking spaces on the lower ground floor. Transportation Development have raised no objection to this proposal given the sites close proximity to the city centre. I concur with this view; the site is walkable to the city centre and well connected to a number of public

transport links. There is an existing footway crossing serving the site that would become redundant as a result of this proposal, I consider it reasonable to require the applicant to reinstate the existing dropped kerb to full height and have recommended a condition accordingly.

Planning obligations

- 6.14. Under the previous approval a planning obligations for £36,000 (index linked) towards the improvement/ creation of public open space in Aston Ward and a sum of £22,169 (index linked) as compensation for the loss of three on street pay and display parking spaces was secured and was paid by the developer despite the scheme not being implemented. On this basis and notwithstanding the comments received from Leisure Services I do not consider that it would be appropriate to require a planning obligation on this scheme for a further public open space contribution.
- 6.15. In line with BDP policy TP31 an affordable housing contribution should be sought as part of this scheme. Following a full viability assessment the applicant has agreed an off-site affordable housing contribution of £230,000 which is the equivalent to approximately a 17% affordable housing provision. The previous planning approval on this site did not include any affordable housing offer. Given the benefits of bringing forward the site for housing and that the viability of the site has been fully assessed I consider this contribution to be acceptable.

Other

- 6.16. I note the comments from West Midlands Police and have advised the applicant of the security measures suggested, the majority of which can be readily accommodated within the proposal without the need for further consent. I also note the comments received in relation to windows facing onto the public highway and the potential for disturbance to ground floor occupiers. This is a situation that occurs in other city centre locations and I do not consider that the potential for people to knock on windows is a reason to refuse this scheme.
- 6.17. I note the comments received from both the Lead Local Flood Authority and Severn Trent Water. The details of the proposed sustainable drainage solution for this site can be secure by planning condition. The site would be required to connect to foul and surface water drainage through Building Regulations and as such I do not consider it necessary to require these details by planning condition.

7. Conclusion

- 7.1. This proposal would result in a good quality residential development that would have a positive impact to the character of the Jewellery Quarter Conservation Area. The proposal therefore accords with the BDP and the NPPF and is recommended for approval subject to necessary safeguarding conditions and a Section 106 Legal Agreement.

8. Recommendation

- 8.1. That consideration of planning application 2017/00544/PA be deferred pending the completion of a Section 106 Legal Agreement which secures the following:-
- a. A financial contribution of £230,000 (index linked) towards off-site affordable housing.

- b. Payment of a monitoring and administration fee associated with the legal agreement of 3.5% of the affordable housing sum subject to a maximum of £10,000.

8.2. In the absence of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 18th May 2017 planning permission be REFUSED for the following reasons:

In the absence of any suitable legal agreement to secure a financial contribution towards off - site affordable housing the proposal conflicts with Affordable Housing SPG and Policy TP31 of the Birmingham Development Plan.

8.3. That the City Solicitor be authorised to prepare, seal and complete the planning obligation.

That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 18th May 2017, favourable consideration be given to this application, subject to the conditions listed below-

-
- | | |
|----|--|
| 1 | Requires the submission of a detailed section of the proposed brick work recess detail. |
| 2 | Requires the prior submission of sample materials |
| 3 | Amended details for basement treatment |
| 4 | Requires the prior submission of sample brickwork |
| 5 | Requires the prior submission of roof light details |
| 6 | Requires the prior submission of hard and/or soft landscape details |
| 7 | Requires the prior submission of external fixtures and fittings |
| 8 | Requires redundant footway crossings to be reinstated |
| 9 | Requires cycle storage provision prior to occupation |
| 10 | Requires residential acoustic protection in accordance with agreed details |
| 11 | Requires refuse storage to be provided prior to occupation |
| 12 | Requires the submission prior to occupation of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 13 | Requires the prior submission of a sustainable drainage scheme |
| 14 | Requires the scheme to be in accordance with the listed approved plans |
| 15 | Implement within 3 years (Full) |
-

Case Officer: Victoria Chadaway

Photo(s)

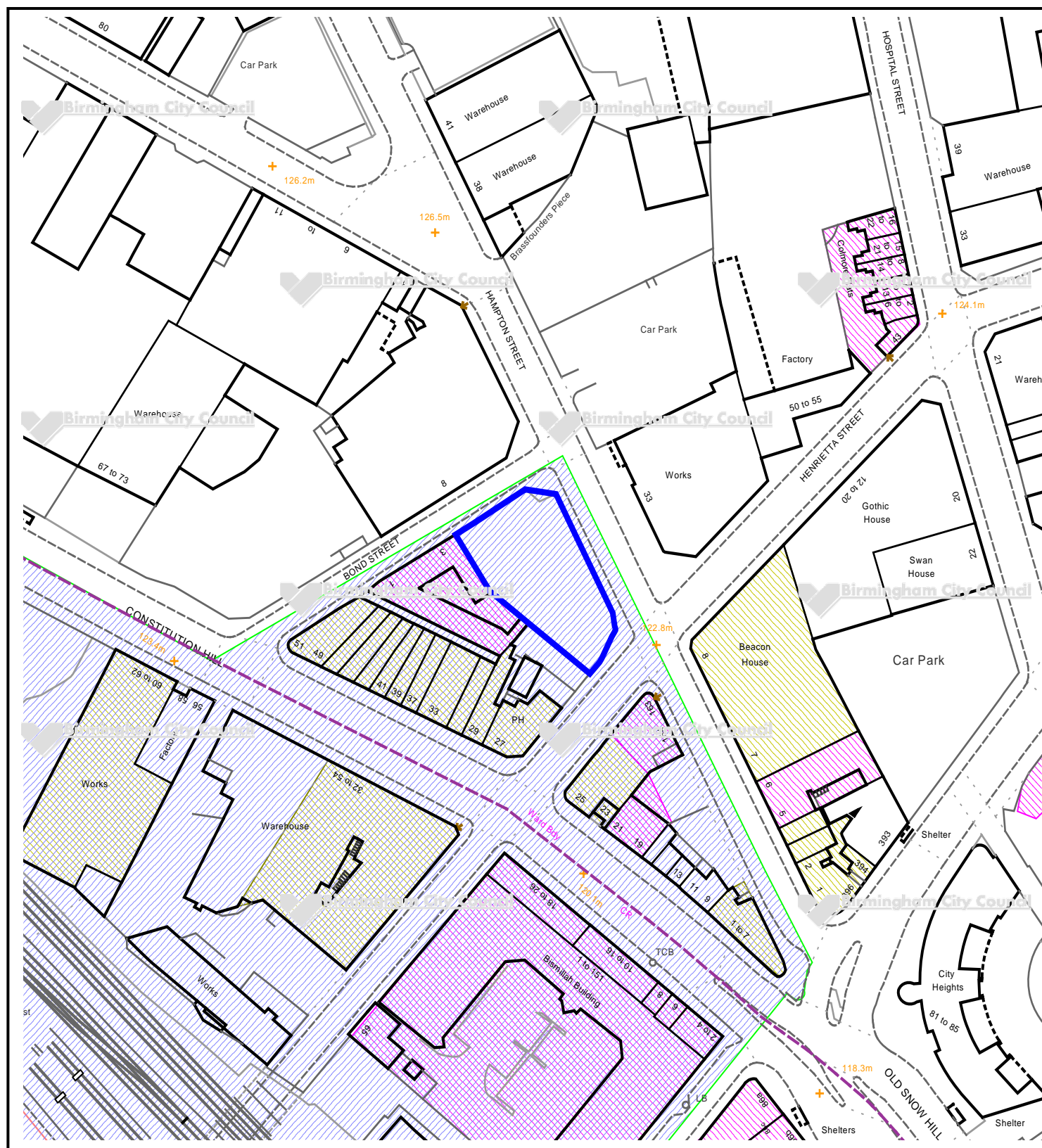


Figure 1. View across site towards Henrietta Street from Hampton Street



Fig 2. View across site from Hampton Street towards Bond Street

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/02162/PA
Accepted:	10/03/2017	Application Type:	Reserved Matters Development
Target Date:	09/06/2017		
Ward:	Ladywood		

Former Post & Mail Printing Works, Weaman Street, City Centre, Birmingham, B4 6AT

Reserved Matters Application for Phase 2 for 12 new storeys above Phase 1 for office use and rooftop plant

Applicant: Chatham Billingham (P & M) Ltd
7 John Feeney Arcade, Post & Mail, Weaman Street, Birmingham, B4 6FE

Agent: Associated Architects LLP
1 Severn Street Place, The Mailbox, Birmingham, B1 1SE

Recommendation

Approve Subject To Conditions

1. Proposal

1.1. This is a reserved matters application for approval of layout, scale, access, appearance and landscaping for Phase 2 of the Post and Mail Building. The application is supported by a Design and Access Statement. In summary, consent is sought for the following:

- Twelve floors of Class B1a office use amounting to a total gross internal floor area of 40,368 square metres (additional to the office floor space included within Phase 1).
- Roof top plant rooms with a total gross internal floor area of 816 square metres.

This gives a total gross internal floor area of 41,184 square metres for the Phase 2 development, which is within the maximum area permitted (49,800sqm) by the outline consent. There are two other current applications with fourteen and thirteen storeys of offices, respectively.

Layout

1.2. The overall layout of the ground, mezzanine and first floor plates was approved as part of the detailed planning consent for Phase 1. However, the outline consent allowed flexibility in respect to the specific division of uses within the building shell at these levels. At ground floor level, it is proposed to use some of the area previously designated for retail use to form two separate office reception areas as outlined below.

- 1.3. At mezzanine level, the floor plate between the central core and the North West (Printing House Street) elevation was previously designated for retail use. It is now proposed to use this area for office space and additional plant rooms.
- 1.4. The first floor is for office use. It also incorporates the main plant room for the Phase 2 building.
- 1.5. The proposed office floor plates (levels 2-12) extend to approximately 2,650 sqm net area per floor with a typical floor plate 50m wide by 70m (maximum) in length. All office floors have glazed external walls providing daylighting and some long distance views across the Birmingham skyline, particularly at upper levels. The office floor plates also benefit from natural light from a central glazed atrium space. The office floor plates have been designed to be sub-divisible into a maximum of 4 sub-tenancies, each of which is provided with separate building services infrastructure. Each office floor plate is served by a main central core, and a smaller satellite core located at the south-east end of the building facing Colmore Plaza.

Scale

- 1.6. The height and massing of the proposed building has been developed within parameters established by the outline planning consent. This set the minimum height of the Phase 2 building at 170 metres above ordnance datum and the maximum height at 205 metres above ordnance datum.
- 1.7. The Phase 1 building provides a two-storey base to the Phase 2 development. This comprises of two distinct elements: a 'solid' plinth at ground floor level and a 'transparent' first floor storey expressed in virtually continuous glazing.
- 1.8. Thirteen new floors above the Phase 1 roof level results in a parapet level of approximately 195 metres above ordnance datum at the highest point of the building (the top of the plant screen). The footprint of the Phase 2 building follows the building line established by the Phase 1 component below, except along the North West elevation, where the building line steps back by 7 metres in order to accommodate an external plant space at Level 2. In common with the Phase 1 building below, the building line steps back by approximately 8 metres at the Printing House Street end of the Colmore Plaza elevation.

Access

- 1.9. The circulation strategy for the proposed building centres on the creation of front doors for each building use. Access to the car park and retail units has been provided in Phase 1. This is primarily from the new pedestrian arcade which runs through the centre of the building. Access to the office floors is provided at street level through three separate reception areas:-
 - Office Entrance A - the main entrance to the office floors is situated on the corner of Weaman Street and Colmore Plaza. The main entrance to the office floors would be from a double height space that gives access to the first floor via escalators, lift and stairs. At first floor level, there would be a transition space leading to the main office and car park lift core;
 - Office Entrance B - is located off the John Feeney Arcade with external access from Printing House Street. A ground floor reception area serves a lift core providing dedicated access to levels 9 and 10; and,

- Office Entrance C - is located off the John Feeney Arcade with external level access from Weaman Street. A ground floor reception serves a lift core providing dedicated access to levels 11 and 12.

Appearance

- 1.10. The palette of materials for Phase 1 sets a precedent for this scheme. These include white granite faced precast concrete cladding, limited areas of polished black granite, and an aluminium curtain walling system. Whilst the plinth level of the building is expressed almost entirely in black and white, a more varied palette of black, grey and silver is proposed at the upper levels of the building to create a randomised effect.
- 1.11. The office floors feature a unitised system of curtain-wall and anodised aluminium panels set out to a 1.5m modular grid. The pattern of panels provides alternating full height glazing and windows with sills to assist with internal space planning. Projecting anodised aluminium boxes add depth and modelling to the elevations. In addition, double width cladding modules are used to mark the position of arcade entrances and to provide a corner feature above the main office entrance.
- 1.12. Above the office levels, a louvred screen provides total screening of all roof mounted plant, plant room enclosures and lift overruns. This is set back from the building line by approximately 4 metres.
- 1.13. On the South East (Colmore Plaza) elevation, a fire escape stair runs up the entire height of the building. It is proposed to clad the stair enclosure in black so that it forms a single unifying element to the building elevations.

Landscape

- 1.14. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building.

- 1.15. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is the former Post and Mail printing works building. The Phase 1 works to create basement parking and a double height podium are now complete.
- 2.2. The site is in the heart of the city centre to the north east of the Colmore Business District. It is bounded by Printing House Street to the east with a surface car park on the opposite side of the road. Beyond are Rowchester Court and the locally listed Children's Hospital, both of which fall within the Steelhouse Conservation Area. To the south is a route between the recently completed 14 storey (61m high) Colmore Plaza office building. Further south is the 9 storey (42m high) Wesleyan and General Assurance building. Lloyd House (12 storeys / 54m high) is on the opposite side of Weaman Street to the west; and, to the north is a multi-storey public car park and 6 storey office building at 1 Printing House Street. Further north on the opposite side of Weaman Street is the Thistle Hotel and Kennedy Tower.

3. Planning History

- 3.1. 16 March 2012 Application 2011/01322/PA. Planning consent granted for part detailed application (Phase 1) for redevelopment involving partial demolition of the former Post and Mail printing works to street level, the insertion of new levels into the existing basement to create a new car park for up to 800 spaces, with a new two storey building above for retail, restaurant and office uses. Part outline application for Phase 2 comprising multi storey building above Phase 1 for restaurant, office, hotel, residential and non-residential institution uses.
- 3.2. 24 October 2014 Application 2014/05454/PA. Section 73 Applicant approved to reword condition 5 attached to planning application 2011/01322/PA to state the maximum height of any buildings within the site shall not exceed 205m (including plant) in height when measured from AOD Level.
- 3.3. 4 March 2015 Application 2014/08876/PA. Planning consent granted for the variation of condition 3 attached to previous planning application 2014/05454/PA to increase gross internal floor space for Phase 2 from 33,180sqm to 40,000sqm and increase gross internal floor space for residential use (C3) from 12,000sqm to 15,000sqm.
- 3.4. February 2015, Snow Hill Masterplan launched for public consultation. This Masterplan identifies the Post and Mail Building as an opportunity for redevelopment. It also shows public space created on the existing car park on the opposite side of Printing House Street.
- 3.5. 27 July 2015. Application 2015/02639/PA. Reserved Matters granted for Phase 2 Post and Mail for 14 new storeys above Phase 1 for residential (115 apartments) and office uses.
- 3.6. 28 October 2016. Application 2016/06238/PA Section 73 Application approved for the variation of condition 4 attached to previous planning application 2014/08876/PA to increase gross internal floor space for Phase 2 from 40,000 sqm to 49,800 sqm and increase gross internal floor space for office use (B1a) from 33,180 sqm to 49,800 sqm
- 3.7. 24 March 2017. Application 2017/01706/PA. Reserved Matters Application submitted for Phase 2 for 14 new storeys above Phase 1 for office use and rooftop plant – awaiting determination.
- 3.8. 13 March 2017. Application 2017/01976/PA. Reserved Matters Application submitted for Phase 2 for 13 new storeys above Phase 1 for office use and rooftop plant.
4. Consultation/PP Responses
 - 4.1. Site and Press notices displayed for this application and on the 2017/01706/PA nearby occupiers, residents association, Colmore BID, local ward Councillors and M.P. were notified.
 - 4.2. One letter of objection from an occupier of premises at Rowchester Court, Whittall Street on querying whether a wind risk assessment has been carried out. On occasions in high winds the vortex generated by surrounding tall buildings dislodges tiles, or creates a vortex making standing in the car park on Printing House St. unpleasant. Secondly on the old Post and Mail building, demolished some time ago, peregrine falcons nested under the old electronic clock and kept the pigeons down.

Could the developers consider providing a nesting ledge on the building for hawks/falcons.

4.3. BCC Transportation Development - no objection subject to a condition for a Construction Management Plan.

4.4. BCC Regulatory Services – no objections.

4.5. West Midlands Fire Service - no objections.

5. Policy Context

5.1. Relevant planning policies include the National Planning Policy Framework; Birmingham Unitary Development Plan (2005) - saved policies, Birmingham Development Plan 2017, High Places SPG, Lighting Places SPD, Places for All; Car Parking Guidelines SPD and Snowhill Masterplan.

5.2. In addition, to the east of Printing House Street and Whittall Street is the Steelhouse Lane Conservation Area, which includes the locally listed Children's Hospital. The site is also an Enterprise Zone site

6. Planning Considerations

Background Information

6.1. Planning permission for the Post & Mail development was granted on 16 March 2012 through application 2011/01322/PA. This included detailed consent for Phase 1 and outline consent for Phase 2. The outline consent established a number of principles for Phase 2 including building use and maximum floor areas, building height and massing, external works, and residential unit type apportionment. Matters which were reserved are as follows:-

- access into the Phase 2 building uses from street level;
- appearance of the building above Phase 1 roof level;
- landscape works associated with Phase 2 of the development;
- layout of floors for the Phase 2 building uses; and,
- scale and massing of the Phase 2 development.

6.2. Two Section 73 applications were approved in 2014/15 to vary planning conditions associated with the approved scheme to increase the height of the building to up to 205m AOD and to increase maximum permissible gross internal floor area of the Phase 2 development. Subsequently, a reserved matters application was granted in July 2015, for 14 new storeys above Phase 1 for 115 apartments and offices. The 2015 reserved matters approval has not been implemented and instead in 2016 a Section 73 Application was approved to increase the overall floorspace and to allow the whole of Phase 2 to be used for office use (B1a).

Layout

6.3. Attached to the outline consent and amended by the most recent Section 73 application is a condition that restricts the maximum gross internal floor areas of Phase 2 to the following:-

- Restaurant (Use Class A3) 6,500
- Offices (Use Class B1A) 49,800
- Residential (Use Class C3) 15,000
- Hotel (Use Class C1) 15,000
- Medical and Clinical (Use Class D1) 25,000
- Total for all uses 49,800

- 6.4. The current Phase 2 scheme proposes 40,368 sqm of gross internal office floor space over 12 floors. Given the location of the development within the Colmore Business District, Class B1 office use is clearly appropriate. Furthermore there is high demand for purpose built Grade A office space within the city, and large format floor plates, which the Post & Mail building is capable of offering, are particularly attractive in the current market. Overall, the amount of office floorspace and the total floorspace for the Phase 2 development is within the maximum limits permitted. I therefore have no objections to the layout and use proposed.

Scale

- 6.5. The outline planning application was accompanied by a Statement of Design Principles informed by various supporting technical documents. This set the minimum height of the Phase 2 building at 170m AOD and the maximum height at 205m AOD. The proposed building would be a maximum of 195m AOD, which is within the parameters set by the outline consent, as amended by the Section 73 application.
- 6.6. In addition, the footprint of the building follows the building line established by the Phase 1 component below, except along the northwest elevation, where the building line steps back by 7m to accommodate an external plant space at level 2. The scale and massing of the building are therefore consistent with the Statement of Design Principles agreed at outline planning stage.
- 6.7. The Wind Report submitted for the original outline application noted that the detailed design will need to address wind microclimate because of the potential for windy conditions. The maximum parameter plan 'block' used in this assessment provided an envelope in which suitable terracing and adjustments to the massing at higher levels would minimise adverse effects at pedestrian level and create a comfortable wind microclimate for pedestrians. A Wind Review was then undertaken for the previous reserved matters application. It noted that the set-back introduced to floors 10 and above will be a beneficial feature as it reduces the amount of down drafted winds reaching the ground.
- 6.8. Although the current application does not show a 1.5m a set back at 10th floor level, the height of the building now proposed – 57m, is significantly less. The applicant has reviewed the previous wind report and concludes that the removal of the setback will not materially affect the conclusions. They conclude that the wind microclimate conditions will be acceptable.

Access

- 6.9. The circulation strategy for the proposed building centres on the creation of separate front doors for each use. This improves the legibility of the building, allows the specific requirements of each user group to be addressed, and means that each

reception area can have its own character and identity. This is a robust approach which has been proved on similar mixed use schemes in Birmingham.

- 6.10. The main entrance to the office floors would be situated on the corner of Weaman Street and Colmore Plaza, where it would clearly visible and immediately accessible from the Colmore Business District. In addition two further office receptions are proposed for dedicated use floors 9/10 and 11/12 respectively. These office receptions would have entrances from both the street and arcade through the building. This would help provide active frontages to Weaman Street and Printing House Street.
- 6.11. BCC Transportation Development have raised no objections to the application and a Construction Management Plan condition is already attached to the outline consent.

Appearance

- 6.12. The current scheme follows a similar architectural solution to 2015 reserved matters consent. In particular the elevations includes:-
- random panel colours of black grey and silver to complement the plinth;
 - projecting anodised aluminium boxes to add depth and modelling to the elevations;
 - double width modules towards the centres of the main elevations to mark the arcade entrances;
 - double height modules to express the top of the building;
 - a louvred plant screen set back from the building line by approximately 4 metres.
 - a black clad stair enclosure on the south east elevation to form a single unifying element to the building elevations.
- 6.13. The approved reserved matters application for residential and office (LPA ref 2015/02639/PA) incorporated a services transition floor between levels 8 and 9 of the proposed building, allowing for a well-designed top to the building. However, in the current application there is far more rooftop plant surrounded by a screen. The applicant has been requested to better integrate the rooftop plant into the overall appearance of the elevations. However, they are unwilling to do so and consider that the proposed plans already demonstrate an appropriate design response.
- 6.14. Overall, whilst the rooftop plant is less well designed than the previous reserved matters scheme (application 2015/02639/PA), I am of the view that the elevations are satisfactory and would complement the existing plinth. Conditions are attached to the outline consent to secure samples of materials.

Landscape

- 6.15. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building. This is more than provided in the previously consented 2015 scheme. A condition is attached to the outline consent to secure green / brown roof details.
- 6.16. I note the comments from an adjoining occupier about the inclusion of nesting ledge for hawks/falcons and the applicant is willing to provide this. A condition is therefore attached to secure details.

7. Conclusion

- 7.1. I consider that the application is consistent with the principles agreed at outline planning stage and therefore acceptable. Accordingly I recommend approval of this reserved matters application for Phase 2 of the Post and Mail Building.

8. Recommendation

- 8.1. Approve subject to conditions.

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

2 Requires the prior submission of details of bird nesting features

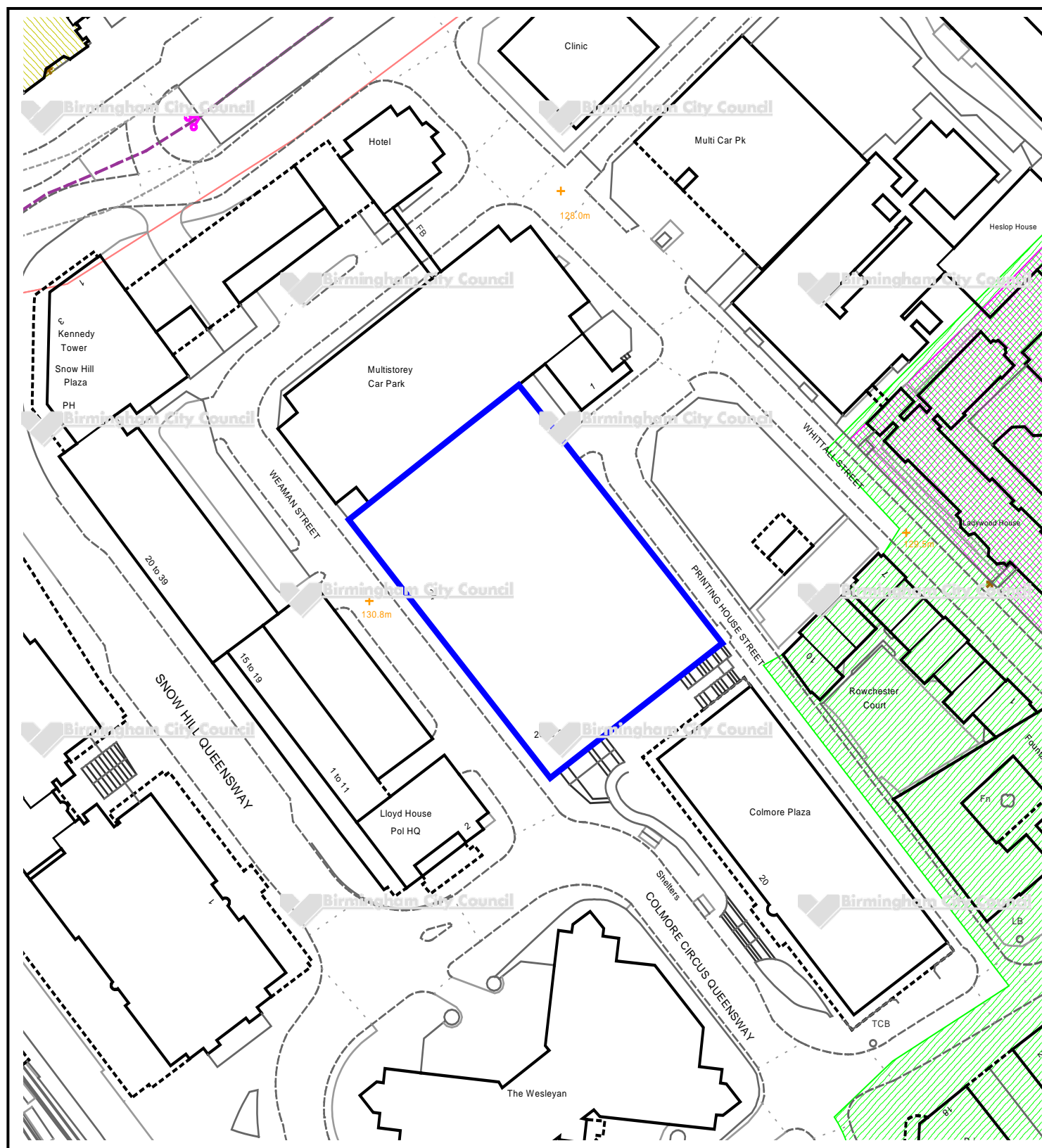
Case Officer: David Wells

Photo(s)



View along Weaman Street

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/01976/PA
Accepted:	13/03/2017	Application Type:	Reserved Matters Development
Target Date:	12/06/2017		
Ward:	Ladywood		

Former Post & Mail Printing Works, Weaman Street, City Centre, Birmingham, B4 6AT

Reserved Matters Application for Phase 2 for 13 new storeys above Phase 1 for office use and rooftop plant

Applicant: Chatham Billingham (P & M) Limited
7 John Feeney Arcade, Post & Mail, Weaman Street, Birmingham, B4 6FE

Agent: Associated Architects LLP
1 Severn Street Place, The Mailbox, Birmingham, B1 1SE

Recommendation

Approve Subject To Conditions

1. Proposal

1.1. This is a reserved matters application for approval of layout, scale, access, appearance and landscaping for Phase 2 of the Post and Mail Building. The application is supported by a Design and Access Statement. In summary, consent is sought for the following:

- Thirteen floors of Class B1a office use amounting to a total gross internal floor area of 43,732 square metres (additional to the office floor space included within Phase 1).
- Roof top plant rooms with a total gross internal floor area of 816 square metres.

This gives a total gross internal floor area of 44,548 square metres for the Phase 2 development, which is within the maximum area permitted (49,800sqm) by the outline consent. There are two other current applications with fourteen and twelve storeys of offices, respectively.

Layout

1.2. The overall layout of the ground, mezzanine and first floor plates was approved as part of the detailed planning consent for Phase 1. However, the outline consent allowed flexibility in respect to the specific division of uses within the building shell at these levels. At ground floor level, it is proposed to use some of the area previously designated for retail use to form two separate office reception areas as outlined below.

- 1.3. At mezzanine level, the floor plate between the central core and the North West (Printing House Street) elevation was previously designated for retail use. It is now proposed to use this area for office space and additional plant rooms.
- 1.4. The first floor is for office use. It also incorporates the main plant room for the Phase 2 building.
- 1.5. The proposed office floor plates (levels 2-13) extend to approximately 2,650 sqm net area per floor with a typical floor plate 50m wide by 70m (maximum) in length. All office floors have glazed external walls providing daylighting and some long distance views across the Birmingham skyline, particularly at upper levels. The office floor plates also benefit from natural light from a central glazed atrium space. The office floor plates have been designed to be sub-divisible into a maximum of 4 sub-tenancies, each of which is provided with separate building services infrastructure. Each office floor plate is served by a main central core, and a smaller satellite core located at the south-east end of the building facing Colmore Plaza.

Scale

- 1.6. The height and massing of the proposed building has been developed within parameters established by the outline planning consent. This set the minimum height of the Phase 2 building at 170 metres above ordnance datum and the maximum height at 205 metres above ordnance datum.
- 1.7. The Phase 1 building provides a two-storey base to the Phase 2 development. This comprises of two distinct elements: a 'solid' plinth at ground floor level and a 'transparent' first floor storey expressed in virtually continuous glazing.
- 1.8. Thirteen new floors above the Phase 1 roof level results in a parapet level of approximately 199 metres above ordnance datum at the highest point of the building (the top of the plant screen). The footprint of the Phase 2 building follows the building line established by the Phase 1 component below, except along the North West elevation, where the building line steps back by 7 metres in order to accommodate an external plant space at Level 2. In common with the Phase 1 building below, the building line steps back by approximately 8 metres at the Printing House Street end of the Colmore Plaza elevation.

Access

- 1.9. The circulation strategy for the proposed building centres on the creation of front doors for each building use. Access to the car park and retail units has been provided in Phase 1. This is primarily from the new pedestrian arcade which runs through the centre of the building. Access to the office floors is provided at street level through three separate reception areas:-
 - Office Entrance A - the main entrance to the office floors is situated on the corner of Weaman Street and Colmore Plaza. The main entrance to the office floors would be from a double height space that gives access to the first floor via escalators, lift and stairs. At first floor level, there would be a transition space leading to the main office and car park lift core;
 - Office Entrance B - is located off the John Feeney Arcade with external access from Printing House Street. A ground floor reception area serves a lift core providing dedicated access to levels 9 and 10; and,

- Office Entrance C - is located off the John Feeney Arcade with external level access from Weaman Street. A ground floor reception serves a lift core providing dedicated access to levels 11, 12 and 13.

Appearance

- 1.10. The palette of materials for Phase 1 sets a precedent for this scheme. These include white granite faced precast concrete cladding, limited areas of polished black granite, and an aluminium curtain walling system. Whilst the plinth level of the building is expressed almost entirely in black and white, a more varied palette of black, grey and silver is proposed at the upper levels of the building to create a randomised effect.
- 1.11. The office floors feature a unitised system of curtain-walling and anodised aluminium panels set out to a 1.5m modular grid. The pattern of panels provides alternating full height glazing and windows with sills to assist with internal space planning. Projecting anodised aluminium boxes add depth and modelling to the elevations. In addition, double width cladding modules are used to mark the position of arcade entrances and to provide a corner feature above the main office entrance.
- 1.12. Above the office levels, a louvred screen provides total screening of all roof mounted plant, plant room enclosures and lift overruns. This is set back from the building line by approximately 4 metres.
- 1.13. On the South East (Colmore Plaza) elevation, a fire escape stair runs up the entire height of the building. It is proposed to clad the stair enclosure in black so that it forms a single unifying element to the building elevations.

Landscape

- 1.14. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building.

- 1.15. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is the former Post and Mail printing works building. The Phase 1 works to create basement parking and a double height podium are now complete.
- 2.2. The site is in the heart of the city centre to the north east of the Colmore Business District. It is bounded by Printing House Street to the east with a surface car park on the opposite side of the road. Beyond are Rowchester Court and the locally listed Children's Hospital, both of which fall within the Steelhouse Conservation Area. To the south is a route between the recently completed 14 storey (61m high) Colmore Plaza office building. Further south is the 9 storey (42m high) Wesleyan and General Assurance building. Lloyd House (12 storeys / 54m high) is on the opposite side of Weaman Street to the west; and, to the north is a multi-storey public car park and 6 storey office building at 1 Printing House Street. Further north on the opposite side of Weaman Street is the Thistle Hotel and Kennedy Tower.

3. Planning History

- 3.1. 16 March 2012 Application 2011/01322/PA. Planning consent granted for part detailed application (Phase 1) for redevelopment involving partial demolition of the former Post and Mail printing works to street level, the insertion of new levels into the existing basement to create a new car park for up to 800 spaces, with a new two storey building above for retail, restaurant and office uses. Part outline application for Phase 2 comprising multi storey building above Phase 1 for restaurant, office, hotel, residential and non-residential institution uses.
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- 3.7. 24 March 2017. Application 2017/01706/PA. Reserved Matters Application submitted for Phase 2 for 14 new storeys above Phase 1 for office use and rooftop plant – awaiting determination.
- 3.8. 13 March 2017. Application 2017/02162/PA. Reserved Matters Application submitted for Phase 2 for 12 new storeys above Phase 1 for office use and rooftop plant.
4. Consultation/PP Responses
 - 4.1. Site and Press notices displayed for this application and on the 2017/01706/PA nearby occupiers, residents association, Colmore BID, local ward Councillors and M.P. were notified.
 - 4.2. One letter of objection from an occupier of premises at Rowchester Court, Whittall Street on querying whether a wind risk assessment has been carried out. On occasions in high winds the vortex generated by surrounding tall buildings dislodges tiles, or creates a vortex making standing in the car park on Printing House St. unpleasant. Secondly on the old Post and Mail building, demolished some time ago, peregrine falcons nested under the old electronic clock and kept the pigeons down.

Could the developers consider providing a nesting ledge on the building for hawks/falcons.

4.3. BCC Transportation Development - no objection subject to a condition for a Construction Management Plan.

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5. Policy Context

5.1. Relevant planning policies include the National Planning Policy Framework; Birmingham Unitary Development Plan (2005) - saved policies, Birmingham Development Plan 2017, High Places SPG, Lighting Places SPD, Places for All; Car Parking Guidelines SPD and Snowhill Masterplan.

5.2. In addition, to the east of Printing House Street and Whittall Street is the Steelhouse Lane Conservation Area, which includes the locally listed Children's Hospital. The site is also an Enterprise Zone site.

6. Planning Considerations

Background Information

6.1. Planning permission for the Post & Mail development was granted on 16 March 2012 through application 2011/01322/PA. This included detailed consent for Phase 1 and outline consent for Phase 2. The outline consent established a number of principles for Phase 2 including building use and maximum floor areas, building height and massing, external works, and residential unit type apportionment. Matters which were reserved are as follows:-

- access into the Phase 2 building uses from street level;
- appearance of the building above Phase 1 roof level;
- landscape works associated with Phase 2 of the development;
- layout of floors for the Phase 2 building uses; and,
- scale and massing of the Phase 2 development.

6.2. Two Section 73 applications were approved in 2014/15 to vary planning conditions associated with the approved scheme to increase the height of the building to up to 205m AOD and to increase maximum permissible gross internal floor area of the Phase 2 development. Subsequently, a reserved matters application was granted in July 2015, for 14 new storeys above Phase 1 for 115 apartments and offices. The 2015 reserved matters approval has not been implemented and instead in 2016 a Section 73 Application was approved to increase the overall floorspace and to allow the whole of Phase 2 to be used for office use (B1a).

Layout

6.3. Attached to the outline consent and amended by the most recent Section 73 application is a condition that restricts the maximum gross internal floor areas of Phase 2 to the following:-

- Restaurant (Use Class A3) 6,500
- Offices (Use Class B1A) 49,800
- Residential (Use Class C3) 15,000
- Hotel (Use Class C1) 15,000
- Medical and Clinical (Use Class D1) 25,000
- Total for all uses 49,800

- 6.4. The current Phase 2 scheme proposes 43,732 sqm of gross internal office floor space over 13 floors. Given the location of the development within the Colmore Business District, Class B1 office use is clearly appropriate. Furthermore there is high demand for purpose built Grade A office space within the city, and large format floor plates, which the Post & Mail building is capable of offering, are particularly attractive in the current market. Overall, the amount of office floorspace and the total floorspace for the Phase 2 development is within the maximum limits permitted. I therefore have no objections to the layout and use proposed.

Scale

- 6.5. The outline planning application was accompanied by a Statement of Design Principles informed by various supporting technical documents. This set the minimum height of the Phase 2 building at 170m AOD and the maximum height at 205m AOD. The proposed building would be a maximum of 199m AOD, which is within the parameters set by the outline consent, as amended by the Section 73 application.
- 6.6. In addition, the footprint of the building follows the building line established by the Phase 1 component below, except along the northwest elevation, where the building line steps back by 7m to accommodate an external plant space at level 2. The scale and massing of the building are therefore consistent with the Statement of Design Principles agreed at outline planning stage.
- 6.7. The Wind Report submitted for the original outline application noted that the detailed design will need to address wind microclimate because of the potential for windy conditions. The maximum parameter plan 'block' used in this assessment provided an envelope in which suitable terracing and adjustments to the massing at higher levels would minimise adverse effects at pedestrian level and create a comfortable wind microclimate for pedestrians. A Wind Review was then undertaken for the previous reserved matters application. It noted that...the set-back introduced to floors 10 and above – in particular – will be a beneficial feature as it reduces the amount of down drafted winds reaching the ground.
- 6.8. Although the current application does not show a 1.5m a set back at 10th floor level, the height of the building now proposed, 61m, is significantly less. The applicant has reviewed the previous wind report and concludes that the removal of the setback will not materially affect the conclusions of the original report. They conclude the wind micro climate conditions will be acceptable.

Access

- 6.9. The circulation strategy for the proposed building centres on the creation of separate front doors for each use. This improves the legibility of the building, allows the specific requirements of each user group to be addressed, and means that each

reception area can have its own character and identity. This is a robust approach which has been proved on similar mixed use schemes in Birmingham.

- 6.10. The main entrance to the office floors would be situated on the corner of Weaman Street and Colmore Plaza, where it would clearly visible and immediately accessible from the Colmore Business District. In addition two further office receptions are proposed for dedicated use floors 9/10 and 11/12/13 respectively. These office receptions would have entrances from both the street and arcade through the building. This would help provide active frontages to Weaman Street and Printing House Street.
- 6.11. BCC Transportation Development have raised no objections to the application and a Construction Management Plan condition is already attached to the outline consent.

Appearance

- 6.12. The current scheme follows a similar architectural solution to 2015 reserved matters consent. In particular the elevations includes:-
- random panel colours of black grey and silver to complement the plinth;
 - projecting anodised aluminium boxes to add depth and modelling to the elevations;
 - double width modules towards the centres of the main elevations to mark the arcade entrances;
 - double height modules to express the top of the building;
 - a louvred plant screen set back from the building line by approximately 4 metres.
 - a black clad stair enclosure on the south east elevation to form a single unifying element to the building elevations.
- 6.13. The approved reserved matters application for residential and office (LPA ref 2015/02639/PA) incorporated a services transition floor between levels 8 and 9 of the proposed building, allowing for a well-designed top to the building. However, in the current application there is far more rooftop plant surrounded by a screen. The applicant has been requested to better integrate the rooftop plant into the overall appearance of the elevations. However, they are unwilling to do so and consider that the proposed plans already demonstrate an appropriate design response.
- 6.14. Overall, whilst the rooftop plant is less well designed than the previous reserved matters scheme (application 2015/02639/PA), I am of the view that the elevations are satisfactory and would complement the existing plinth. Conditions are attached to the outline consent to secure samples of materials.

Landscape

- 6.15. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building. This is more than provided in the previously consented 2015 scheme. A condition is attached to the outline consent to secure green / brown roof details.
- 6.16. I note the comments from an adjoining occupier about the inclusion of nesting ledge for hawks/falcons and the applicant is willing to provide this. A condition is therefore attached to secure details.

7. Conclusion

- 7.1. I consider that the application is consistent with the principles agreed at outline planning stage and therefore acceptable. Accordingly I recommend approval of this reserved matters application for Phase 2 of the Post and Mail Building.

8. Recommendation

- 8.1. Approve subject to conditions.

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

2 Requires the prior submission of details of bird nesting features

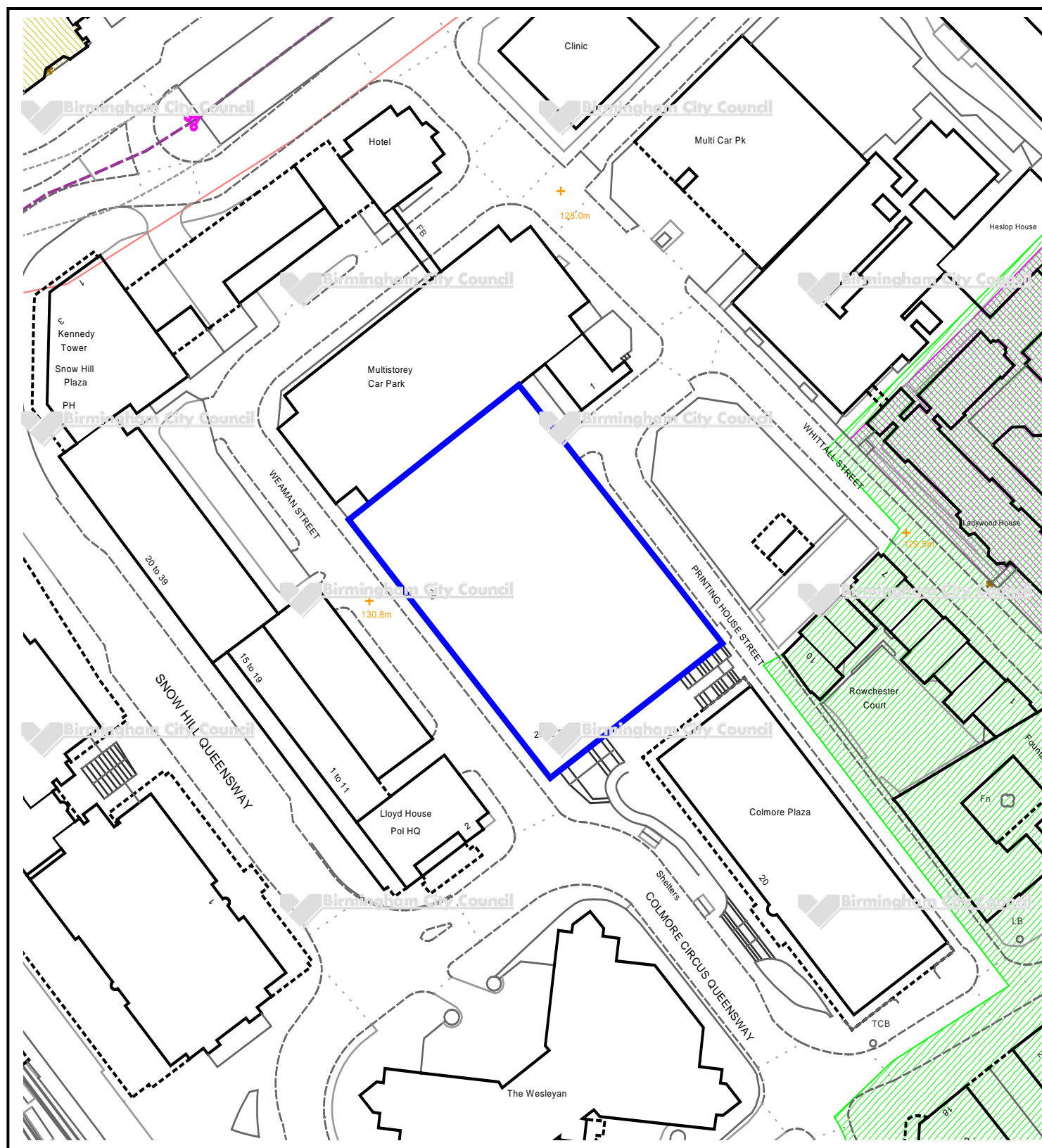
Case Officer: David Wells

Photo(s)



View along Weaman Street

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/01706/PA
Accepted:	24/02/2017	Application Type:	Reserved Matters Development
Target Date:	26/05/2017		
Ward:	Ladywood		

Former Post & Mail Printing Works, Weaman Street, City Centre, Birmingham, B4 6DG

Reserved Matters Application for Phase 2 for 14 new storeys above Phase 1 for office use and rooftop plant

Applicant: Chatham Billingham (P & M) Limited
7 John Feeney Arcade, Post & Mail, Weaman Street, Birmingham, B4 6DG

Agent: Associated Architects LLP
1 Severn Street Place, The Mailbox, Birmingham, B1 1SE

Recommendation

Approve Subject To Conditions

1. Proposal

1.1. This is a reserved matters application for approval of layout, scale, access, appearance and landscaping for Phase 2 of the Post and Mail Building. The application is supported by a Design and Access Statement. In summary, consent is sought for the following:

- Fourteen floors of Class B1a office use amounting to a total gross internal floor area of 47,096 square metres (additional to the office floor space included within Phase 1).
- Roof top plant rooms with a total gross internal floor area of 816 square metres.

This gives a total gross internal floor area of 47,912 square metres for the Phase 2 development, which is within the maximum area permitted (49,800sqm) by the outline consent. There are two other current applications with thirteen and twelve storeys of offices, respectively.

Layout

1.2. The overall layout of the ground, mezzanine and first floor plates was approved as part of the detailed planning consent for Phase 1. However, the outline consent allowed flexibility in respect to the specific division of uses within the building shell at these levels. At ground floor level, it is proposed to use some of the area previously designated for retail use to form two separate office reception areas as outlined below.

- 1.3. At mezzanine level, the floor plate between the central core and the North West (Printing House Street) elevation was previously designated for retail use. It is now proposed to use this area for office space and additional plant rooms.
- 1.4. The first floor is for office use. It also incorporates the main plant room for the Phase 2 building.
- 1.5. The proposed office floor plates (levels 2-14) extend to approximately 2,650 sqm net area per floor with a typical floor plate 50m wide by 70m (maximum) in length. All office floors have glazed external walls providing daylighting and some long distance views across the Birmingham skyline, particularly at upper levels. The office floor plates also benefit from natural light from a central glazed atrium space. The office floor plates have been designed to be sub-divisible into a maximum of 4 sub-tenancies, each of which is provided with separate building services infrastructure. Each office floor plate is served by a main central core, and a smaller satellite core located at the south-east end of the building facing Colmore Plaza.

Scale

- 1.6. The height and massing of the proposed building has been developed within parameters established by the outline planning consent. This set the minimum height of the Phase 2 building at 170 metres above ordnance datum and the maximum height at 205 metres above ordnance datum.
- 1.7. The Phase 1 building provides a two-storey base to the Phase 2 development. This comprises of two distinct elements: a 'solid' plinth at ground floor level and a 'transparent' first floor storey expressed in virtually continuous glazing.
- 1.8. Fourteen new floors above the Phase 1 roof level results in a parapet level of approximately 203 metres above ordnance datum at the highest point of the building (the top of the plant screen). The footprint of the Phase 2 building follows the building line established by the Phase 1 component below, except along the North West elevation, where the building line steps back by 7 metres in order to accommodate an external plant space at Level 2. In common with the Phase 1 building below, the building line steps back by approximately 8 metres at the Printing House Street end of the Colmore Plaza elevation.

Access

- 1.9. The circulation strategy for the proposed building centres on the creation of front doors for each building use. Access to the car park and retail units has been provided in Phase 1. This is primarily from the new pedestrian arcade which runs through the centre of the building. Access to the office floors is provided at street level through three separate reception areas:-
 - Office Entrance A - the main entrance to the office floors is situated on the corner of Weaman Street and Colmore Plaza. The main entrance to the office floors would be from a double height space that gives access to the first floor via escalators, lift and stairs. At first floor level, there would be a transition space leading to the main office and car park lift core;
 - Office Entrance B - is located off the John Feeney Arcade with external access from Printing House Street. A ground floor reception area serves a lift core providing dedicated access to levels 9 and 10; and,

- Office Entrance C - is located off the John Feeney Arcade with external level access from Weaman Street. A ground floor reception serves a lift core providing dedicated access to levels 11, 12 and 13.

Appearance

- 1.10. The palette of materials for Phase 1 sets a precedent for this scheme. These include white granite faced precast concrete cladding, limited areas of polished black granite, and an aluminium curtain walling system. Whilst the plinth level of the building is expressed almost entirely in black and white, a more varied palette of black, grey and silver is proposed at the upper levels of the building to create a randomised effect.
- 1.11. The office floors feature a unitised system of curtain-walling and anodised aluminium panels set out to a 1.5m modular grid. The pattern of panels provides alternating full height glazing and windows with sills to assist with internal space planning. Projecting anodised aluminium boxes add depth and modelling to the elevations. In addition, double width cladding modules are used to mark the position of arcade entrances and to provide a corner feature above the main office entrance.
- 1.12. Above the office levels, a louvred screen provides total screening of all roof mounted plant, plant room enclosures and lift overruns. This is set back from the building line by approximately 4 metres.
- 1.13. On the South East (Colmore Plaza) elevation, a fire escape stair runs up the entire height of the building. It is proposed to clad the stair enclosure in black so that it forms a single unifying element to the building elevations.

Landscape

- 1.14. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building.

- 1.15. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is the former Post and Mail printing works building. The Phase 1 works to create basement parking and a double height podium are now complete.
- 2.2. The site is in the heart of the city centre to the north east of the Colmore Business District. It is bounded by Printing House Street to the east with a surface car park on the opposite side of the road. Beyond are Rowchester Court and the locally listed Children's Hospital, both of which fall within the Steelhouse Conservation Area. To the south is a route between the recently completed 14 storey (61m high) Colmore Plaza office building. Further south is the 9 storey (42m high) Wesleyan and General Assurance building. Lloyd House (12 storeys / 54m high) is on the opposite side of Weaman Street to the west; and, to the north is a multi-storey public car park and 6 storey office building at 1 Printing House Street. Further north on the opposite side of Weaman Street is the Thistle Hotel and Kennedy Tower.

3. Planning History

- 3.1. 16 March 2012 Application 2011/01322/PA. Planning consent granted for part detailed application (Phase 1) for redevelopment involving partial demolition of the former Post and Mail printing works to street level, the insertion of new levels into the existing basement to create a new car park for up to 800 spaces, with a new two storey building above for retail, restaurant and office uses. Part outline application for Phase 2 comprising multi storey building above Phase 1 for restaurant, office, hotel, residential and non-residential institution uses.
- 3.2. 24 October 2014 Application 2014/05454/PA. Section 73 Applicant approved to reword condition 5 attached to planning application 2011/01322/PA to state the maximum height of any buildings within the site shall not exceed 205m (including plant) in height when measured from AOD Level.
- 3.3. 4 March 2015 Application 2014/08876/PA. Planning consent granted for the variation of condition 3 attached to previous planning application 2014/05454/PA to increase gross internal floor space for Phase 2 from 33,180sqm to 40,000sqm and increase gross internal floor space for residential use (C3) from 12,000sqm to 15,000sqm.
- 3.4. February 2015, Snow Hill Masterplan launched for public consultation. This Masterplan identifies the Post and Mail Building as an opportunity for redevelopment. It also shows public space created on the existing car park on the opposite side of Printing House Street.
- 3.5. 27 July 2015. Application 2015/02639/PA. Reserved Matters granted for Phase 2 Post and Mail for 14 new storeys above Phase 1 for residential (115 apartments) and office uses.
- 3.6. 28 October 2016. Application 2016/06238/PA Section 73 Application approved for the variation of condition 4 attached to previous planning application 2014/08876/PA to increase gross internal floor space for Phase 2 from 40,000 sqm to 49,800 sqm and increase gross internal floor space for office use (B1a) from 33,180 sqm to 49,800 sqm
- 3.7. 13 March 2017. Application 2017/01976/PA. Reserved Matters Application submitted for Phase 2 for 13 new storeys above Phase 1 for office use and rooftop plant – awaiting determination.
- 3.8. 13 March 2017. Application 2017/02162/PA. Reserved Matters Application submitted for Phase 2 for 12 new storeys above Phase 1 for office use and rooftop plant
4. Consultation/PP Responses
 - 4.1. Nearby occupiers, residents association, Colmore BID, local ward Councillors and M.P. notified. Site and Press notices displayed.
 - 4.2. One letter of objection from an occupier of premises at Rowchester Court, Whittall Street on querying whether a wind risk assessment has been carried out. On occasions in high winds the vortex generated by surrounding tall buildings dislodges tiles, or creates a vortex making standing in the car park on Printing House St. unpleasant. Secondly on the old Post and Mail building, demolished some time ago, peregrine falcons nested under the old electronic clock and kept the pigeons down. Could the developers consider providing a nesting ledge on the building for hawks/falcons.

4.3. BCC Transportation Development - no objection subject to a condition for a Construction Management Plan.

4.4. BCC Regulatory Services – no objections.

4.5. West Midlands Fire Service - no objections.

5. Policy Context

5.1. Relevant planning policies include the National Planning Policy Framework; Birmingham Unitary Development Plan (2005) - saved policies, Birmingham Development Plan 2017, High Places SPG, Lighting Places SPD, Places for All; Car Parking Guidelines SPD and Snowhill Masterplan.

5.2. In addition, to the east of Printing House Street and Whittall Street is the Steelhouse Lane Conservation Area, which includes the locally listed Children's Hospital. The site is also an Enterprise Zone site.

6. Planning Considerations

Background Information

6.1. Planning permission for the Post & Mail development was granted on 16 March 2012 through application 2011/01322/PA. This included detailed consent for Phase 1 and outline consent for Phase 2. The outline consent established a number of principles for Phase 2 including building use and maximum floor areas, building height and massing, external works, and residential unit type apportionment. Matters which were reserved are as follows:-

- access into the Phase 2 building uses from street level;
- appearance of the building above Phase 1 roof level;
- landscape works associated with Phase 2 of the development;
- layout of floors for the Phase 2 building uses; and,
- scale and massing of the Phase 2 development.

6.2. Two Section 73 applications were approved in 2014/15 to vary planning conditions associated with the approved scheme to increase the height of the building to up to 205m AOD and to increase maximum permissible gross internal floor area of the Phase 2 development. Subsequently, a reserved matters application was granted in July 2015, for 14 new storeys above Phase 1 for 115 apartments and offices. The 2015 reserved matters approval has not been implemented and instead in 2016 a Section 73 Application was approved to increase the overall floorspace and to allow the whole of Phase 2 to be used for office use (B1a).

Layout

6.3. Attached to the outline consent and amended by the most recent Section 73 application is a condition that restricts the maximum gross internal floor areas of Phase 2 to the following:-

- Restaurant (Use Class A3) 6,500
- Offices (Use Class B1A) 49,800

- Residential (Use Class C3) 15,000
- Hotel (Use Class C1) 15,000
- Medical and Clinical (Use Class D1) 25,000
- Total for all uses 49,800

- 6.4. The current Phase 2 scheme proposes 47,096sqm of gross internal office floor space over 14 floors. Given the location of the development within the Colmore Business District, Class B1 office use is clearly appropriate. Furthermore there is high demand for purpose built Grade A office space within the city, and large format floor plates, which the Post & Mail building is capable of offering, are particularly attractive in the current market. Overall, the amount of office floorspace and the total floorspace for the Phase 2 development is within the maximum limits permitted. I therefore have no objections to the layout and use proposed.

Scale

- 6.5. The outline planning application was accompanied by a Statement of Design Principles informed by various supporting technical documents. This set the minimum height of the Phase 2 building at 170m AOD and the maximum height at 205m AOD. The proposed building would be a maximum of 203m AOD, which is within the parameters set by the outline consent, as amended by the Section 73 application.
- 6.6. In addition, the footprint of the building follows the building line established by the Phase 1 component below, except along the northwest elevation, where the building line steps back by 7m to accommodate an external plant space at level 2. The scale and massing of the building are therefore consistent with the Statement of Design Principles agreed at outline planning stage.
- 6.7. The Wind Report submitted for the original outline application noted that the detailed design will need to address wind microclimate because of the potential for windy conditions. The maximum parameter plan 'block' used in this assessment provided an envelope in which suitable terracing and adjustments to the massing at higher levels would minimise adverse effects at pedestrian level and create a comfortable wind microclimate for pedestrians. A Wind Review was then undertaken for the previous reserved matters application. It noted that the set-back introduced to floors 10 and above – in particular – will be a beneficial feature as it reduces the amount of down drafted winds reaching the ground.
- 6.8. Although the current application does not show a 1.5m a set back at 10th floor level, the height of the building now proposed, 65m – is significantly less. The applicant has reviewed the previous wind report and concludes that the removal of the set back will not materially affect the conclusions of the original report. They conclude that the wind microclimate conditions will be acceptable.

Access

- 6.9. The circulation strategy for the proposed building centres on the creation of separate front doors for each use. This improves the legibility of the building, allows the specific requirements of each user group to be addressed, and means that each reception area can have its own character and identity. This is a robust approach which has been proved on similar mixed use schemes in Birmingham.

- 6.10. The main entrance to the office floors would be situated on the corner of Weaman Street and Colmore Plaza, where it would clearly visible and immediately accessible from the Colmore Business District. In addition two further office receptions are proposed for dedicated use floors 9/10 and 11/12/14, respectively. These office receptions would have entrances from both the street and arcade through the building. This would help provide active frontages to Weaman Street and Printing House Street.
- 6.11. BCC Transportation Development have raised no objections to the application and a Construction Management Plan condition is already attached to the outline consent.

Appearance

- 6.12. The current scheme follows a similar architectural solution to 2015 reserved matters consent. In particular the elevations includes:-
- random panel colours of black grey and silver to complement the plinth;
 - projecting anodised aluminium boxes to add depth and modelling to the elevations;
 - double width modules towards the centres of the main elevations to mark the arcade entrances;
 - double height modules to express the top of the building;
 - a louvred plant screen set back from the building line by approximately 4 metres.
 - a black clad stair enclosure on the south east elevation to form a single unifying element to the building elevations.
- 6.13. The approved reserved matters application for residential and office (LPA ref 2015/02639/PA) incorporated a services transition floor between levels 8 and 9 of the proposed building, allowing for a well-designed top to the building. However, in the current application there is far more rooftop plant surrounded by a screen. The applicant has been requested to better integrate the rooftop plant into the overall appearance of the elevations. However, they are unwilling to do so and consider that the proposed plans already demonstrate an appropriate design response.
- 6.14. Overall, whilst the rooftop plant is less well designed than the previous reserved matters scheme (application 2015/02639/PA), I am of the view that the elevations are satisfactory and would complement the existing plinth. Conditions are attached to the outline consent to secure samples of materials.

Landscape

- 6.15. The building occupies the whole site and no landscaping is proposed. However, the scheme does include a brown biodiversity roof of 413sqm around the perimeter of the building. This is more than provided in the previously consented 2015 scheme. A condition is attached to the outline consent to secure green / brown roof details.
- 6.16. I note the comments from an adjoining occupier about the inclusion of nesting ledge for hawks/falcons and the applicant is willing to provide this. A condition is therefore attached to secure details.

7. Conclusion

7.1. I consider that the application is consistent with the principles agreed at outline planning stage and therefore acceptable. Accordingly I recommend approval of this reserved matters application for Phase 2 of the Post and Mail Building.

8. Recommendation

8.1. Approve subject to conditions.

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

2 Requires the prior submission of details of bird nesting features

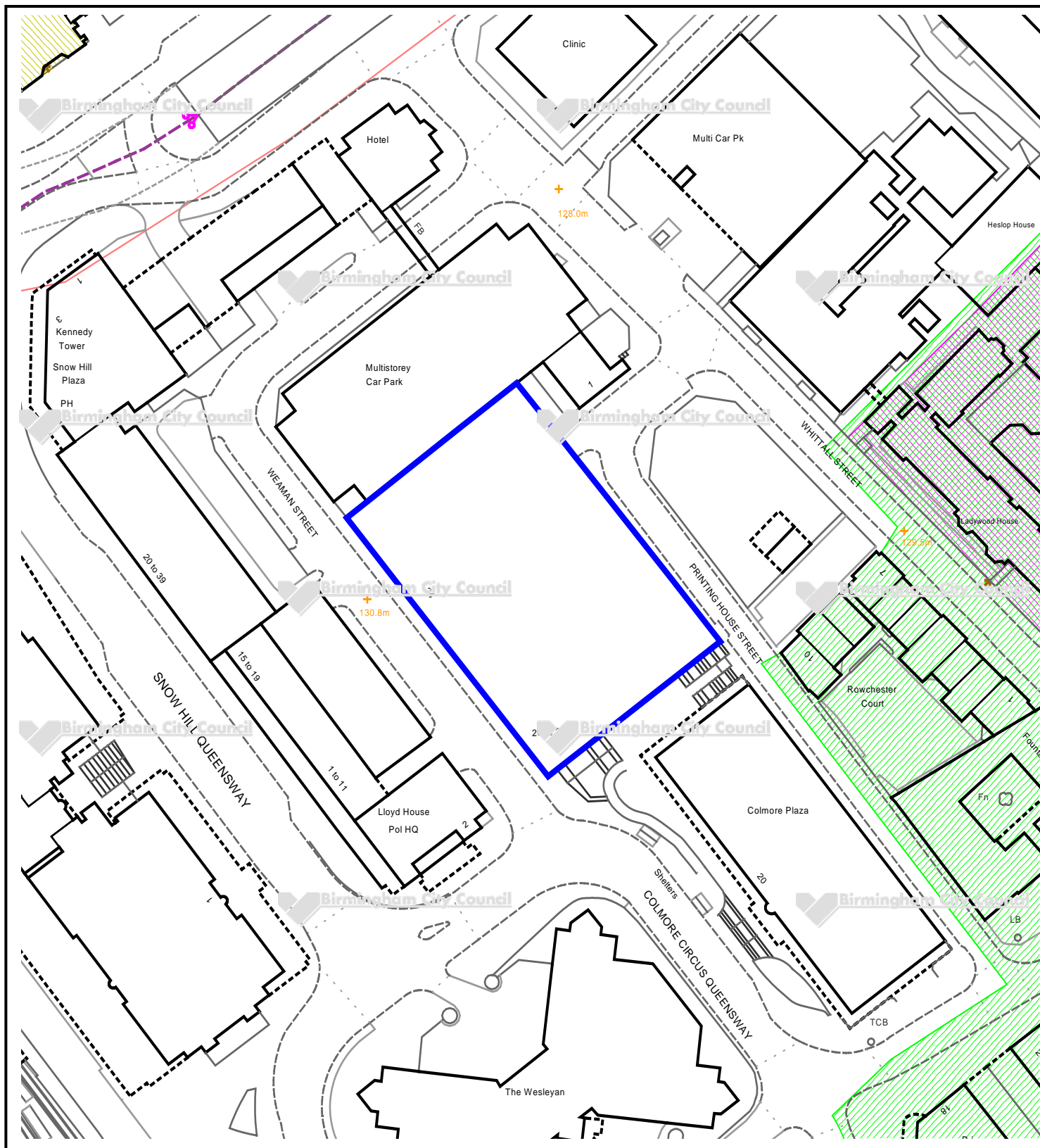
Case Officer: David Wells

Photo(s)



View along Weaman Street

Location Plan



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Birmingham City Council

Planning Committee

11 May 2017

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve - Conditions	15	2017/01996/PA St Mary's Row Former Meteor Ford site Moseley Birmingham B13 9EG Full application for 388 sqm (gross external area) retail (Use class(A1) or restaurant/cafe (Use class A3) and eight sheltered accommodation units within part of the building currently under construction at St Mary's Row, Moseley under planning reference 2015/05202/PA
Approve - Conditions	16	2017/00946/PA University of Birmingham Edgbaston Birmingham B15 2TT Redevelopment of Bournbrook sports pitches with creation of new external sports pitches and hard courts with perimeter fencing, floodlighting, associated furniture and spectator facilities, pedestrian access and new on-site car park
Approve - Temporary 3 years	17	2017/02407/PA Meadows Junior and Infant School Bristol Road South Northfield Birmingham B31 2SW Erection of two storey structure to accommodate 8 temporary classrooms, staircases and canopies and temporary dining hall

Committee Date:	11/05/2017	Application Number:	2017/01996/PA
Accepted:	13/03/2017	Application Type:	Full Planning
Target Date:	08/05/2017		
Ward:	Moseley and Kings Heath		

St Mary's Row, Former Meteor Ford site, Moseley, Birmingham, B13 9EG

Full application for 388 sqm (gross external area) retail (Use class(A1) or restaurant/cafe (Use class A3) and eight sheltered accommodation units within part of the building currently under construction at St Mary's Row, Moseley under planning reference 2015/05202/PA

Applicant: Commercial Development Projects Limited (CDP Ltd)
Marshall House, Huddersfield Road, Elland, HX5 9BW

Agent:

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Planning permission was granted on 6 May 2011 under 2009/05931/PA for the demolition of the existing car dealership buildings and its redevelopment to provide a mixed use scheme comprising a retail food store (Tesco), medical centre and 14 sheltered residential apartments, together with a new access, 102 car parking spaces and landscaping works.
- 1.2. The permission was subject to a Section 106 agreement that secured:
 - a contribution of £68,000 for highway studies / works that may arise from traffic issues relating to use of the store / development;
 - a contribution of £25,000 towards public realm / promotional and marketing campaigns / community safety initiatives within Moseley Village;
 - a local employment and training obligation.
- 1.3. The financial contributions have been paid and the development has commenced under this previous consent. There have been two subsequent variation of condition applications (2014/01972/PA and 2014/03074/PA), both of which were granted consent in 2014, following the site being sold to the Applicant. A further minor material amendment application was approved by your Committee under 2015/05202/PA for a reduction in car parking provision of 18 spaces to a total of 84 spaces, provision of external seating area, and other minor changes to accommodate the new anchor operator at the site, Marks and Spencer.
- 1.4. The Applicant has explained that the reason for submitting this current planning application is that they have to date been unable to find both an interested and commercially viable party to operate the approved medical centre. Notwithstanding, they are still constructing the shell of the medical centre and submitting this current

application so that in the event that they do not find a health care operator this part of the mixed use scheme could accommodate a non-food retail use (Use Class A1) or restaurant/café use (Use Class A3) at ground floor, and eight sheltered apartments at first and second floor (three 1-bed units and five 2-bed units). The proposed A1 or A3 unit would have a gross internal area of 362 sqm.

- 1.5. The footprint of the three storey medical centre building would remain the same as previously approved under 2015/05202/PA (and as subsequently agreed under non-material amendment applications) and no material changes are required to the external appearance of the building in order to accommodate the proposed alternative uses.
- 1.6. The ground floor would accommodate the proposed commercial unit, and stair cores at either end would provide access to the first floor. The eight sheltered housing apartments at first and second floor are proposed to be run by the future operator of the approved 14 sheltered housing apartments to be located above the Marks and Spencer store. However, the proposed apartments would not physically link through to the previously approved apartments, having their own separate layout and separate access via the stair cores at either end of the proposed commercial building (and lift at the northern end of the building) and communal corridors on each floor. The first floor would accommodate Apartments 1-3, and the second floor would accommodate Apartments 4-8, with Apartment 8 to be located on the corner of Oxford Road/St. Mary's Row, to the north of the stair core.
- 1.7. The proposed sheltered apartments would each have a gross internal floor area of between 48sqm (Apartment 7) and 125sqm (Apartment 2) in size. Each would have kitchen/living room area, double bedroom(s), bathroom, hallway, and storage space. Bedroom sizes would range from between 12.4sqm - 23.7sqm in size for a double bedroom. The one single bedroom, to be accommodated within Apartment 5, would measure 11.6sqm in size. There is no additional amenity space afforded to the proposed sheltered apartments (the approved 14 sheltered housing apartments benefit from 224sqm of communal amenity space in the form of a first floor terrace).
- 1.8. The level of car parking would remain unchanged from the previous consent (2015/05202/PA) - a total of 84 parking spaces provided within a car parking area to the rear of the wider site to serve customers visiting the Marks and Spencer store, the approved Retail Unit 2, the proposed commercial unit, and occupiers of the sheltered residential apartments.
- 1.9. The hours of opening of the proposed commercial unit would be 0800-2200 hours Mondays-Saturdays and 1000-1600 hours Sundays and Bank Holidays.
- 1.10. The proposed development would not attract a CIL contribution.
- 1.11. The site area is 0.59ha in size.
- 1.12. A Design and Access Statement, Planning Statement, Noise Assessment and Transport Assessment have been submitted in support of the application.
- 1.13. [Link to Documents](#)
2. Site & Surroundings

- 2.1. This is a prominent corner site located at the edge of Moseley Village shopping centre, at the junction of St. Mary's Row and Oxford Road. The car dealership buildings have been demolished and the approved Marks and Spencer store and associated car park are currently being built out with completion due later this year.
- 2.2. The site occupies a position in an area of transitional character. The main Victorian shopping area to the west is characterised by two, three and some four storey narrow fronted terraced buildings with shops at ground floor and residential above. Directly east of the site is a group of 1930's terraced shops completed in mock-Tudor style and set back from the road with parking in front. Diagonally opposite the site is St. Mary's Church (Grade II Listed) occupying an elevated position. East of this is an area of vacant land straddling the railway line that was previously used as open car storage and which is also owned by the Applicant. Further east along St. Mary's Row opposite the site are large detached houses set back behind a wide verge and mature hedge. Immediately south there are detached Victorian and early Edwardian houses and Moseley Baptist Church (Grade II Listed) opposite in Oxford Road.
- 2.3. The site is adjacent to the boundary of Moseley Conservation Area, the boundary taking in properties west of the railway line and north of St. Mary's Row. The site is located within Moseley Neighbourhood Centre.
- 2.4. [Site Location Map](#)
3. Planning History
 - 3.1. 11 October 2004. 2003/07757/PA. Demolish garage buildings and construct a new food retail store with 24 residential properties built over with proposed access and car parking. Refused for reasons for design, highway issues and residential amenity.
 - 3.2. 1 August 2005. 2005/03178/PA. Demolish garage buildings and construct a new food retail store with 24 residential properties built over with proposed access and car parking. Refused on the grounds of design, highway issues and residential amenity.
 - 3.3. 6 May 2011. 2009/05931/PA. Demolition of existing dealership/buildings and redevelopment to provide a mixed use development comprising a medical practice/surgery, retail food store and 14 sheltered residential apartments together with a new access, car parking and associated landscaping. Approved subject to conditions and a Section 106 Agreement.
 - 3.4. 1 March 2012. 2012/00883/PA. Non material amendment attached to planning approval 2009/05931/PA. The amendments included changes to the retail element including a reduced plant area, staircases amended to be DDA compliant, roof height lowered and floor to floor height amended. The medical centre was also amended to include changes to the proposed roof pitches and a change in the external material from render to an external cladding system. Approved
 - 3.5. 29 July 2014. 2014/03074/PA. Variation of condition 39 attached to approved application 2009/05931/PA to allow additional time for highway works to be completed. Approved subject to conditions
 - 3.6. 24 November 2014. 2014/01972/PA. Variation of Condition 7 to allow deliveries between 06:30 and 21:00 Monday to Saturday and 08:00 & 19:00 Sundays and

Bank Holidays. Condition 8 to allow a maximum net sales area of 1,159 square metres. Condition 22 to allow the replacement of approved drawings and removal of Condition 40 to allow the occupation of the retail store prior to the medical centre being completed. Approved subject to conditions

- 3.7. 23 September 2015. 2015/05202/PA. Minor material amendment to Planning Permission ref:- 2009/05931/PA for reduction in car parking provision by 18 spaces, re-location of scissor lift and roller access door, revision to entrance door positions and provision of external seating area to café. Approved subject to conditions
- 3.8. 19 September 2016. 2016/06000/PA. Erection of electric sub-station. Approved subject to conditions

4. Consultation/PP Responses

- 4.1. Transportation Development - No objection
- 4.2. Regulatory Services – No objection – Subject to conditions requiring submission of details of extract ventilation and odour control; noise insulation specification for external windows and doors; vehicle charging points; noise insulation between commercial and residential; restricts hours of use of retail to 08:00-20:00 Mondays to Saturdays and 08:00-18:00; and restricts cumulative noise levels from all plant and machinery
- 4.3. West Midlands Police – No objection
- 4.4. Local residents, Ward Councillors, M.P. and Residents/Business Associations notified. Advertised by site notice – One letter of general comment received from the Moseley Society commenting that they do not object to the application but would be very sorry if this opportunity to provide good quality health care facilities in Moseley is lost as current facilities are all inadequate. They also consider that the proposed apartments would be better let to young people rather than those over 55 because those over 55 are more likely to own a car and in addition if the ground floor space becomes an A3 use this would probably be less compatible for older people.

5. Policy Context

- 5.1. The following local policies are applicable:
- Birmingham Development Plan (BDP) (2017)
 - Birmingham Unitary Development Plan (UDP) (2005) Saved Policies
 - Places for All SPG
 - Moseley SPD
 - Shopping and Local Centres SPD
 - Car Parking Guidelines SPD
- 5.2. The following national policies are applicable:
- National Planning Policy Framework (NPPF)

6. Planning Considerations

- 6.1. I consider the key planning issues to be assessed under this application are: the principle of replacing the approved medical centre, the principle of A1/A3 use in this location, the principle and suitability of the proposed sheltered housing apartments; potential noise impacts; and the traffic and highway safety impacts of the proposal.

Replacement of Medical Centre

- 6.2. Policy TP37 of the BDP explains that the City Council is committed to reducing health inequalities, increasing life expectancy and improving quality of life by, amongst other things, “promoting health care facilities especially within centres”.
- 6.3. In granting consent for a mixed use scheme on this site under 2009/05931/PA your Committee were advised of the need for a new medical centre in the area, particularly given the aspiration for Wake Green Road Surgery to relocate to larger premises at that time. To this end the Council encouraged the then Applicant (Tesco) to incorporate a medical centre within a mixed-use scheme on the site.
- 6.4. On Tesco deciding not to implement their consent, they sold the site to the Applicant who subsequently found a new anchor retail operator in Marks and Spencer. The Applicant had drafted Heads of Terms with Wake Green Surgery in October/November 2013 and held numerous meetings and conversations with them in the forthcoming months. However, subsequently NHS funding changed to a more short term funding basis, and despite trying to attract other surgeries, the Applicant has explained that they have been unable to find a health operator for the building, but continue to try to do so. They have also approached West Heath Surgery and have liaised directly with the NHS/Clinical Commissioning Group without success.
- 6.5. Condition 40 of the original consent (2009/05931/PA) stated that *“The retail store hereby approved shall not be occupied until the medical centre has been completed and is ready for occupation.”* The Applicant applied to delete Condition 40 through submission of a removal of condition application in 2014 under 2014/01972/PA to prevent this condition stalling build out of the rest of the scheme. In determining planning application 2014/01972/PA for the removal of this condition your Committee were advised that it was not the Applicant’s intention at this time to remove the medical centre from the scheme, only to remove the restriction preventing occupation of the retail store before completion of the medical centre. The Officer’s Report at the time explained *“The condition, at present, has significantly delayed the delivery of this ‘in centre’ site and will continue to prevent its delivery until such a time as the NHS and doctor’s surgery can commit to occupation.”*
- 6.6. The situation has again changed since granting of the 2014 variation of condition application and now there is even less optimism that a health operator can be found for the site. The Applicant is now nearing completion of the shell of the building and in light of no NHS funding being available for at least a year, probably 2/3 years in fact, they explain that they have been forced down an alternative route of providing commercial and residential, which is what is now sought under the current application.
- 6.7. Whilst it would have been preferable, in terms of benefit to the local community, to accommodate a medical centre on the site, I am satisfied that the Applicant has made efforts over the years to try and find an interested and viable operator and cannot now leave an empty building shell. Therefore in order to make the scheme commercially viable I concur with the principle of replacing the approved medical centre.

Ground Floor A1/A3 Use

- 6.8. The application site is located within Moseley Neighbourhood Centre (although not within the Primary Shopping Area) and therefore a sequential test is not required. The proposed accommodation of a non-food retail unit (Use Class A1) would comply with Policy TP21 of the BDP which encourages new retail to be located within a local centre.
- 6.9. Policy TP24 of the BDP notes that a mixture of uses in centres is essential to promote the diversity, vitality and viability of centres and that it is key to the success of a centre to have alongside A1 retail units, other uses, which would include for example restaurants. It goes on to explain that it is important that the main retail function of a centre is not undermined by an over concentration of these non-A1 uses. I do not consider the proposal would result in any clustering of A3 uses (also Policy 5 of the Shopping & Local Centres SPD), the proposed unit being located some distance from the nearest other A3/A4/A5 units. It would complement the large new Marks and Spencer retail unit which anchors the scheme.

Sheltered Housing Apartments

- 6.10. Policy TP27 of the BDP states that *“New housing in Birmingham is expected to contribute to making sustainable places, whether it is a small infill site or the creation of a new residential neighbourhood. All new residential development will need to demonstrate that it is meeting the requirements of creating sustainable neighbourhoods.”* It goes on to explain that sustainable neighbourhoods are characterised by: a wide choice of housing sizes, types and tenures; access to facilities such as shops, schools, leisure and work opportunities within easy reach; convenient options to travel by foot, bicycle and public transport; a strong sense of place with high design quality so that people identify with, and feel pride in, their neighbourhood; environmental sustainability and climate proofing measures; attractive, safe and multifunctional public spaces such as squares, parks and other green spaces for social activities, recreation and wildlife; and effective long-term management of buildings, public spaces, waste facilities and other infrastructure.
- 6.11. Whilst I note the comments of the Moseley Society in connection with the compatibility of the ground floor commercial and first floor sheltered housing apartments in terms of potential noise, the Officer's Report dealing with the original consent for 14 sheltered residential apartments on the site explained that a retirement management company would expect such apartments to be located close to essential services and shops as many occupiers may not have their own transport and would be dependent on local amenities. It notes that there are similar such successful new retirement apartments which have been built above commercial and retail units. I concur, and consider safeguarding conditions to restrict hours of use, delivery hours and provide noise insulation would ensure that the amenity of any occupiers of the proposed sheltered housing apartments is not harmed by the ground floor commercial use.
- 6.12. All but one of the proposed apartments, Apartment 7, would far exceed the minimum recommended internal floor area sizes as recommended in the Government's National Technical Housing Standards document. Apartment 7 would only be 2sqm short of the 50sqm recommended size. Bedroom sizes would all exceed the minimum bedroom sizes also recommended within the document. Therefore I consider living conditions for future occupiers would be acceptable.

- 6.13. Whilst there would be no private amenity space afforded to the additional sheltered housing apartments, the majority of the apartments (i.e. the 14 that were previously approved) would benefit from a communal external terrace area. The lack of amenity space is often typical where flats above shops exist in a local centre - this is the effective trade-off of no such amenity space but with the convenience of the various amenities and services of a thriving local centre adjacent.

Noise

- 6.14. Paragraph 123 of the NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and that decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 6.15. I consider that neither a proposed retail use or restaurant/cafe use, to be accommodated within the ground floor commercial unit, would be likely to cause a greater level of noise or disturbance to local residents through comings and goings than if the approved medical centre had occupied this part of the site. I acknowledge that there may be some additional noise and disturbance associated with a restaurant/café use that would operate during evening hours, but this is unlikely to result in material noise and disturbance to any nearby residential occupiers or future occupiers of the sheltered housing apartments, particularly given the proposed opening hours of the commercial unit until 10pm, and generally high background noise levels from this Centre location and traffic using St Mary's Row. I note Regulatory Services have raised no objection to the proposal. Regulatory Services have also recommended conditions be attached to any consent restricting the hours of use of the proposed commercial unit to 08:00-20:00 Mondays to Saturdays and 08:00-18:00 Sundays/Public Holidays. I consider this should be varied by an additional two hours on weekday evenings as per the Applicant's proposed requested hours and to reflect the approved hours of the Marks and Spencer store. I also consider a condition should be attached to any consent restricting delivery times/hours, in line with those of the approved consent for the wider site.
- 6.16. The submitted noise report recommends that all habitable windows overlooking St Mary's Row and Oxford Road should have a minimum manufacturer's rating of Rw + Ctr 35 and that all other habitable windows throughout the development should have a minimum manufacturer's rating of Rw33. It also recommends that habitable rooms throughout the development should be provided with proprietary wall or window mounted trickle vents to the required achieve background ventilation. It recommends that noise limits for all items of mechanical plant associated with the proposed ground floor commercial unit should enable a BS 4142 assessment of 'low impact' at the nearest dwellings for all periods of the day and night. Regulatory Services have raised no objection to the proposed development subject to conditions requiring the submission of noise insulation specification for external windows and doors in line with that of the noise report; noise insulation between the ground floor commercial and first floor residential; restrictions on cumulative noise levels from all plant and machinery; and details of extract ventilation and odour control.

Traffic and Parking

- 6.17. Policy TP38 of the BDP states that "*The development of a sustainable, high quality, integrated transport system, where the most sustainable mode choices also offer the*

most convenient means of travel, will be supported.” One of the criteria listed in order to deliver a sustainable transport network is ensuring that that land use planning decisions support and promote sustainable travel. 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.

- 6.18. The original approval allocated 64 spaces to visitors and customers of the retail units, 15 spaces allocated to essential users of the medical centre, and 5 spaces allocated to the sheltered residential apartments. This was subsequently amended under 2015/05202/PA to allow for 75 spaces for customers of the retail units and 9 spaces for the sheltered housing apartments. Under the previous consent it was proposed that 7 of the 75 spaces for customers of the retail units would be closed off during servicing to assist with the manoeuvring of service vehicles. These spaces would be controlled by the site Banksman as identified in the Approved Service Management Plan.
- 6.19. The submitted Transport Assessment confirms that the previously approved scheme would have generated 152 vehicular movements during the morning peak hour and 308 during the afternoon peak hour. The Transport Assessment goes on to explain that the proposed replacement of the medical centre with a commercial unit and 8 additional sheltered housing apartments would generate a total of 115 vehicular movements during the morning peak hour and 293 during the afternoon peak hour. This would equate to between 24% and 5% less during the morning and afternoon peak hours respectively when compared to the previously approved scheme.

Other Issues

- 6.20. A suite of conditions were attached to Planning Permission 2015/05202/PA, most of which have now been discharged by the LPA. Given that this previous consent has already been implemented and the shell to accommodate the proposed commercial unit and sheltered housing apartments already close to being built out, I consider there is only a need to attach conditions relating to the proposed use of the commercial/residential units being applied for.

7. Conclusion

- 7.1. Whilst it would have been preferable to accommodate a medical centre within the wider scheme I consider its replacement with a retail or restaurant/café use would complement the other approved uses (already being built out on the wider site) and prevent a large empty/unoccupied unit within Moseley Neighbourhood Centre. The housing units would provide an additional supply in the important sheltered sector. The proposal would have no adverse impacts on traffic or highway safety, nor on the amenity of residential occupiers. I consider that the proposal would constitute sustainable development and the final piece in the regeneration of this important site. Therefore I recommend that planning permission is granted.

8. Recommendation

- 8.1. Approve Subject to Conditions

-
- 1 Requires the scheme to be in accordance with the listed approved plans
 - 2 Requires the prior submission of extraction and odour control details
 - 3 Limits the noise levels for Plant and Machinery
 - 4 Requires the prior submission a noise study to establish residential acoustic protection
 - 5 Requires the prior submission of noise insulation between ground floor commercial and first floor residential
 - 6 Limits the hours of operation to 08:00-22:00 Mondays to Saturdays and 08:00-18:00 Sundays and Public Holidays
 - 7 Sets minimum age of residents
 - 8 Limits delivery hours to no more than two deliveries between 06:30-08:00 and 19:00 and 22:00 on Mondays to Saturdays and 09:00-10:00 on Sundays/Public Holidays
 - 9 Requires the prior submission of an updated commercial travel plan
 - 10 Requires the prior submission of a goods delivery strategy
 - 11 Restricts any Class A1 retail use to Non-Convenience retail only
 - 12 Implement within 3 years (Full)
-

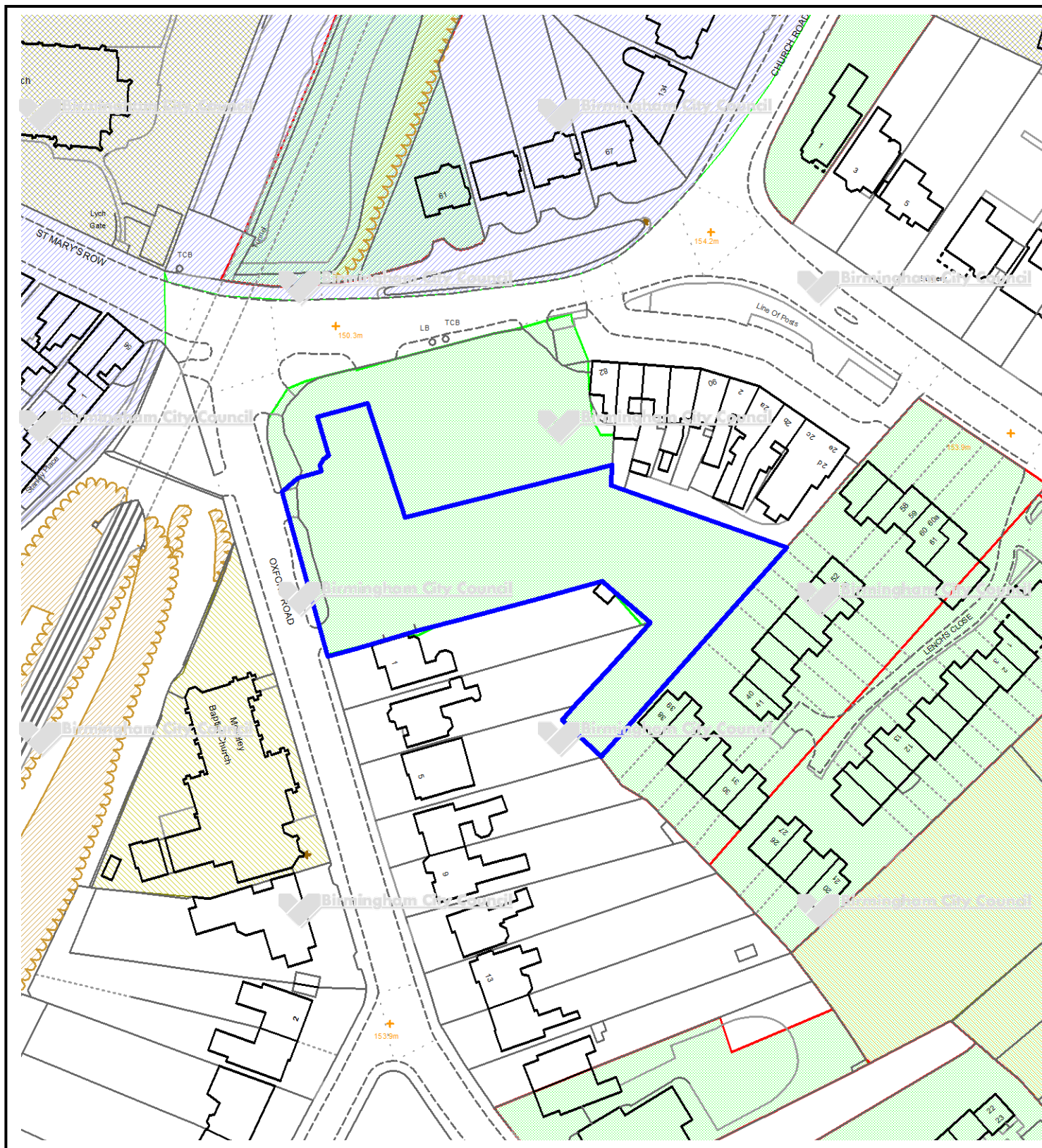
Case Officer: Andrew Conroy

Photo(s)



Figure 1 – Corner of St Mary's Row and Oxford Road

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/00946/PA
Accepted:	13/02/2017	Application Type:	Full Planning
Target Date:	15/05/2017		
Ward:	Edgbaston		

University of Birmingham, Edgbaston, Birmingham, B15 2TT

Redevelopment of Bournbrook sports pitches with creation of new external sports pitches and hard courts with perimeter fencing, floodlighting, associated furniture and spectator facilities, pedestrian access and new on-site car park

Applicant:	University of Birmingham Edgbaston, Birmingham, B15 2TT
Agent:	Surfacing Standards Ltd 1A Perth House, Corbygate Business Park, Priors Haw Road, Corby, Northants, NN17 5JG

Recommendation

Approve Subject To Conditions

1. Proposal

1.1. This application is for the redevelopment of the part artificial surface, part grass sports pitches at the University of Birmingham, including the creation of new external sports pitches and hard courts with perimeter fencing, new and replacement floodlighting, associated furniture and spectator facilities, pedestrian access and new on site car park with access.

1.2. The development would include the following elements;

Hockey;

2no artificial hockey pitches each being 97.4m in length and 63m wide (with 91.4m x 55m principle playing areas) with adjoining ancillary areas containing dug outs, and goal storage areas. The installation of perimeter fencing (4.5m to 8.0m high), pitch perimeter barriers (1.20m high); the installation of a shared central spectator area with covered seated spectator grandstands; and the installation of 12no new floodlights (15m high).

Rugby;

1no. artificial rugby pitch sized 120m in length and 78m wide (including 112m x 68mm field of play) with adjoining ancillary areas containing dug outs and goal storage areas. The installation of perimeter fencing (4.5 to 8m high), pitch perimeter barrier (1.20m), the installation of a spectator area with covered seated spectator grandstands; and the installation of 6no new floodlights (15m high).

Hard Courts;

10no. netball and tennis courts each 34.75m in length and 19.25m wide (forming a grid in a five-two configuration), the installation perimeter fencing (3.0m high); and the installation of 18no new floodlights (12m high).

- 1.3. The covered spectator 'grandstands' would each be 9.8m in length and 2.7m high, with metal clad roof and rear elevation. Each would have 75 tiered tip-up seats in four rows. There would be a total of 19 across the site (14 for the two hockey courts; 5 for the rugby pitch) providing a total of 1425 seats.
- 1.4. The proposed perimeter fencing around the courts would be open steel mesh design and would be finished to polyester powder coated colour of dark green.
- 1.5. 18no. 15m high galvanised steel grey floodlights would be installed, mounted with 2kW luminaires each (12 to the hockey pitches; 6 to the rugby pitch). 18no. 12m high steel floodlights would be installed mounted with 2kW luminaires each to the hard courts.
- 1.6. The proposed redevelopment would result in the loss of fourteen car parking spaces situated south of the existing grass rugby pitch. However, a new 106 space car park would be created to the east of the site.
- 1.7. An existing changing room block to the south of the site is to be demolished and provision of new changing facilities provided within an existing building to the west of the application site. This development has been approved as part of the University Hybrid application (ref 2012/02047/PA)
- 1.7. 2no trees would be removed to facilitate the development a Sycamore (Cat U) to the southwest boundary and Cherry (Cat C) to the south east boundary.
- 1.8. Site area 3.5 hectares
- 1.9. The application is supported by Design and Access Statement; Flood Risk Assessment; Heritage Statement; Preliminary Ecological Survey; Tree Survey; Lighting Assessment, Transportation Statement and Planning Statement.
- 1.10. The application was screened for an Environmental Impact Assessment and it was determined that one was not required.

[Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is the Bourn Brook sports pitches, located to the south of the Edgbaston Campus of the University of Birmingham. It is currently a venue for outdoor sports and consists of two synthetic pitches, a grass rugby pitch and rubber crumb synthetic pitch for contact sports training. All of which are floodlit by existing lighting.
- 2.2. To the north and set higher than the site is the main range of Aston Webb buildings consisting of the Grade II* listed Great Hall and Quadrant, with other university buildings located to the north-east and north-west. To the south of the site is the Bourn Brook which is a designated Wildlife Corridor; beyond which is the boundary of the campus and Aston Webb Boulevard and Bristol Road. The site is adjacent the Selly Oak District Centre.

- 2.3. Eastern parts of the application site are located within Flood Zones 2 and 3.

[Location map](#)

3. Planning History

- 3.1. There is a comprehensive planning history associated with the wider university site, including the application below;
- 3.2. 09/10/2012 - 2012/02047/PA Redevelopment of elements of the University Campus buildings and infrastructure including: Outline application for a multi-storey car park, erection of student residences and sports pavilion, erection of new library and Full details for the erection of a new sports centre and the construction of a new pedestrian/cycle route to the Vale, Demolition of various buildings associated landscaping and car parking. Approved with section 106 to secure funding for off-site car parking surveys and mitigation if necessary.
- 3.3. Other applications of relevance include;
28/03/1991 – 1991/00350/PA Installation of 16no 15.2m high floodlight columns to three sports pitches. Approved subject conditions.
- 3.4. 16/04/1993 – 1993/00675/PA Extension of existing hardstanding to accommodate sports equipment and spectators. Approved subject to conditions.
- 3.5. 09/09/1999 – 1999/01703/PA Relocation of hockey pitches, including floodlighting, fencing and pathways; Construction of water tank storage facility. Approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objection. Vehicular access to the new parking area would be gained from the existing driveway adjoining Bristol Road, connecting to the internal university road network.
- 4.2. Regulatory Services – No objection.
- 4.3. Lead Local Flooding Authority (LLFA) – No objection, subject to a condition requiring a sustainable drainage scheme and operation and maintenance plan.
- 4.4. West Midlands Police – No objection, subject to condition for cycle storage.
- 4.5. Environment Agency – No objection, whilst recognising that part of the site is within Flood Zone 3, it is noted that this is a water compatible development.
- 4.6. Sport England – No objection subject to a community access condition.
- 4.7. Historic England – Raise no objection and are satisfied this can be considered by the Local Planning Authority's Conservation Officer's.
- 4.8. Severn Trent – No response received.
- 4.8. Letters of notification have been sent to nearby occupiers; local residents association; Local Ward Councillors and the MP for Edgbaston. A site and press notice have also been posted.

4.9. One letter of objection from a local resident has been received, objecting to the application on the following grounds.

- Loss of green space.
- More car parking required than proposed across the campus.

5. Policy Context

5.1. The following local policies are relevant

- Birmingham Development Plan (BDP) 2017.
- The Birmingham Unitary Development Plan (UDP) 2005 (saved policies)
- Wider Selly Oak SPD (2015)
- SPG: Places for All (2001)
- SPG: Car Parking Guidelines (2012).
- Nature Conservation Strategy for Birmingham
- Grade II* Listed: Great Hall and Quadrant
- SPG: Guidelines for the Installation of Floodlighting

5.2. The following national policy is relevant.

- The National Planning Policy Framework (2012)

6. Planning Considerations

Policy

6.1. The NPPF requires all new developments to be considered with the presumption in favour of sustainable development. Paragraph 17 of the NPPF has as one of its core principles the requirement to seek high quality design. Paragraph 56 of the NPPF reiterates the requirements confirming that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Paragraph 58 states that planning decisions should (amongst other things) aim to ensure that developments: add to the overall quality of the area: establish a strong sense of place: respond to local character and reflect the identity of local surroundings and materials: and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 64 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.2. Paragraph 74 of the NPPF states that existing sports and recreational buildings and land, including playing field, should not be built on unless...the development is for an alternative sports and recreational provision, the needs for which clearly outweigh the loss.

6.3. Policy PG3 of the Birmingham Development states all new development will be expected to be designed to the highest possible standards, noting it should reinforce or create a positive sense of place and saved policy 3.14 of the Birmingham Unitary Development Plan which seeks to ensure that the development would be in keeping with the existing buildings and sympathetic to the appearance of the surrounding area.

- 6.4. Policy GA9 of the Birmingham Development Plan (BDP) also recognises Selly Oak and South Edgbaston as areas for major regeneration and investment. It notes that at the University of Birmingham further education and associated uses that maintain and enhance the University's facilities will be supported; recognising the unique character of the campus and the important historic and architectural value of its listed buildings.
- 6.5. Policy TP11 of the BDP relates to sports facilities, noting that within the City's educational establishments, facilities that can be used by the community can provide a useful contribution towards the recreational and leisure requirements of the city and will be encouraged. It notes that proposals for new facilities and/or enhancement of existing facilities will be supported and appropriate and sympathetic sports lighting can enhance the use and sustainability of community sports provision to the benefit of the local community.
- 6.6. The Planning (Listed Buildings and Conservation) Act 1990 [The 1990 Act] includes the statutory instruments to guide the process of planning applications affecting listed buildings and conservation areas. Section 66, of the Act, states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." These requirements have been carried into the Birmingham Development Plan through Policy TP12.
- 6.7. BDP policy T12 states that, "New development affecting a designated or non-designated heritage asset or its setting, including alterations and additions, will be expected to make a positive contribution to its character, appearance and significance."

Principle

- 6.8. The current site includes 2no floodlit water based pitches used for hockey and football, a small artificial pitch and a floodlit grass rugby pitch, along with changing rooms and parking/access. It is proposed to modernise the site and upgrade and rearrange the sports pitches to meet the University's sporting programmes and student requirements. This involves replacing the existing hockey and rugby pitches and introducing tennis and netball courts. New spectator stands to international competitive standards would be provided to the hockey and rugby pitches. A small area of existing hockey pitch is lost to the new car parking. However, the application site is proposed to be retained in sports usage, with improvement to the overall provision and the loss of this small section is offset by the improvements and it is recognised that this satisfies Sport England Policy E5 as an exclusion to their 'normal' objection to any loss. Sport England are in full support of the application as it would provide improved sports facilities for the university and community. A condition to secure community use is recommended. As such the proposal would be in accordance with both local and national planning policy in respects to sports provision and as such the principle of this development is accepted.

Impact on setting of the listed building and visual amenity

- 6.9. The overall size of the main pitches and facility would remain unchanged and the proposed surfacing would have negligible impact on the visual amenity of the area.
- 6.10. The proposed pitches with associated fencing and floodlights would be to the south of the existing Great Hall and Quadrant buildings of the main university; these

building are Grade II* listed, but would maintain a prominent position overlooking the sports pitches and there would be no significant change to the public and strategic views of the university. It is considered that the proposed development would have 'less than substantial harm' (no harm) and would not significantly impact on the heritage setting and therefore preserve and have a neutral impact on its character.

- 6.11. An existing band of trees along the southern boundary of the University site would be retained and would offer some screening of the site from residential properties further to the south, including those on Arley Road and any on Bristol Road during the summer months when the trees have leaves. I note that Transportation Development officers have raised no objection and therefore do not consider that improved lighting would affect highway safety.
- 6.12. The new high mesh fencing would be colour coated green to help blend it into the background and a condition is attached to secure this. The proposed floodlighting columns would have a height of 12m or 15m and would be located around the pitches. These would be of a steel construction and be similar in appearance to the existing floodlighting. Given this, I do not consider that there would be any significant impact on the visual amenity of the area.
- 6.13. The development offers the opportunity to provide some structured landscaping to define the southern boundaries of the site and provide additional screening. An appropriate landscaping condition is therefore recommended.

Impact on local residents

- 6.14. Policy DC20 (Chapter 8), of the saved policies of the UDP, states that "...proposals including floodlighting should include the minimum level of lighting required and designed to minimise glare and spillage." The floodlighting SPG expands on DC20 and goes on to identify that front elevations would be subject to a light sensitivity level of E3. This requires that lighting columns must be located at least 12.5m from residential windows and that sky glow should not increase by more than 5%, that lux levels do not exceed 10lux before curfew and 5lux after curfew.
- 6.15. The location of the proposed pitches is the same as existing, being to the south of the main campus building and to the north of Bristol Road. The nearest residential properties are 60m to the south east along Arley Road and along Bristol Road. Most of the boundary along the south of the site has mature trees. Regulatory Services raise no objection to the application; it is unlikely any potential noise and disturbance would be over and above that currently experienced (taking into account the existing use) and it is noted that there is a very busy local centre and road between the site and existing residential areas. I do not consider that the use of the pitches would cause any increase in noise levels significantly different enough to warrant refusal of the scheme. I do not therefore consider it necessary to control the hours of use for reasons of noise control.
- 6.16. The nearest residential properties to the proposed pitches are 60m to the south east, in terms of skyglow it is noted that the lights have luminaries that are focused downwards are of a high specification that are shown to provide a limited amount of light spill. I note that the submitted lighting matrix illustrates that lighting would not spill further than 20m beyond the edges of the enclosure. I also note that the matrix shows a 5lux level, the lowest recorded contour which does not intrude into any residential areas. On the basis of this data, I consider that any skyglow impact would be limited and Policy DC20 is therefore satisfied.

Transportation and traffic matters

- 6.17. Policy TP38 of the BDP states “the development of a sustainable, high quality, integrated transport system, where the most sustainable mode choices also offer the most convenient means of travel, will be supported”.
- 6.18. A new 106 space car park is proposed. Pedestrian access would continue to be provided from the existing entrances within and adjoining the University campus and vehicular access to the new parking area would be gained from the existing driveway adjoining Bristol Road, connecting to the university internal road network. The submitted Transport Statement considers the works will “generate only a slight to moderate increase in traffic generation”. Transportation Development concurs with this and raises no objection to the application. The new car park would serve the sports facility and other elements of the wider site including the new adjacent sports centre. The supporting information includes focus on cycling as a means of access to/from the site, it is unclear if there is any sheltered facility within the vicinity of the sports pitches, and therefore a condition for secure cycle storage is recommended to encourage cycling to the site. The site is also considered to be close to very good public transport links, with regular buses and trains from Selly Oak within reasonable walking distance. (Although it is recognised that the majority of users would already be ‘on site’)
- 6.19. It is also noted that the pitches would also be available for community use. The University has confirmed that there is already significant community use of the Bourn Brook site and there is no intention to reduce it. Users will be permitted to use the parking facilities and it is not considered traffic and parking demand, generated further to this community use, would differ significantly to that generated currently.

Flood risk

- 6.20. The BDP recognises that in order to manage flood risk it is essential that future development is planned appropriately to ensure where possible, development is located in the lowest areas of flood risk and measures are put in place to mitigate new development against flood risk and ensure that it does not increase flood risk elsewhere, with Policy TP6 of the BDP noting that site specific Flood Risk Assessments will be required.
- 6.21. A large portion of the eastern side of the application site is located within Flood Zones 2 and 3 of the Bourn Brook on the indicative Environment Agency Flood Zone Map. The NPPF and accompanying Technical Guidance seek to direct new development to areas with the lowest probability of flooding through the application of a sequential approach. However, it is necessary to compare the proposal against flood risk vulnerability classifications. With reference to table 2 of the Planning Practice Guidance to the NPPF, the proposed development for outdoor sports facilities would be classified as ‘Water Compatible Development’ and as such the proposed development on this site is considered appropriate. Furthermore, the Environment Agent have confirmed they have no objection to the application.

Ecology and trees

- 6.22. Policy TP8 of the BDP notes that the maintenance, enhancement and restoration of sites of national and local importance for biodiversity and geology will be promoted and supported. In this case, the Bourn Brook Potential Site of Importance is adjacent to the southern boundary of the site. A Preliminary Ecological Appraisal (PEA) has been completed in support of the application; this has been informed by

an extended Phase 1 habitat survey, completed in December 2016. The PEA has been prepared based on the assumption that no trees would be removed. However, the initial arboriculture report submitted identified the removal of 19 trees and one tree group, all of which are located along the southern boundary adjacent to Bourn Brook. Two of the trees have bat boxes installed on them. The trees provide a landscape buffer between the brook and sports pitches, a useful foraging resource for the local bat population, enhance the value of the brook corridor as a bat commuting route and provide habitat resources for other wildlife. They also help to reduce the impact of floodlighting on nocturnal wildlife utilising the brook corridor by acting as a screen to restrict light spillage and residential properties beyond.

- 6.20. In response to this, the applicants have amended the plans, with the hockey pitches being relocated 5m northwards in order that all existing trees bar one sycamore (Category U) and Cherry (Category C) along the southern site boundary (adjacent to Bourn Brook) can now be retained. In addition a revised arboriculture report has been submitted and confirms tree protection measures. A condition is recommended to require details of tree protection prior to commencement.
- 6.21. With respect to the impact of light on surrounding wildlife, a comparison between the existing and proposed floodlights has been provided, which confirms lighting levels nearer to the Bournbrook would be reduced by the introduction of these newer floodlights. In addition, it is confirmed there would be a curfew on the use of the floodlights to 22:00 daily, this can be controlled by condition.
- 6.22. It is considered further biodiversity enhancements to maximise the ecology value of the site, in line with recommendations in the PEA be provided. A condition to secure this is recommended. In addition, the PEA includes recommendations to minimise risk of harm to ecology receptors during constructions work. Therefore, a condition for the submission of a Construction Ecology Management Plan is also recommended.

Community Infrastructure Levy (CIL)

- 6.22. The proposed development does not attract a CIL contribution.

7. Conclusion

- 7.1. The proposed new pitches would be located within existing area defined for sports use and would not have any detrimental impact on the visual or residential amenities of surrounding area or occupiers nor on ecology; and would have a neutral impact on the nearby heritage assets. The proposed lighting has been shown to have limited effect on residents amenity. It is considered that the proposal is sustainable development and complies with both local and national planning policy. It would support health and well-being, and the all-round attraction of the higher education campus. It is recommended that the application be approved subject to the attached conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

1	Requires the scheme to be in accordance with the listed approved plans
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2	Limits the use of the floodlighting (09:00 to 22:00)
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- 3 Requires the prior submission of a community access agreement
 - 4 Arboricultural Method Statement and Tree Protection Plan - Implementation
 - 5 Requires the prior submission of hard and/or soft landscape details
 - 6 Requires the prior submission of cycle storage details
 - 7 Requires the prior submission of hard surfacing materials
 - 8 Requires the prior submission of a sustainable drainage scheme and operation and maintenance plan
 - 9 Requires all ball stop and pitch perimeter fencing to be powder coloured coated green.
 - 10 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
 - 11 Requires the submission of a Construction Ecological management Plan.
 - 12 Implement within 3 years (Full)
-

Case Officer: James Mead

Photo(s)

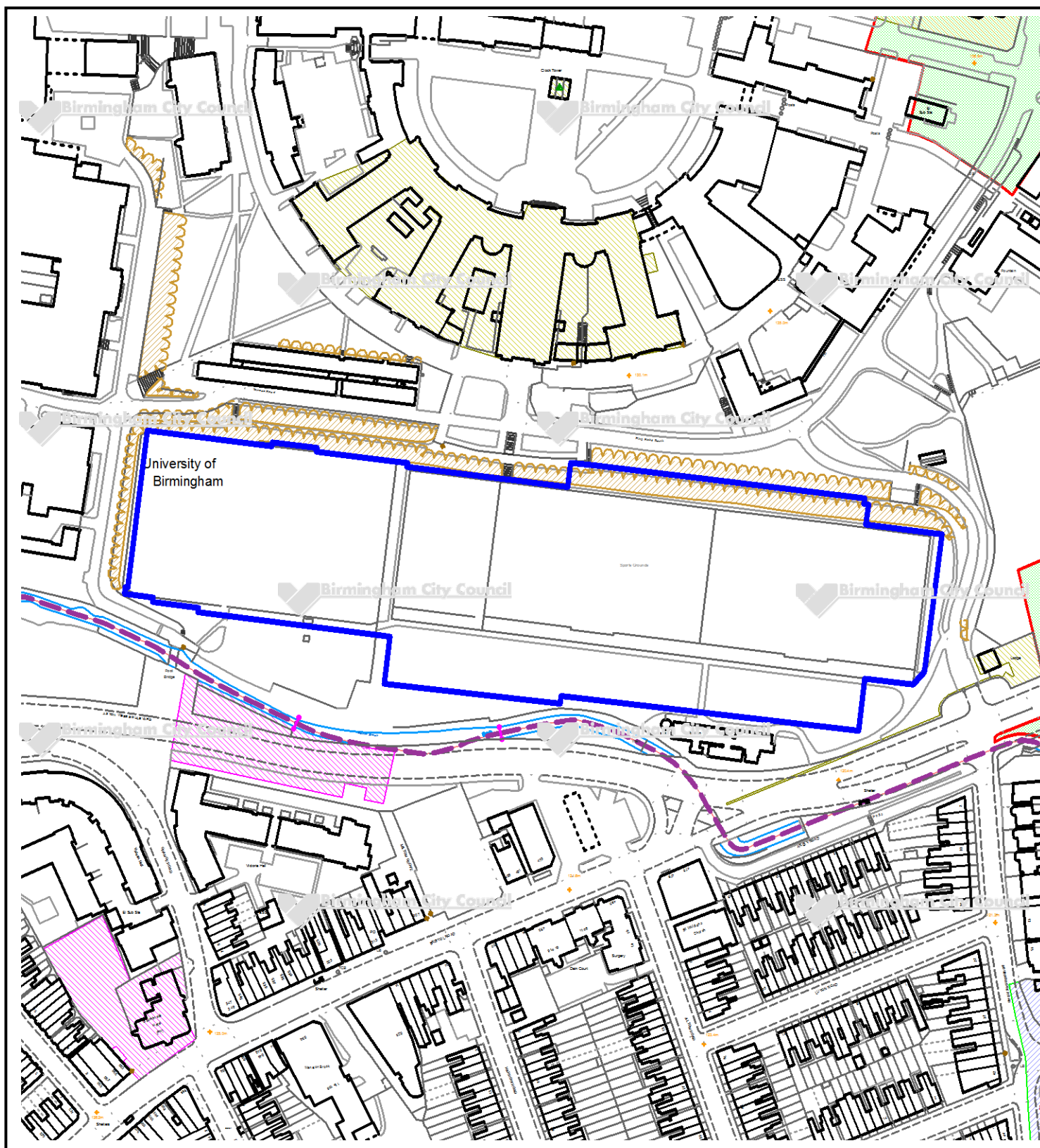


Photograph 1: View looking east across existing site.



Photograph 2: View of existing site from Bristol Road.

Location Plan



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Committee Date:	11/05/2017	Application Number:	2017/02407/PA
Accepted:	27/03/2017	Application Type:	Full Planning
Target Date:	22/05/2017		
Ward:	Longbridge		

Meadows Junior and Infant School, Bristol Road South, Northfield, Birmingham, B31 2SW

Erection of two storey structure to accommodate 8 temporary classrooms, staircases and canopies and temporary dining hall

Applicant:	Meadows Junior and Infant School Bristol Road South, Northfield, Birmingham, B31 2SW
Agent:	Acivico Ltd PO Box 2062, Louisa House, 92-93 Edward Street, Birmingham, B1 2RA

Recommendation
Approve Temporary

1. Proposal
 - 1.1. Erection of two storey structure to accommodate 8 temporary classrooms, staircases and canopies; and single storey temporary dining hall.
 - 1.2. The classrooms and dining hall are required for a period of three years to decant the children whilst the redevelopment of the main school buildings is undertaken. The main school buildings are currently in a depilated state and require demolition and redevelopment. (These works form the subject of application (2017/03342/PA)). The proposed buildings are to be sited along the southern boundary of the site on land currently used as part of the playground. It adjoins a wooded area adjacent to the rear boundaries of the residential properties fronting Bodenham Road.
 - 1.3. The proposed two storey structure would accommodate 8 classrooms, 4 on the ground floor and 4 at first floor level. They would be sited in a linear formation, running along the southern boundary. The two storey classrooms would project 40m in length, 5.9m in depth and 5.6m in height with a flat roof, and are to be constructed from wood. Windows and doors are proposed in the north elevation only, fronting onto the existing school buildings. These classrooms would be supported by steel framework and include a first floor walkway with balustrade that runs the length of the classrooms, with a staircase either end. The walkway would project 2.3m to the front and side elevations of the classrooms and provides access to the first floor classrooms. A polycarbonate and wooden canopy is proposed over the walkway to protect the occupiers during bad weather.
 - 1.4. The proposed temporary dining hall would comprise of a single storey temporary structure that would be sited to the west of the proposed classrooms, to the south west corner of the application site. The structure would be 12.3m in length, 9m in depth and would have an eaves height of 2.9m with a maximum height of 3.1m to

the ridge. Three windows and a door are proposed in the north elevation of the structure.

[Link to Documents](#)

2. [Site & Surroundings](#)

- 2.1. The application site relates to the Meadows Junior and Infant School, off Bristol Road South, Northfield. The application site falls within wider school complex, to the south of the site. The main school buildings are sited to the north of the application site, with residential properties to the east, south and west of the site.
- 2.2. The existing school buildings comprise of a mixture to single storey and two storey buildings that are largely sited to the northern side of the site with a tarmacked playground to the southern side of the complex. There are a number of mature trees and vegetation beyond the school boundaries. The existing vehicular access is located off School Close to the north east side of the site.
- 2.3. The surrounding area is largely residential in nature.

[Site Location](#)

3. [Planning History](#)

- 3.1. Relevant planning history:
- 3.2. 21/06/2005 (2005/01803/PA) - Single storey extension to reception office and waiting area - Approve subject to conditions.
- 3.3. 26/08/2009 (2009/02674/PA) - Erection of single storey extension to existing staffroom - Approve subject to conditions.
- 3.4. 17/04/2014 (2013/09189/PA) - Part demolition of existing buildings and construction of new single storey and two storey extensions and associated works - Approved subject to conditions.
- 3.5. 22/12/2014 (2014/08989/PA) - Non material amendment to approval 2013/09189/PA for the relocation of two storey and single storey extensions – Approved.
- 3.6. Under consideration – (2017/03342/PA) - Proposed part demolition of existing school buildings and construction of new, one and two storey extensions with amendments to the existing external hard play areas.

4. [Consultation/PP Responses](#)

- 4.1. Transportation – No response has been received.
- 4.2. Regulatory services – No objections.
- 4.3. Education – No response has been received.

4.4. Neighbours, local Ward Councillors, residents associations, and two site notices have been displayed. Two letters of objection have been received, the comments are summarised as follows:

- Concerns regarding the increase in pupil numbers,
- The length of time it took to notify neighbours,
- Deliveries already been made to the school,
- Parking of construction staff in private parking,
- Parking of parents and school staff in private parking.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Development Plan (BDP) 2017.
- Birmingham Unitary Development Plan (UDP) 2005 (Saved Policies).
- Places For Living (SPG) 2001.

5.2. The following national policies are applicable:

- NPPF- Delivering Sustainable Development (2012).

6. Planning Considerations

6.1. The main considerations in the assessment of this application are the impact that the temporary structures on the visual amenities of the surrounding area, and the impact upon residential amenities of the surrounding occupiers.

6.2. Policy TP36 of the Birmingham Development Plan outlines that proposals for the upgrading and expansion of schools and developments for new schools in locations where additional provision is required will be supported subject to an appropriate Travel Plans being in place, the provision of outdoor facilities for sport and recreation is provided, and the avoidance of conflict with adjoining uses.

6.3. Places for Living (SPG) sets out numerical standards that are designed to maintain and protect the amenities of existing residents from the effects of new developments.

6.4. The proposal seeks the erection of the temporary structure that provides temporary accommodation within the existing school site and therefore accords with the overall character of the site. The temporary classrooms would occupy an area of hard surfacing which currently forms part of the playground. Whilst the temporary reduction in the playground is not ideal, the proposal would provide a temporary solution to the school while essential works are undertaken to the main school buildings. The proposed structure would enable the school to function on site while the works are undertaken and prevents the children from being transported from this school to other facilities across the city while the works commence. Despite the objections raised regarding the proposed increase in pupil numbers, the proposal would not result in any increase in pupil numbers.

6.5. Whilst the temporary classrooms are two storey, they are located within the school complex and would be viewed as such from neighbouring properties. The classrooms would be sited approximately 39m from the rear of the nearest residential dwellings that front onto Bodenham Road and 15m from the residential flats at Harden Court, thereby complying with the distance separation guidelines

contained within 'Places for Living' (SPG) to the adjacent residential units. Notwithstanding this, the principle of a two storey structure in this location is not ideal. However, the proposed classrooms have been designed with flat roofs to limit the overall mass and height of the structure, thereby reducing the impact on nearby residents. Furthermore, the existing mature trees and planting, located between the two storey structure and neighbouring gardens, provides a significant level of screening to further mitigate the visual impact from neighbouring gardens, protecting their residential amenities.

- 6.6. The design and materials of the structures within the school complex, although more attractive and less utilitarian than many mobile prefabricated classrooms, would clearly appear temporary and are out of keeping with the character of the main school buildings. Whilst not ideal, for a temporary three year period, the impact on the character and appearance of the school site would be acceptable while essential redevelopment works are undertaken at the school.
- 6.7. Despite the objections raised regarding parking, the proposal would not incur any impact on either parking demand or the location of parking on the site and consequently would have no adverse impact on parking or highway safety.

7. Conclusion

- 7.1. Recommend temporary approval for three years. The proposal would provide the required classrooms and essential facilities while the necessary redevelopment works are undertaken.

8. Recommendation

Approve temporarily.

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- | | |
|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the prior submission of a scheme to show how the building would be removed within a timescale of 3 years |
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Case Officer: Catherine Golightly

Photo(s)



Figure 1: Southern boundary looking towards south west corner



Figure 2: Southern boundary looking south towards Bodenham Road properties

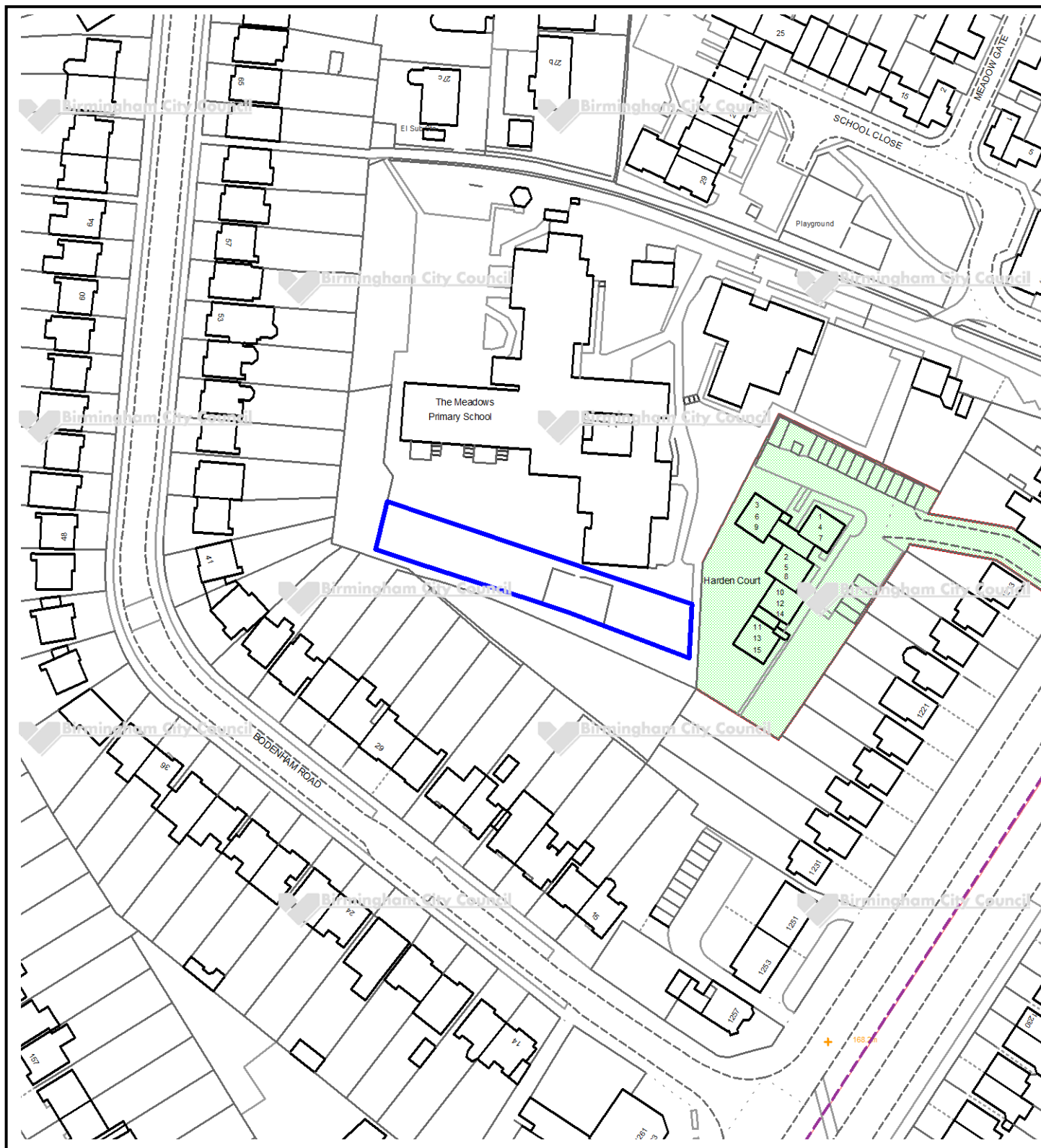


Figure 3: Southern boundary looking south towards Bodenhams Road properties



Figure 4: Eastern boundary looking towards south east corner

Location Plan



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