

Birmingham City Council

Planning Committee

22 November 2018

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	9	2018/00827/PA 1403-1407 Pershore Road Stirchley Birmingham B30 2JR Demolition of existing buildings, erection of three storey building providing ground floor Class A1 retail accommodation and 33 student studio flats (sui generis).
Approve - Conditions	10	2018/05092/PA 120 Milner Road Birmingham B29 7RQ Erection of detached dwellinghouse
Approve - Conditions	11	2018/06997/PA Lindsworth School Monyhull Hall Road Birmingham B30 3QA Demolition of four existing school buildings (or part thereof) and replacement with a single two storey school building and associated recreation space and infrastructure.
Approve - Conditions	12	2018/06868/PA Bournville Care Village Bristol Road South Northfield Birmingham B31 2AJ Erection of a Health and Wellbeing Centre (Phase 4 of the Bournville Care Village)

Approve - Conditions

13

2018/05741/PA

10-12 The Crest
Land to rear of
West Heath
Birmingham
B31 3PY

Erection of two semi-detached
dwellinghouses

Committee Date:	22/11/2018	Application Number:	2018/00827/PA
Accepted:	04/05/2018	Application Type:	Full Planning
Target Date:	23/11/2018		
Ward:	Stirchley		

1403-1407 Pershore Road, Stirchley, Birmingham, B30 2JR

Demolition of existing buildings, erection of three storey building providing ground floor Class A1 retail accommodation and 33 student studio flats (sui generis).

Applicant:	Dovedale Investments Ltd c/o agent
Agent:	Khoury Architects 42 New Road, Stourbridge, DY8 1PA

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Permission is sought to erect a 'L-shaped' building on the corner of Pershore Road and Mary Vale Road. The scheme provides 3 storeys of accommodation although the overall height of the building does vary. Adjacent to No. 1401 Pershore Road the building is 9.1m, effectively 2 and a half storeys high. Closer to the junction with Mary Vale Road the height increases to 10.4m and this full 3 storey height development extends along the Mary Vale Road frontage. The building would be built up to the pavement on the Pershore Road frontage and would be set back a maximum of 1.7m on the Mary Vale Road frontage. The building has a high level of glazing at ground floor level with brick above and tiles on the pitched roof. Dormers are provided in the roof space to provide natural light to the rooms within the roof space.
- 1.2. The ground floor would consist of 152sqm of retail space (A1) located across the Pershore Road frontage. The remainder of the ground floor consists of 5 studios, an entrance hallway to the student accommodation and a refuse area. A further 28 studio rooms are provided over the other two floors meaning a total of 33 units of student accommodation. Each studio includes a bed space, desk, small kitchen area, cupboard space and en-suite. A small garden measuring 84sqm and cycle storage area are provided at the rear of the site. No car parking has been provided.

Bat Survey, Design and Access Statement, Transport Statement, Planning Statement, Students Needs Assessment and Drainage Statement have been submitted in support of this application.

- 1.3. The total site area is 480sqm.

- 1.4. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site sits within the Stirchley Local Neighbourhood Centre on the corner of Pershore Road and Mary Vale Road. The building is currently occupied by a 2 storey building which addresses both roads although the building reduces to single storey in height adjacent to No. 2 Mary Vale Road. The Pershore Road frontage includes two former retail units. These units have been unoccupied for a number of years and the building has not been maintained. Adjacent buildings on the Pershore Road are a mix of traditional 2 and 3 storey terraced properties. These properties are in mix of A class uses. To the west of the application site are terraced dwelling on Mary Vale Road. These are 2 storeys in height although in some cases a 3rd storey has been created within the loft space. Bournville train station is 300m west of the application site.

3. Planning History

- 3.1. 11/07/2008 - 2008/01636/PA – Demolition of existing buildings erection of mixed use development with ground floor retail and 6 No. 2 bed apartments above – approved
- 3.2. 25/06/2010 – 2009/06450/PA – Change of use from retail (A1) to restaurant (A3) – approved (but not implemented)

4. Consultation/PP Responses

- 4.1 Severn Trent – No objection subject to a condition regarding the submission of drainage details.
- 4.2 Lead Local Flood Authority – No objection subject to conditions
- 4.3 Police – Concerns raised over the initial 44 unit scheme due to the lack of parking, site management, access and the overall intensity of the scheme. If the LPA were minded to approve conditions regarding secure control access, CCTV and secure front doors.
- 4.4 West Midlands Fire Service – No objection
- 4.5 NHS – Payment of £727 required to invest in local health care provision
- 4.6 Regulatory Services – No objection subject to conditions regarding a noise insulation scheme, no amplification equipment, hours of delivery and hours of use.
- 4.7 Transportation – No objection subject to conditions regarding the reinstatement of a kerb and a parking management strategy.
- 4.8 Local occupiers, Ward Councillors, MP and resident associations were notified. Two site notices and a press notice have been displayed, with 84 letters of objection received. The following concerns have been raised:
- Harmful to the character of the area;
 - Over-intensive development;
 - The height of the building is excessive;
 - Design of the building is poor;
 - Increased congestion on local roads;
 - Insufficient parking provision already locally;
 - Insufficient cycle parking;

- No communal facilities;
- Proposal may turn into large HMO;
- Wrong location and no need for student accommodation;
- Development would appear over-bearing;
- Increased noise and disturbance;
- Loss of privacy;
- Loss of light;
- Studios are too small;
- Insufficient private amenity space for proposed occupiers;
- Concerns over drainage and sewerage capacity;
- Insufficient bin storage;
- Concerns over fire safety;
- Increased litter; and
- Concerns commercial space would be turned into another restaurant

4.9 One positive comment was received indicated that a good mix of uses was proposed.

4.10 An objection has been received by Councillor Mary Locke. She has raised the following concerns:

- Car parking should be provided;
- No need for student accommodation; and
- Historic features of building would be lost

4.11 An objection has been received by Stephen McCabe MP. He raised the following concerns:

- Commercial uses are required to create jobs;
- Insufficient parking;
- Waste collection and storage will be an issue

5. Policy Context

5.1 The following local policies are applicable:

- Birmingham Development Plan (BDP) 2031
- Birmingham Unitary Development Plan (UDP) Saved Policies 2005
- Places for Living SPG
- Car Parking Guidelines SPD
- 45 Degree Code
- Shopping and Local Centres SPD
- Specific Needs Residential Uses SPG

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 considered are: the principle of the student accommodation; The impact on Stirchley Neighbourhood Centre, the design and scale of the proposed development; the impact on residential amenity, the impacts on traffic and highway safety; the impact on ecology and Planning contributions.

6.2. The principle of Student Accommodation

- 6.3. The National Planning Policy Framework seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brownfield sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF also seeks to boost housing supply and provide a wide choice of accommodation to meet a range of needs including students. The aim is to create sustainable, inclusive and mixed communities.
- 6.4. Policy TP33 (Student Accommodation) of the Birmingham Development Plan sets out a number of criteria that need to be met before off campus provision will be considered favourably. Criteria include that there is a demonstrated need for the accommodation, the site is well located, there is no unacceptable amenity impact, the scale, massing and design is acceptable and the scheme provides an acceptable living environment for students.
- 6.5. The application has been supported by a Student Needs Assessment. This indicates that there is a genuine need for further provision of this specialist accommodation to the South of the City. The study highlights that even taking into account pipeline development there is only sufficient purpose built accommodation for 26% of the student population who study at the University of Birmingham. In addition similar shortfalls in purpose built accommodation also exist at the other institutions. The City does not dispute this issue.
- 6.6. Whilst not as well located as sites in the Bournbrook area of Selly Oak, the site is only 300m from Bournville railway station meaning that the University of Birmingham campus is easily accessible via public transport. The principle of student accommodation is therefore acceptable in principle subject to detailed consideration of the design and layout below.
- 6.7. The Impact on Stirchley Neighbourhood Centre
- 6.8. The building is situated within the Primary Shopping Area (PSA) of Stirchley Neighbourhood Centre. The 'Shopping & Local Centres' SPD requires that 55% of ground floor units within the PSA must be retained as A1 retail uses. The current percentage is 61.62%. The submitted ground floor layout plans indicates that a retail space will be retained across the Pershore Road frontage as a single larger unit. The retention of retail space within the primary shopping area accords with the Shopping and Local centre's SPD.
- 6.9. Design
- 6.10. Policy PG3 of the BDP explains that "All new development will be expected to demonstrate high design quality, contributing to a strong sense of place." It goes on to explain that new development should: reinforce or create a positive sense of place and local distinctiveness; create safe environments that design out crime and make provision for people with disabilities; provide attractive environments that encourage people to move around by cycling and walking; ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term; take opportunities to make sustainable design integral to development; and make best use of existing buildings and efficient use of land.

- 6.11. The proposal results in the loss of the traditional terraced corner property that occupies the plot. The building has been neglected for a number of years and is not statutorily protected. Its loss is considered acceptable. The surrounding area consists mainly of 2 storey terraced properties, although some do contain 3 storeys within the roof space. Following amendments, the 3 storey proposal would reflect the scale of adjoining properties on both Pershore Road and Mary Vale Road and satisfactorily addresses this corner plot with a slight increase in roof height on the Pershore Road frontage. The development respects floor to ceiling heights on adjacent properties and the size and positioning of windows on upper floor levels is similar to adjacent properties. The large glazed frontage on the ground floor ensures that an active frontage is retained within the neighbourhood centre.
- 6.12. The proposed mix of materials includes a high level of glazing at ground floor, with red brick above with a pitched roof. The inclusion of pitched roof dormers is also reflective of neighbouring properties. A traditional style of architecture is proposed that is sympathetic to its surroundings. In summary the scale, massing and detailed design of the scheme reflects the traditional pattern of development found in Stirchley, thereby retaining the character and appearance of the area.
- 6.13. Residential Amenity
- 6.14. The Places for Living SPG sets out a number of numerical standards which help to ensure that acceptable amenity standards are provided for the occupiers of new dwellings and retained for the occupiers of adjacent properties.
- 6.15. The closest property to the proposed dwelling is No. 2 Mary Vale Road to the west of the site. There are windows at 1st and 2nd floor level of the new proposal which look towards the rear garden of No. 2 however there would be a distance of 16m to prevent overlooking. The 3 storey element directly adjacent to No. 2 does not extend beyond the rear of the neighbouring property and consequently does not breach the 45 degree code. There are a number of windows located on the rear of the studios that front onto the Pershore Road however these only look towards commercial yards at the rear of the premises fronting onto the Pershore Road.
- 6.16. In summary, the scheme has no undue amenity impact on the occupiers of adjoining residential properties.
- 6.17. An area of shared amenity space is provided for the occupiers of the 33 units which totals approximately 84sqm. This is significantly below the 16sqm per student required with the Specific Needs Residential uses SPG. However, taking into account the highly sustainable location enabling good access to public open spaces, the reduced level of shared amenity space is on balance considered to be acceptable.
- 6.18. Studio accommodation for students should exceed 12.5sqm and this been exceeded in all cases. All habitable rooms across the development are provided with a reasonable outlook and access to natural light.
- 6.19. Some concerns have been raised over how the site would be managed. The applicant has confirmed that a management company would be employed and a student warden would be utilised to live within the development to cater for any day to day issues the students would have. The maintenance company would deal with ongoing requirements such as maintenance of the building and landscaped areas, security and refuse collection.

- 6.20. In summary, the proposal does not have an undue amenity impact on the occupiers of adjacent properties and creates an acceptable living environment for the proposed occupiers.
- 6.21. Traffic and Highway Safety
- 6.22. 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.
- 6.23. The site is in a sustainable location within Stirchley Neighbourhood Centre and is in close proximity to bus routes that provide direct access to the City Centre. In addition the site is 300m from Bournville Station. Provision has been made for 10 cycle spaces but no car parking has been provided. The Council's car parking standards require a maximum of 1 per 7.5 students and therefore a maximum of 4 spaces could be provided. A number of concerns have been raised regarding the lack of parking with also the Police raising this is an issue. However the site is in a highly sustainable location and the Transportation Officer considers that a shortfall of just 4 spaces insufficient to warrant refusal. In addition the level of cycle parking exceeds the requirements of 1 space per 4 beds.
- 6.24. Disruption caused during refuse collections has been raised as a concern. However, refuse is to be stored on the Mary Vale Road frontage, which is a similar location to the existing arrangement. This location prevents stationary refuse vehicles from potentially blocking the flow of traffic on the Pershore Road.
- 6.25. Transportation have raised no objection to the scheme subject to conditions and consequently it is considered that the proposal will not have an adverse impact on the highway network.
- 6.26. Ecology
- 6.27. The Council has a duty to consider the impact of any proposal on protected species. A Bat Survey has been submitted in support of the application. The survey concluded that the site has not been utilised by bats as either a roost or for foraging purposes. The Ecologist considers that the proposal can be implemented without an undue impact on the protected species.
- 6.28. Planning Contributions
- 6.29. In accordance with the CIL charging Schedule payment of £79.99 per sqm is required. I note the request received from the NHS Trust, for a sum of £727. Members are reminded of the verbal update provided to Planning Committee on 24th May, on this matter. Our position is that we do not consider the request would meet the tests for such Section 106 contributions, in particular the necessity test (Regulation 122.(2)(a) *necessary to make the development acceptable in planning terms*). We believe the interval from approval to occupation of the proposed development, along with published information (such as the BDP and SHLAA) gives sufficient information to plan for population growth. Discussions with the relevant

Trust are continuing on this matter, in order for us to understand more fully their planned investments in the City and how we might best be able to support that.

6.30. Other Matters

- 6.31. Concerns were initially raised by West Midlands Police regarding site management, access and the overall intensity of the scheme. Since this time the scale of the scheme has been reduced significantly from 42 to 33 units of student accommodation. It is considered that the risks of crime can be satisfactorily addressed by securing conditions regarding the provision of CCTV and a system of secure access.

7. Conclusion

- 7.1. The proposed development would be in accordance with, and would meet policy objectives and criteria set out in, the BDP and the NPPF. After amendments and improvement secured by officers, the scheme would now be acceptable in terms of its design, amenity, highways and ecology considerations. It would contribute towards the provision of student accommodation whilst retaining retail floor space. Therefore the proposal would constitute sustainable development and it is recommended that planning permission is granted.

8. Recommendation

- 8.1. Approval subject to conditions

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|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of sample materials |
| 3 | Requires the submission of a CCTV scheme |
| 4 | Provision of a scheme for an access control system |
| 5 | Requires the prior submission of a sustainable drainage scheme |
| 6 | Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan |
| 7 | Requires the submission of a parking management strategy |
| 8 | Redundant crossing reinstated with full height kerbs |
| 9 | Requires the prior submission of a drainage scheme |
| 10 | Requires the prior submission of noise insulation (variable) |
| 11 | Requires the submission a Noise Insulation Scheme to establish residential acoustic protection |
| 12 | Requires the submission a Noise Insulation Scheme to establish residential acoustic protection |
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- 13 Limits the hours of deliveries to between 07:00 and 18:00 hours
 - 14 Limits the hours of use to between 07:00 and 20:00 Monday to Saturday and between 08:00 and 18:00 on Sundays
 - 15 Limits the occupation of the development to students in full time education
 - 16 Implement within 3 years (Full)
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Case Officer: Andrew Fulford

Photo(s)

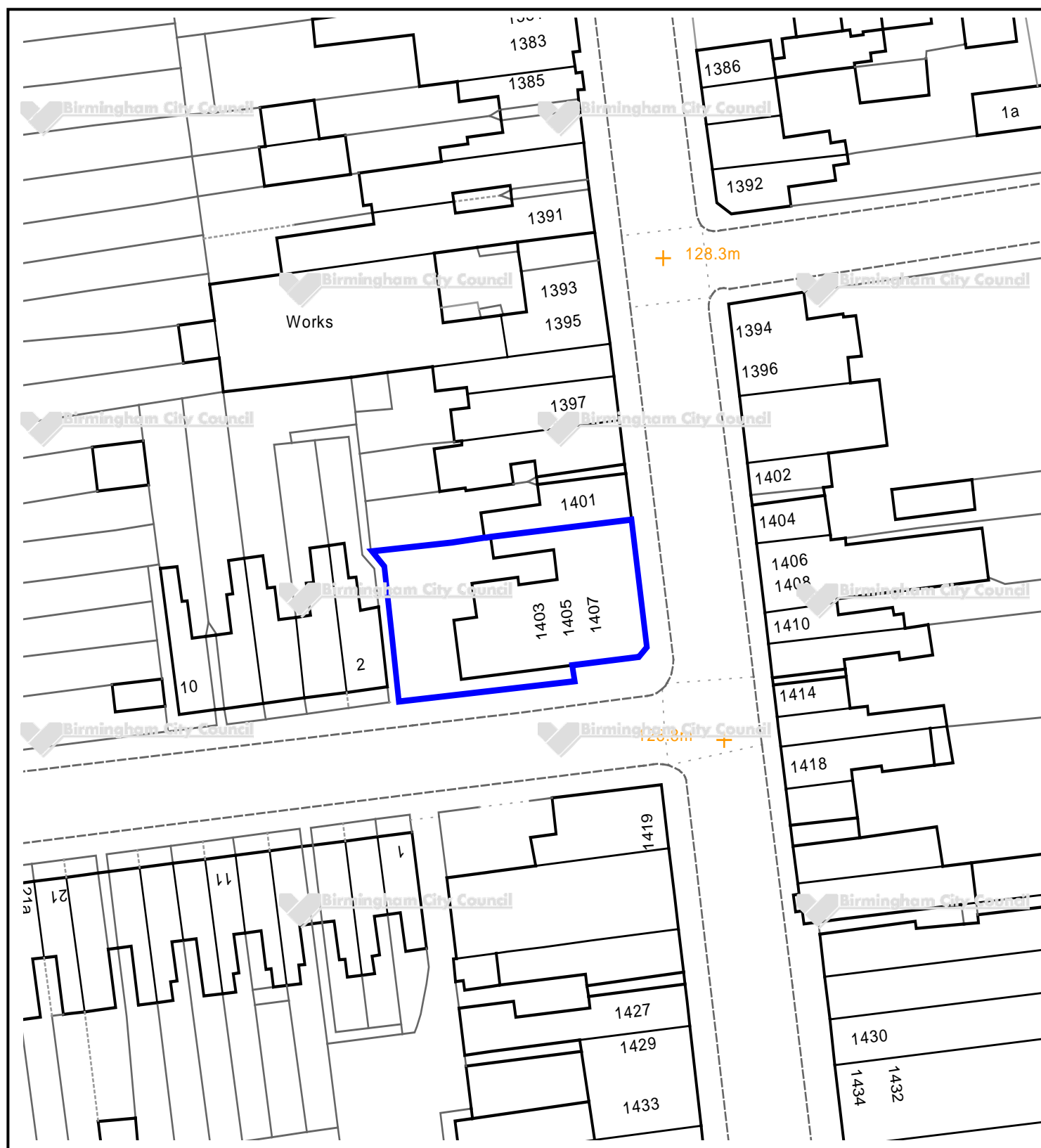


Photo 1: Front elevation of application site facing Pershore Road



Photo 2: Side elevation of application site fronting onto Mary Vale Road

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/05092/PA
Accepted:	02/07/2018	Application Type:	Full Planning
Target Date:	27/08/2018		
Ward:	Bournbrook & Selly Park		

120 Milner Road, Birmingham, B29 7RQ

Erection of detached dwellinghouse

Applicant: Mucklow & Harris Ltd
123-131 Bradford Street, Bradford Court, Digbeth, Birmingham, B12
0NS

Agent:

Recommendation

Approve subject to Conditions

1. Proposal

1.1. Consent is sought for the erection of one detached dwellinghouse on land adjacent to No. 120 Milner Road, Selly Oak. The proposed dwelling would be located within the existing side garden area of No. 120 Milner Road with the frontage facing onto Milner Road.

1.2. The proposed dwellinghouse would measure a maximum of 9.9m in length, 5.6m in width, 8m in height to its roof ridge and 5m to its eaves. The proposed dwelling would accommodate a lounge, kitchen/dining room and WC at ground floor. On the first floor there would be three bedrooms, one with en-suite, and a bathroom.

1.3. The proposed dwelling would have a pitched roof with a side gable design, and windows to the front and rear elevations. The dwelling would be set 1m behind the front elevation of No. 120, with a garden to the rear. The materials would be facing brickwork and roof tiles to match No. 120 Milner Road.

1.4. No off street parking is proposed.

1.5. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site comprises a residential street consisting of a mixture of semi-detached and terraced properties. The application site is currently the side garden of No. 120 Milner with an existing single storey garage to be removed. The site is located to the corner of Milner Road and Glenfield Grove, a cul-de-sac with properties to the side and rear of the site. Existing on-street parking is provided along Milner Road. The surrounding area is predominately residential in nature.

2.2. [Site Location Plan](#)

3. Planning History

3.1. No relevant planning history

4. Consultation/PP Responses

4.1. Ward members, Resident's Associations and neighbouring occupiers notified, and site notice displayed. 12 responses have been received raising the following concerns:-

- Parking and access implications
- Vehicular access and highway safety
- Land boundary dispute
- Impact on trees and shrubs
- Loss of community asset
- Loss of light
- Intensity of development
- Impact on bio-diversity and conservation
- Impact of construction and hours of work
- Drainage and flooding

4.2. Councillor Brigid Jones has objected to the application on the grounds of an over intensive development, lack of parking and the development appropriating public land not owned by the applicant.

4.3. Transportation Development – No objections.

4.4. Severn Trent – No objections

4.5. West Midlands Police – No objections

4.6. Regulatory Services – No objections subject to conditions.

5. Policy Context

5.1. The following local policies are applicable:

- Birmingham Unitary Development Plan 2005 (Saved Policies)
- Birmingham Development Plan (2017)
- Places for Living (Adopted Supplementary Planning Guidance 2001)
- Mature Suburbs SPD
- Car Parking Guidelines SPD
- The 45 Degree Code (Adopted Supplementary Planning Guidance 1996)

The following national policy is applicable:

- NPPF – National Planning Policy Framework (2018)

6. Planning Considerations

6.1. Principle

- 6.2. The National Planning Policy Framework supports a presumption in favour of sustainable development and encourages the effective use of land. Furthermore it states planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.3. Policy TP27 of the Birmingham Development Plan also 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 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.
- 6.4. With respect to the location of new housing, Policy TP28 of the BDP sets out the proposed policy for housing location in the city, noting that proposals should be accessible to jobs, shops and services by modes of transport other than the car.
- 6.5. Saved Paragraphs 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles. In addition, ‘Places for Living’ and ‘Mature Suburbs’ SPD encourages good quality accommodation in attractive environments. They contain a series of urban design principles and makes reference to minimum design and amenity guidance. Particular emphasis is given to assessing context and responding positively to local character.
- 6.6. The existing dwellings along this section of Milner Road have plot widths varying between 6m and 7m. The proposed dwellinghouse would have a plot width of 8m with the resultant width of No. 120 being 7m. There are examples of other dwellings being built up to the corner of the highway. I therefore consider the proposal would comply with guidance contained within ‘Places for Living’ and ‘Mature Suburbs’ SPD’s.
- 6.7. The proposal is located within a predominately residential area, on a brownfield site, and would result in the extension of an existing row of dwelling houses. The site benefits from good public transport links, in the form of frequent buses along Yardley Wood Road. I therefore consider the principle of residential development to be acceptable on this site.
- 6.8. Sitting, scale and appearance
- 6.9. Mature Suburbs SPD advises that new buildings should respect established building lines and set back distances from the highway. Amended plans have been received removing the proposed parking spaces to the front and repositioning the dwelling further forward within the site, resulting in it being set back 1m behind the building line along Milner Road. Given the restricted width to the front of the site, I consider the proposed dwelling follows a similar building line to the existing adjacent dwellings, therefore complying with the SPD in this respect. The amendments are also in line with comments received from my City Design Officer.

- 6.10. With regards to scale and massing, the proposal would be of a similar scale to other properties along this part of Milner Road and Glenfield Grove to the side and rear of the site with the height and width similar to No. 120. The submitted proposed elevation plan shows that the proposed dwellinghouse would have a similar roof ridge height to adjacent dwellings.
- 6.11. The proposed dwellinghouse would appear in keeping with adjoining properties in the street scene along Milner Road, with the inclusion of a side gable, and window proportions that matches adjoining properties. The Design and Access Statement indicates the use of facing brickwork and concrete roof tiles of a similar appearance to neighbouring properties.
- 6.12. I consider that the proposed dwellinghouse would be of an appropriate siting, scale and appearance that would be in keeping with the character and appearance of the adjacent properties.
- 6.13. Living conditions
- 6.14. I calculate the total internal floor area of the proposed dwelling to be 94sqm in size. The Government's Nationally Described Space Standard guidance recommends that a two storey, 3 bedroomed dwelling should have a minimum gross internal floor area of between 84sqm – 102sqm, depending upon the number of bed spaces provided. The proposal shows a three bedroom 5 bedspace dwelling so the proposal would comply with the 93sqm requirement.
- 6.15. I have calculated that the proposed bedroom would each measure between 7.7sqm – 12.4sqm in size. All of these bedrooms would exceed the minimum bedroom sizes recommended in the Nationally Described Space Standard guidance.
- 6.16. A rear and side garden measuring 156sqm is proposed for the new dwelling, with an area of 145sqm retained for No. 120 Milner Road. These would well exceed the 70sqm garden size recommended in Places for Living for a family home.
- 6.17. Impact on adjoining neighbours
- 6.18. Given the siting of the proposed dwelling, there would be no impact on the light or outlook to No. 120 Milner Road. The proposal complies with the minimum separation distances contained within 'Places for Living' SPD. There would be no adverse impact on the residential amenity of the surrounding occupiers.
- 6.19. Highway safety and parking
- 6.20. Amended plans have been received to reposition the dwelling further forward within the site, to be in line with the building line along Milner Road. This has resulted in the removal of the 2 proposed parking spaces to the front of the site. Comments have been received from several neighbours raising concern over the parking implications. My Transportation Officer has advised that ideally parking should be provided, however given the location and the nature of properties in this area typically having no off street parking provision, does not feel this would warrant refusal of the application on this aspect alone. It is not anticipated the addition of a single dwelling will notably alter the existing situation at this location. Consideration is also given to the close proximity to good public transport links. I concur with this view that there would be no highway safety or parking issues arising from the development.

6.21. Other matters

6.22. Councillor Brigid Jones and a number of neighbouring properties have commented that part of the land within the application site is a designated community asset and public land. The applicant has advised that the strip of land referred to is unregistered land and does not form part of the application site. The applicant has advised there is no intention for works to be carried out on land outside the site boundary and outside of his ownership. Furthermore, the site boundary is clearly defined by close boarded fencing. As such I consider the application can be determined on the information submitted.

6.23. Concern has also been raised in respect of the trees located to the side of the site. The applicant has advised that the trees are to be retained and the only works required would be pruning and clearing low level shrubs from within the site. The Council's Tree Officer has not objected to the proposal given the trees are outside the site boundary and are within a raised walled planting area so would be unaffected by any excavations. As such I do not consider the proposal would result in a detrimental impact on the adjacent trees.

6.24. Regulatory Services have raised no objection to the proposed development subject to a condition being attached to any consent requiring the appropriate noise insulation to windows, doors and vents to habitable rooms, and conditions attached which require submission of a contaminated land assessment and verification report. However given the existing residential use of the area and that the proposal would only involve the removal of a domestic garage I do not consider it would be reasonable to attach these conditions.

7. Conclusion

7.1. I consider the proposed development would be acceptable on this brownfield, sustainable site and an acceptable standard of amenity could be achieved for future occupiers. The proposal would have no adverse impact on highway safety and parking, or the amenity of adjoining occupiers. I consider that the proposal would constitute sustainable development and I recommend that planning permission is granted.

8. Recommendation

8.1. Approve subject to conditions

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- | | |
|---|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of sample materials |
| 3 | Requires the submission of hard and/or soft landscape details |
| 4 | Requires the submission of boundary treatment details |
| 5 | Implement within 3 years (Full) |
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Case Officer: Leah Russell

Photo(s)



Photograph 1: Side of site from Milner Road

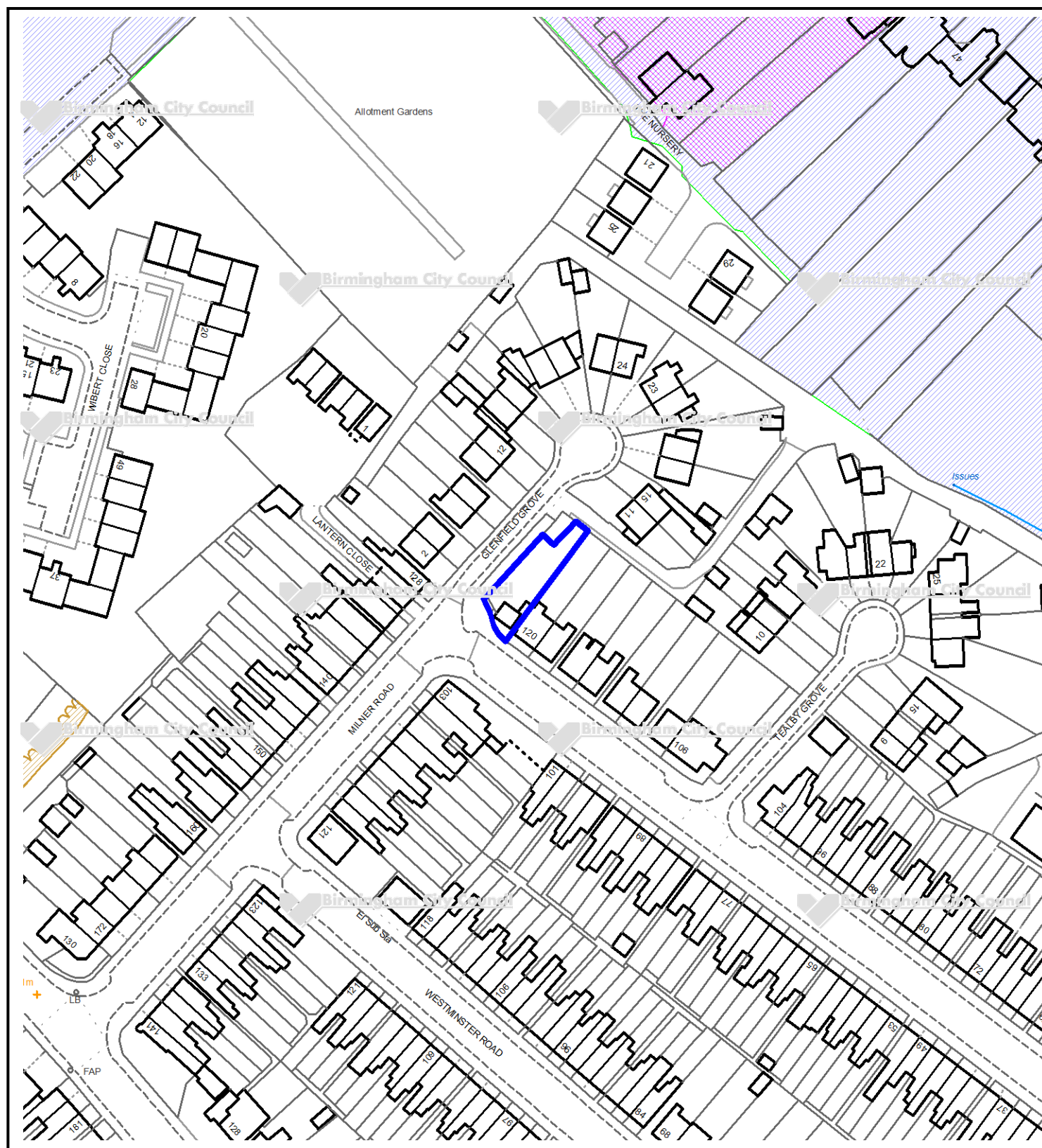


Photograph 2: Front of application site



Photograph 3: Street scene view

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/06997/PA
Accepted:	29/08/2018	Application Type:	Full Planning
Target Date:	28/11/2018		
Ward:	Druids Heath & Monyhull		

Lindsworth School, Monyhull Hall Road, Birmingham, B30 3QA

Demolition of four existing school buildings (or part thereof) and replacement with a single two storey school building and associated recreation space and infrastructure.

Applicant:	Birmingham City Council and Education and Skills Funding Agency c/o Agent
Agent:	Define Planning & Design Ltd Unit 6, 133-137 Newhall Street, Birmingham, B3 1SF

Recommendation

Approve subject to Conditions

1. Proposal

1.1. Permission is sought to demolish 4 buildings across the school site as follows:

- A 2-storey dwelling at the front of the site (building reference EFAV);
- A single storey building dating back to the 1920's (EFAX and EFAW);
- A large flat roof building consisting of a mix of single and 2 storey accommodation (EFAJ); and
- A single storey flat roof building (EFAR) attached to a building to be retained

1.2. In its place a two storey building with a flat roof is proposed. The building is predominantly of brick construction with some aluminium cladding at first floor level. The building would be located close to the Monyhull Hall Road frontage and would be sited where buildings EFAV, EFAW and EFAJ are located. The rectangular shaped building has a footprint of 1403sqm and is 33.1m wide, 42.4m deep and 9m high.

1.3. The building would provide a range of new and improved facilities for the school including a multi-use gym, changing rooms, 2 dining halls, kitchen, teaching rooms, quiet rooms, storage space, staff rooms and toilet facilities.

1.4. The central part of the site where buildings EFAR and EFAJ are located would be utilised to provide an informal recreational area for students.

1.5. The development will not result in an increase in the school's capacity but merely seeks to provide improved accommodation that better suits the needs of its students.

1.6. A Design and Access Statement, Heritage Statement, Bat Survey, Tree Survey, Transport Statement, Planning Statement and Drainage Statement have been submitted in support of this application.

1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site sits within the grounds of Lindsworth School which caters specifically for pupils with special educational needs. The school site includes a number of different buildings which vary in design and age but are either single or 2 storeys in height. The south east of the site is occupied by playing fields for the school. The school is accessed via Monyhull Hall Road to the north-east of the site and is surrounded by residential development to all sides which consists of a mix of houses and apartments. Kings Norton Neighbourhood Centre is approximately 1.5km south west of the application site.

3. Planning History

- 3.1. No relevant history

4. Consultation/PP Responses

- 4.1 Severn Trent – No objection subject to a condition regarding the submission of drainage details.
- 4.2 Lead Local Flood Authority – No objection subject to conditions
- 4.3 Police – No objection
- 4.4 West Midlands Fire Service – No objection
- 4.5 Regulatory Services – No objection subject to conditions regarding a contamination remediation scheme, contaminated land verification report, noise levels for plant and machinery, extraction and odour control details and a scheme of lighting.
- 4.6 Ecologist – No objection subject to conditions regarding a scheme of ecological enhancement, bat boxes and external lighting.
- 4.7 Transportation – No objection subject to construction management plan and school travel plan.
- 4.8 Local occupiers, Ward Councillors, MP and resident associations were notified. A site notices and a press notice have been displayed, with 1 letter of objection received. The following concerns have been raised:
- Fencing is unattractive;
 - Building will spoil view;
 - Loss of privacy will occur; and
 - Impact on trees

5. Policy Context

- 5.1 The following local policies are applicable:
- Birmingham Development Plan (BDP) 2031
 - Birmingham Unitary Development Plan (UDP) Saved Policies 2005
 - Places for Living SPG

- Places for All SPG
- 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 considered are: the principle of the new development, the design and scale of the proposed development; the impact on residential amenity, the impacts on traffic and highway safety; the impact on ecology; and the impact on Landscape and Trees.
- 6.2. The principle of the Development
- 6.3. Paragraph 94 of the NPPF highlights that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. It goes on to state that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. In particular this paragraph emphasises that local planning authorities should give great weight to the need to create, expand or alter schools through decisions on applications.
- 6.4. Policy TP34 (Education) of the adopted Birmingham Development Plan supports the upgrading and expansion of existing schools subject to the following criteria:
- Safe access by cycle and walking as well as by car and incorporate a school travel plan;
 - Safe drop-off and pick-up provision;
 - Provide outdoor facilities for sport and recreation; and
 - Avoid conflict with adjoining uses;
- 6.5. The proposals do not alter access arrangement into or out of the school for pedestrians, cyclists or vehicles and provides additional informal recreation space for pupils. The impact on adjoining residential uses will be considered below. Subject to no adverse impact on adjoining uses the proposal fully complies with Policy TP34 and therefore the principle of the new school building to provide enhanced facilities for pupils is supported.
- 6.6. Design
- 6.7. Policy PG3 of the BDP explains that “All new development will be expected to demonstrate high design quality, contributing to a strong sense of place.” It goes on to explain that new development should: reinforce or create a positive sense of place and local distinctiveness; create safe environments that design out crime and make provision for people with disabilities; provide attractive environments that encourage people to move around by cycling and walking; ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term; take opportunities to make sustainable design integral to development; and make best use of existing buildings and efficient use of land.
- 6.8. The proposal results in the demolition of a number buildings across the site. None of these buildings are either statutorily listed or locally listed. It is noted that building

EFAW dates back to the 1920s and formed part of the original Monyhull Hall estate. However, following the redevelopment of the Monyhull Hall estate the building is physically separate from the grade II listed Monyhull Hall (a distance of 330m). The building is considered to be of some architectural merit however, the submitted Heritage Statement indicates that it is in a poor condition, it is not cost effective to refurbish and the layout is not suitable for the specialist needs of the school and its pupils. The other buildings date back to the 1960 and 1970s and are of no historic merit. On balance the loss of the buildings is considered acceptable.

- 6.9. The proposed building fronts onto Monyhull Hall Road but is set back from the road by 25m so it would not appear overly dominant. The proposed building is 2 storeys high and predominantly of brick construction although some aluminium cladding is proposed at first floor level. It is considered that the scale and massing of the building is appropriate within the school site and is not dissimilar to the height of nearby residential properties. The City Design Officer highlights that he would prefer additional glazing particularly where the stair cases are located. However, the applicant has indicated that taking into account the special educational needs of students this could pose a risk to pupil safety.
- 6.10. Concerns have been raised over the appearance of metal palisade fencing which is to be used in places within the site. This is already utilised around the periphery of the school. The fencing proposed provides security which is supported by the police whilst also enabling views into and out of the school so it does not appear unduly dominant. To ensure the impact of the fencing is minimised, its colour can be controlled via condition.
- 6.11. This purpose built educational building is considered to be of an appropriate scale, massing and detailed design thereby retaining the character and appearance of the area.
- 6.12. Residential Amenity
- 6.13. The closest properties to the proposed development are No.'s 68 and 70 Monyhull Hall Road located to the north east of the application site. At the nearest point these dwellings are 38m from the shared boundary with the school. The first floor windows on the north east elevation of the school building are 20m from the shared boundary with No's 68 and 70. The proposal therefore has no undue impact in terms of loss of light or loss of privacy.
- 6.14. The building is 50m away from the dwellings on the opposite side of Monyhull Hall Road and consequently there is no discernible impact on these properties. Concerns were raised over the loss of a view, however this is not a material planning consideration.
- 6.15. In summary, the scheme has no undue amenity impact on the occupiers of adjoining residential properties.
- 6.16. Traffic and Highway Safety
- 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 proposal does not seek to increase pupil numbers and no changes to parking or access are proposed. Consequently the Transportation Engineer raises no objection subject to the requirement of a Construction Management and School Travel Plan. Provision of a travel plan fully accords with Policy TP34 of the BDP. Taking into account the scale of development and the land available within the school it is considered that provision of a construction management plan places an unnecessary burden on the applicant in this instance.
- 6.19. In summary, it is considered that the proposal will not have an adverse impact on the highway network.
- 6.20. Ecology
- 6.21. The Council has a duty to consider the impact of any proposal on protected species. A Bat Survey has been submitted in support of the application. The survey concluded that 2 of the buildings on the site are utilised as bat roosts and therefore a licence from Natural England would be required before any works could be undertaken. Despite this the Council's Ecologist considers that the proposal can be implemented without an undue impact on the protected species subject to the implementation of conditions. I concur with this view.
- 6.22. Landscape and Trees
- 6.23. The scheme requires the removal of 9 trees to facilitate the development. These consist of 2 yew trees (category B2), 3 apple trees (C1), 2 cherry trees (C1), 1 ash and 1 oak tree (both C1). To mitigate this impact 14 trees would be planted which would be a mix of field maple, silver birch, European beech, sweet cherry, English oak and whitebeam. In addition a large area of grass would be laid in the heart of the site which is where one of the buildings to be demolished is located. No objection has been raised by the Tree Officer. In conclusion, it is considered that the proposed landscaping scheme provides sufficient mitigation to overcome the loss of trees.

7. Conclusion

- 7.1. The proposed development would be in accordance with, and would meet policy objectives and criteria set out in, the BDP and the NPPF. The scheme is acceptable in terms of its design, amenity, highways and ecology considerations and would provide enhanced teaching facilities at the school. Therefore the proposal would constitute sustainable development and it is recommended that planning permission is granted.

8. Recommendation

- 8.1. Approval subject to conditions

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|---|---|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of sample materials |
| 3 | Requires the submission of a scheme for ecological/biodiversity/enhancement |
-

measures

- 4 Requires the prior submission of details of bird/bat boxes
 - 5 Requires the prior submission of a drainage scheme
 - 6 Requires the prior submission of a sustainable drainage scheme
 - 7 Requires the prior submission of a Sustainable Drainage Operation and Maintenance Plan
 - 8 Requires the prior submission of a contamination remediation scheme
 - 9 Requires the submission of a contaminated land verification report
 - 10 Requires the submission of extraction and odour control details
 - 11 Requires the submission of a school travel plan
 - 12 Requires the submission of the colour and finish of any proposed palisade fencing
 - 13 Implement within 3 years (Full)
-

Case Officer: Andrew Fulford

Photo(s)



Photo 1: View looking north towards the rear of the dwelling to be demolished (EFAV)

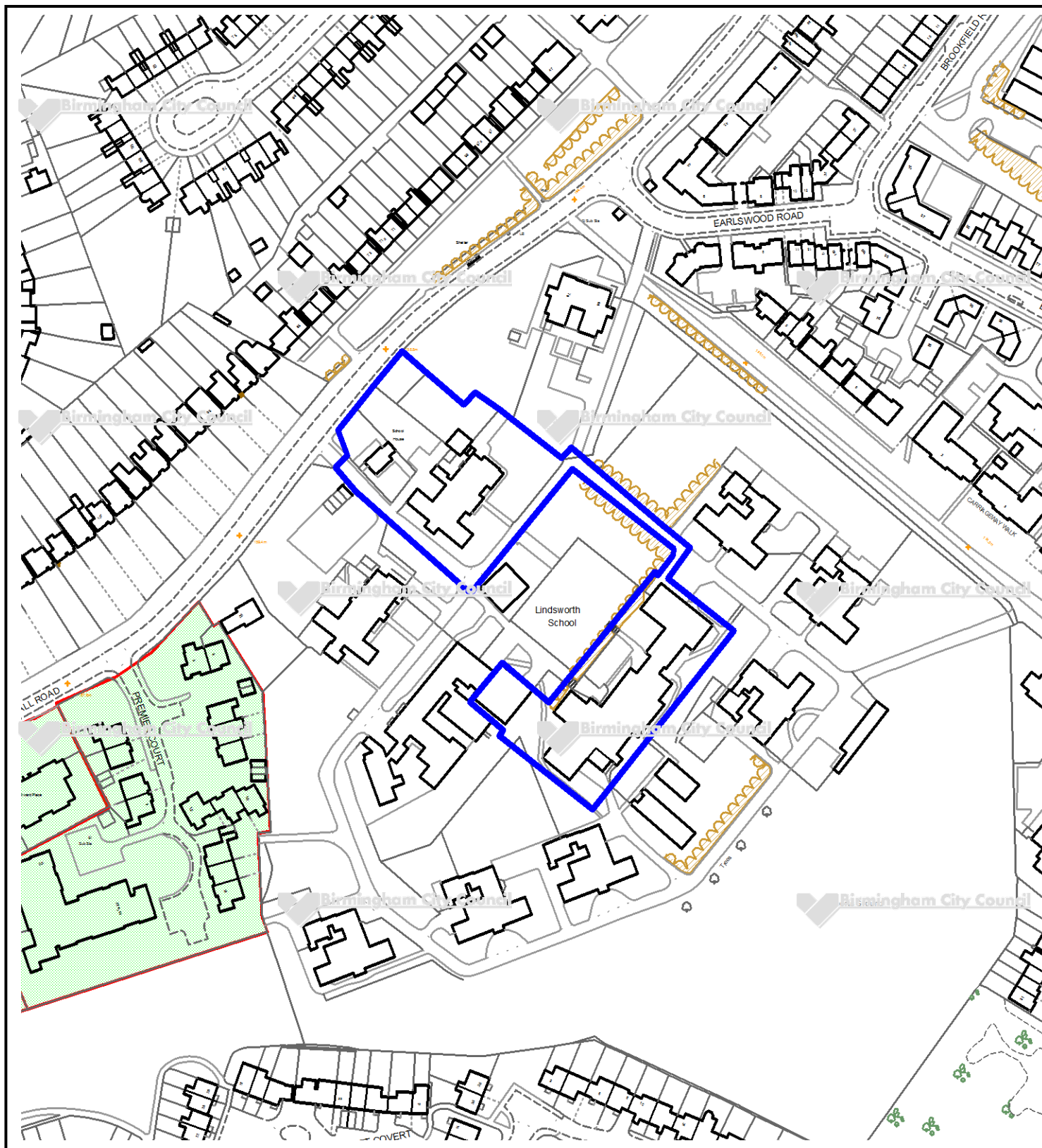


Photo 2: View looking north towards rear of school buildings labelled EFAV and EFAW



Photo 3: View looking south east towards part of building labelled EPAR

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/06868/PA
Accepted:	22/08/2018	Application Type:	Full Planning
Target Date:	22/11/2018		
Ward:	Weoley & Selly Oak		

Bournville Care Village, Bristol Road South, Northfield, Birmingham, B31 2AJ

Erection of a Health and Wellbeing Centre (Phase 4 of the Bournville Care Village)

Applicant:	Bournville Village Trust c/o Agent
Agent:	Stride Treglown 350 Bournville Lane, Bournville, Birmingham, B30 1QJ

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the erection of a health and wellbeing centre comprising the amalgamation of 3 GP practices with a suite of consulting rooms and a pharmacy; car parking, landscaping and ancillary works on the remaining plot within Bournville Care Village, on the site of the former Bournville College.
- 1.2. The building would be 'L' shaped with the corner of the 'L' fronting Bristol Road South and new site access and would be part 4 storeys in height and part 2 storeys. The 'L' shaped building would measure a maximum 32m in depth fronting the access road, 36m in width fronting Bristol Road South and would be 15m in height for four storeys and 7.5m in height for the two storey element. The accommodation would be provided in two blocks. The eastern block would run parallel with the site boundary whilst the western block would run parallel to the wider site loop road. The blocks would be conjoined through a double height space that would provide access to all of the building operations. Two lifts would be provided within the building.
- 1.3. The ground floor would comprise a GP practice with waiting room, reception and offices, toilets, utility/cleaner areas, interview and isolation rooms, two health promotion rooms, a treatment room and four consulting rooms along with a pharmacy. A large plant room would also be located on the ground floor away from public areas.
- 1.4. The first floor would provide further GP practice activities including a further waiting area, two training rooms, administration areas, eleven consulting rooms; three treatment rooms, registrar office, stores, library and toilets. A further two expansion rooms would be located on the first floor.
- 1.5. The second floor would house the majority of staff facilities including administration areas, practice and business manager offices; changing rooms, staff room/kitchen;

meeting rooms, records storage and staff toilets. A further consulting room, registrar room and third expansion room and a GP waiting area would also be located on the second floor. The third floor would contain expansion space.

- 1.6. Staff numbers are unknown at present due to the merging of the three GP practices.
- 1.7. 55 patient/customer parking spaces including 4 mobility spaces and 15 staff spaces for the surgery are proposed. 9 cycle parking hoops and 6 motorcycle spaces are also proposed. A small bin store adjacent to the north eastern boundary would also be provided next to an existing sub-station located outside of the application boundary. The bin store building would also house a separate staff cycle store with 2 cycle hoops. The building would measure 8.5m in length, 4.3m in depth and 2.6m in height.
- 1.8. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Drainage Strategy, Transport Statement, Arboricultural Impact Assessment and Method Statement, Air Quality Assessment, Ecological Appraisal and a Noise Impact Assessment.
- 1.9. Site area: 0.34Ha.
- 1.10. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The site forms part of the land formerly occupied by Bournville College of Further Education and its associated playing field. The College relocated to Longbridge some time ago and the site has been cleared for redevelopment. Work is now completed on the three previously approved phases of the new Bournville Care Village development, of which this proposal would form part.
- 2.2. The main frontage to the care village site is to the north-west of Bristol Road South, from which there are two vehicular access points. This application relates to the remaining plot fronting Bristol Road South adjacent to the main extra care facility and adjoining rear gardens of houses on Middle Park Road.
- 2.3. The surrounding area is predominantly residential in nature, with traditional semis and detached properties to the north and an estate of mainly 3 storey maisonettes to the west.
- 2.4. Mature trees mark the boundaries with existing residential properties. There is also a substantial belt of trees on the Bristol Road South frontage. There is a significant fall in levels from the north-western corner to the southern tip (approximately 14m difference).
- 2.5. [Site Location Plan](#)

3. Planning History

- 3.1. 16 March 2009. 2008/06331/PA. Outline planning permission granted for the demolition of existing structures and redevelopment to provide approximately 99 residential units (Use Class C3) and associated access arrangements. The outline approval was subject to a S106 agreement to secure public open space, affordable

housing and a £200,000 contribution towards improvement of existing pitches in the Weoley Ward.

- 3.2. 23 April 2012. 2012/00513/PA. Planning permission granted for the development of a care village comprising a 208 bed extra care facility, a dementia care home, a nursing home, and a health and well-being centre (C2/D1), with 224 car parking spaces, 51 cycle spaces, servicing and open spaces (outline application with consideration of access, layout and scale). Application approved subject to a S106 agreement to secure a financial contribution of £200,000 towards improvement and maintenance of sports, recreational and community facilities within the Weoley Ward and/or adjoining Wards and provision of the on-site area of open space and retention of access to the general public.
- 3.3. 13 June 2012. 2012/01952/PA. Application to extend the time of extant planning application 2008/06331/PA for the demolition of existing structures and redevelopment to provide approximately 99 residential units (use class C3) and associated access arrangements – approved subject to a S106 agreement to secure public open space, affordable housing and a £200,000 contribution towards improvement of existing pitches in the Weoley Ward.
- 3.4. 23 November 2012. 2012/05877/PA. Planning permission granted for the development of extra care facility comprising 212 apartments with 135 car parking spaces, associated landscaping and service areas and village green. Permission granted subject to a S106 agreement to secure a financial contribution of £200,000 towards improvement and maintenance of sports, recreational and community facilities within the Weoley Ward and/or adjoining Wards, provision of the on-site area of open space and retention of access to the general public, and provision of affordable housing.
- 3.5. 21 March 2013. 2013/00177/PA. Temporary advertisement consent granted for the display of 6 no. temporary flagpole signs and 12 no. non-illuminated temporary advert hoardings.
- 3.6. 17 July 2013. 2013/03617/PA. Planning permission granted for the erection of sub-station.
- 3.7. 31 October 2013. 2013/05870/PA. Planning permission granted for the development of 80 bed dementia care and nursing home (Phase II) at Bournville Care Village, Bristol Road South.
- 3.8. 21 August 2014. 2014/04245/PA. Planning permission granted for the erection of 35 independent living units (C2) associated with Phase III of the Bournville Care Village, including car parking and landscaping.
- 3.9. 7 August 2015. 2015/03664/PA. Planning permission granted for the erection of a health and wellbeing centre including pharmacy, optician, clinical consulting rooms for the Royal Orthopaedic Hospital, GP Surgery and Discharge to Assess accommodation for the NHS, car parking, landscaping and ancillary works.
4. Consultation/PP Responses
 - 4.1. Local residents, Ward Councillors, MP and resident associations notified. Site and Press notice posted. Two letters of support received from Richard Burden MP and a resident in Bournville Gardens Extra Care Facility, both of which explain the urgent need for the proposed facility.

- 4.2. Regulatory Services – no objection subject to safeguarding conditions relating to contaminated land, external plant noise and vehicle charging points.
- 4.3. Transportation – no objection subject to a commercial travel plan condition.
- 4.4. Lead Local Flood Authority – no objection subject to a sustainable drainage condition.
- 4.5. West Midlands Fire Service – no objection.
- 4.6. West Midlands Police – no objection subject to CCTV and lighting safeguarding conditions.
- 4.7. Severn Trent Water – no objection, subject to a drainage condition.

5. Policy Context

- 5.1. NPPF; Birmingham Development Plan; Saved Policies of the UDP 2005; Places for All SPG; Car Parking Guidelines SPD; Nature Conservation Strategy SPG.

6. Planning Considerations

Background

- 6.1. Your Committee approved an outline application in April 2012 for the redevelopment of the former Bournville College site on Bristol Road South as a 'care village' (no. 2012/00513/PA). This proposal included a 208 bed extra care facility, a dementia care home, a nursing home and a health/well-being centre.
- 6.2. The first phase of this development – the extra care apartments and adjacent village green – was approved by your Committee in November 2012 (application no. 2012/05877/PA) and is built and occupied. The second phase was approved in October last year (under 2013/05870/PA) and is also built and occupied.
- 6.3. The second phase proposal deviated from the indicative scheme approved at the outline stage, in that it provided a combined nursing home and dementia care facility. The latter was originally intended to be provided as a separate unit (as phase 3) on the land the subject of this current application. This change was in response to the intended operator's requirements.
- 6.4. The third phase, approved by your committee under application reference 2014/04245/PA was for 35 independent living units. The proposal developed as a result of discussions between the applicant, the City Council and Mencap, which demonstrated a need to provide housing for people with learning difficulties that had some shared facilities but were essentially independent with their own front door. This phase has also been completed.
- 6.5. This application is for the final, fourth, phase of development comprising of a health and wellbeing centre concluding the 'Village' approach to the care facility as a whole. Your Committee has previously approved this facility under application reference 2015/03664/PA however, this consent has now expired and been amended due to changing NHS requirements. As such, this proposal would now provide GP facilities only rather than facilities for the Royal Orthopaedic Hospital as well.

Policy

- 6.6. The NPPF includes a presumption in favour of sustainable development, requiring consideration of economic, social and environmental matters. It encourages the re-use of previously developed land, requires that full advantage should be taken of sustainable locations (with access to public transport, walking and cycling) and refers to the promotion of a wide choice of high quality homes, and the need for high quality design.
- 6.7. The BDP encourages the redevelopment of previously developed sites. Policy PG3 states that *“New development should:*
- *Reinforce or create a positive sense of place and local distinctiveness with design that responds to site conditions and the local area context;*
 - *Create safe environments that design out crime and make provision for people with disabilities;*
 - *Ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term; and*
 - *Support the creation of sustainable neighbourhoods.”*
- 6.8. Saved policy 3.14 of the UDP 2005 relates to the design of new development, the key principles for consideration being:
- impact on local character,
 - scale and design of new buildings and spaces (to respect the surrounding area),
 - the need for free, easy and safe movement, and importance of links,
 - the encouragement of mixed uses in centres and areas where they can contribute towards meeting an identified local need,
 - creation of safe, pleasant and legible places,
 - the requirement for integral landscaping,
 - retention of trees and new tree planting.
- 6.9. ‘Places for All’ also emphasises the importance of good design, high quality environments, again with an emphasis on context.

Principle of Development

- 6.10. The application site is previously developed land located in a predominantly residential area, with good links to public transport and local services. The principle of the redevelopment of this site as a health and wellbeing centre within the overall site master plan for a care village was established through the outline application and a subsequent detailed consent. As such, the principle of development has previously been established. I note the proposed health and well-being centre would comprise a pharmacy and GP surgery. I consider their inclusion within the care village to be in accordance with the aims and objectives of the NPPF as the village as a whole provides for the needs of its residents alongside that of the wider local community. As such, whilst not located in an identified centre, the ‘village’ as a whole provides for the needs of its residents. In providing this within the village, the need to travel further afield is reduced and the site sustainable.

Transportation

- 6.11. The proposed development would provide a total of 70 parking spaces, 9 cycle hoops (for up to 18 cycles) and 6 motorcycle spaces. In addition, a further four

secure cycle spaces would be provided for staff. The main visitor car park would be accessed from the Extra Care Facility car park. 15 of the 70 car parking spaces proposed would be provided for staff and would be accessed separately to the north. A Transport Statement forms part of the application submission. The proposed development would utilise the consented access arrangement for the site from the Bristol Road. The existing exit has been widened to enable it to become the main entrance/exit for the care village as a whole. From the main entrance, a one-way road for vehicles encircles the village green in the centre of the wider site. There are drop-off bays along the shared access road to ensure vehicles using the drop-off areas are able to do so in close proximity to the development entrances. An ambulance drop-off space is incorporated into the village square allowing quick transfers from the proposed centre and the other care uses on site.

- 6.12. Refuse access to the site would be via Bristol Road South and would be covered by a single collection from the proposed dedicated external refuse site.
- 6.13. The proposed trip generation for the development would be broken down as follows:
AM Peak – 118 arrivals and 58 departures; and
PM Peak – 48 arrivals and 79 departures.
The statement concludes that the proposed development and the Care Village as a whole would result in a net reduction in vehicular traffic when compared to the previous College use. As such, the proposed development would have no material adverse impact on the safety or operation of the highway network.
- 6.14. Your Transportation Officer raises no objection to the proposals. The likely level of traffic generated would not be significant and any impact on the operation of the highway network would be negligible. Parking provision falls within the scope of the outline application and would be compliant with your Committee's adopted car parking guidelines. A Travel Plan condition is recommended by Transportation. I concur with this view and the condition is recommended below.

Design and Landscaping

- 6.15. The outline application set out principles for layout, massing, scale, landscape and access. A Master Plan Design Guide was produced to ensure that a consistent, coherent and high quality development is achieved across all areas of the care village.
- 6.16. The proposal adheres to the principles established at the outline stage and responds positively to the site constraints and context. The development would have an acceptable relationship to the existing houses that back onto the site, with existing landscaped buffers maintained and enhanced where space is available to do so. The building proposes the two storey element to be nearest existing dwellings and this would be sited approximately 19m from the site boundary.
- 6.17. A landscaped garden would be provided to the rear of the building, centred around a new specimen tree, adjacent to the car park, through which further access to the building would be provided. The car parking areas are located tight to site boundaries and as such, space for landscaping is limited. 4 further specimen trees are proposed in front of the main entrance to the building adjacent to the access road and 6 are proposed to separate the patient car parking from the staff car parking area.
- 6.18. The key tree issues (mostly the successful retention of the belt of mature trees fronting Bristol Road) have been studied in detail with relation to the bulk of the

Bournville Care Village site and have been addressed during the wider site redevelopment. The details of tree protection and methods will, however, need to be made specific to the application site and as such, my arboricultural officer has recommended a condition relating to the submission of an arboricultural method statement. I concur with this view and a condition is recommended below.

Flood Risk

- 6.19. A Flood Risk Assessment has been submitted in support of the application. The assessment identifies that the site sits within Flood Zone 1 and the development is of an appropriate use for the flood zone. The FRA has reviewed all sources of flood risk to both the proposed development and to the existing adjacent development as a result of the proposals including fluvial, tidal, pluvial, groundwater, sewers and flooding from artificial sources. The 1 in 100 year and 1 in 1000 year events do not extend into the application site.
- 6.20. Based on the ground conditions identified within the assessment, it concludes that infiltration drainage is unlikely to provide a suitable means of surface water disposal for the flows generated by the proposed development. It is proposed that the surface water flows generated are to discharge to the shared attenuation tank to the south of the proposed building with all flows stored/retained on site.
- 6.21. The LLFA considers the proposal acceptable subject to a safeguarding condition. I concur with their view and consider that the proposal would have no impact on drainage/flood risk and the relevant safeguarding conditions are recommended below.

Ecology

- 6.22. An ecological appraisal has been submitted in support of the application. The report identifies that a Phase 1 Habitat Study was undertaken. The study identified that the site comprises an area of disturbed bare ground currently forming the site compound and storage area. A small number of scattered trees are present along the north eastern boundary with additional trees overhanging the site boundary on the north eastern and south eastern sides.
- 6.23. The site provides negligible habitats for notable and protected species. The trees and other vegetation around the wider site provide foraging habitat and a commuting corridor for bats, and the trees also provide suitable nesting habitat for common garden birds. The site's suitability for other protected species (e.g. badger, great crested newt, reptiles) is assessed as poor. The boundary trees would be retained as part of the current proposals.
- 6.24. The ecological report sets out a number of recommendations for mitigation and enhancement, including:- provision of insect boxes in suitable locations; provision of bat boxes and bird nest boxes on buildings/trees; sensitive car park lighting; measures to avoid badgers/other mammals becoming trapped during excavation; and landscape planting to include native and 'wildlife-friendly' species. Your Ecologist has no objection to these recommendations; subject to safeguarding conditions relating to their implementation. I concur with this view.

Residential Amenity

- 6.25. The application is for a purpose-built facility, to form part of a wider development for an extra care village. There is substantial planting to boundaries with the closest

residential properties and I would not anticipate any significant disturbance from a use of this nature.

Noise and Air Quality

- 6.26. An Air Quality Assessment has been undertaken and submitted in support of the application. This assessment identifies that the site is located in an Air Quality Management Area (AQMA) and on a busy A-road. The report identifies that there would be no significant emissions associated with the proposed development and that future residents of the site as a whole are unlikely to be exposed to unacceptable air quality. Regulatory Services have raised no objection to the proposal in relation to air quality and I concur with this view.
- 6.27. A noise assessment has been submitted that assesses the potential noise impact to and from the proposed development. Regulatory Services have raised no objection to the proposal on noise grounds subject to appropriate safeguarding conditions including those relating to plant and machinery noise which are recommended below. I concur with this view.

7. Conclusion

- 7.1. The application site is previously developed land located in a predominantly residential area, with good links to public transport and local services. The principle of the re-development of the site as an extra care village was established through the approval of outline application no. 2012/00513/PA in April 2012 and the provision of a health and well-being centre is in accordance with the outline approval and the previous consent for a health and well-being centre on this site.
- 7.2. The detailed design has been developed in consultation with City Design and the resulting scheme is considered to be of a high quality design that would sit comfortably within its surroundings.
- 7.3. The NPPF supports the presumption in favour of sustainable development and this is identified as including the **three** stems of economic, social and environmental. I consider that the proposal would continue to support the wider site redevelopment with its associated significant economic and social benefits and would have a positive and significant environmental benefit. The proposal would also support the provision of further local employment in both construction and support employment within the building whilst supporting the provision of medical services within the City. As such, I consider the proposal to be sustainable development and on this basis, should be approved.

8. Recommendation

- 8.1. That planning permission is approved subject to the conditions listed below.

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| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the agreed mobility access to be maintained |
| 3 | Requires the submission of a contaminated land verification report |
| 4 | Requires the prior submission of a drainage scheme |
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| 5 | Requires the submission of a Sustainable Drainage Operation and Maintenance Plan |
| 6 | Limits the noise levels for Plant and Machinery |
| 7 | Requires the submission of hard and/or soft landscape details |
| 8 | Requires the submission of boundary treatment details |
| 9 | Requires the submission of a landscape management plan |
| 10 | Requires the submission of a lighting scheme |
| 11 | Requires the submission of sample materials |
| 12 | Requires the submission of a CCTV scheme |
| 13 | Limits the function of the A1 use to pharmacy only |
| 14 | Requires the submission of a commercial travel plan |
| 15 | Requires the provision of a vehicle charging point |
| 16 | Requires the prior submission of a construction employment plan. |
| 17 | Implement within 3 years (Full) |
-

Case Officer: Pam Brennan

Photo(s)



Photograph 1: View of car parking area to front of site – looking north-east



Photograph 2: View of car parking to frontage, application site behind and existing frontage trees

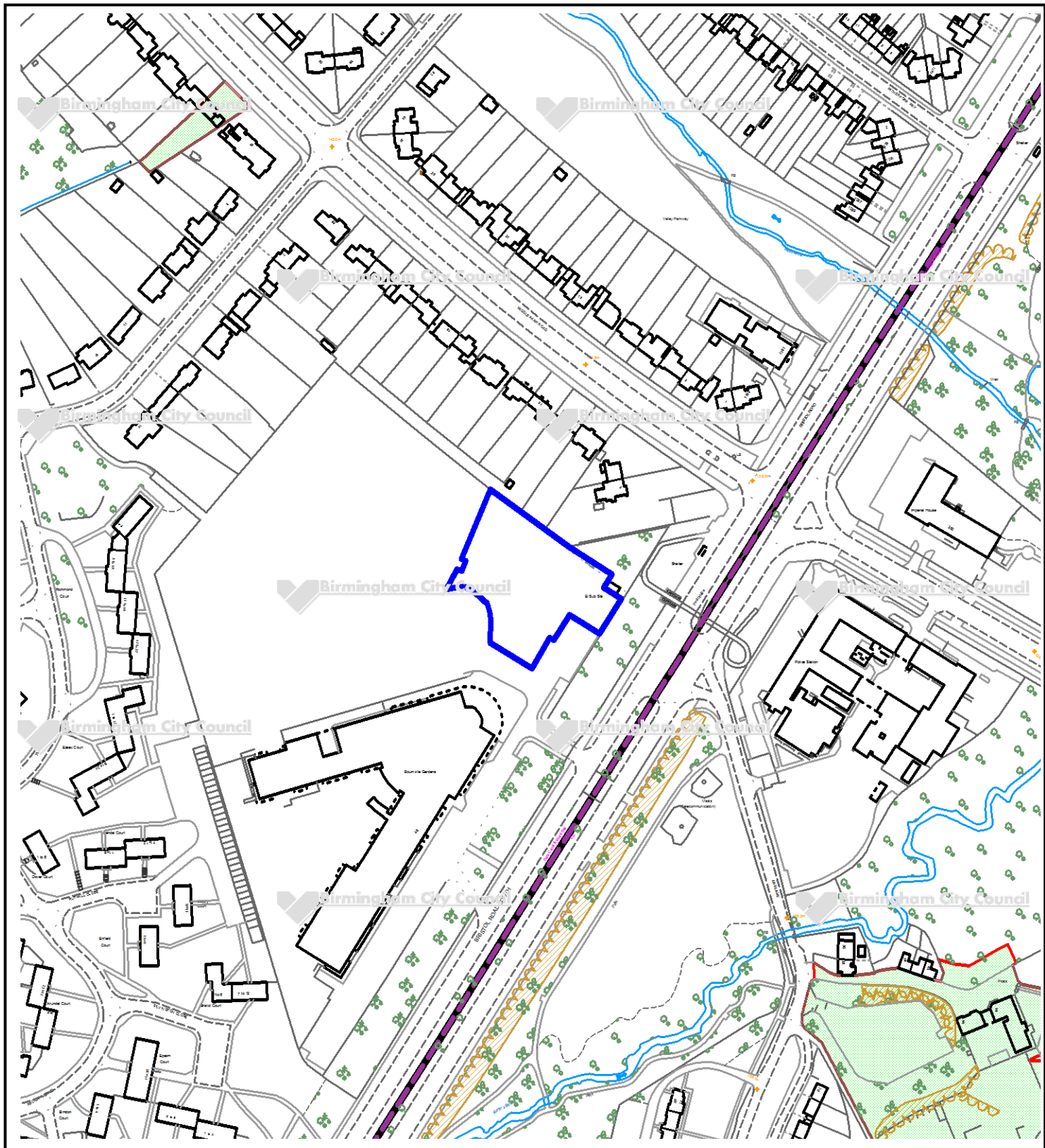


Photograph 3: View looking north-west towards phases 2 and 3 of the development



Photograph 4: View looking west - Phase 1 – Extra Care Development

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/05741/PA
Accepted:	18/08/2018	Application Type:	Full Planning
Target Date:	12/10/2018		
Ward:	Longbridge & West Heath		

10-12 The Crest, Land to rear of, West Heath, Birmingham, B31 3PY

Erection of two semi-detached dwellinghouses

Applicant: Mr David Barney
2 Curtis Close, Dusthouse Lane, Tardebigge, Bromsgrove,
Worcestershire, B60 3AB

Agent: Mrs Vanessa Greenhouse
54 Doctors Hill, Bournheath, Bromsgrove, Worcestershire, B61 9JE

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning permission is sought for the erection of two semi-detached dwellinghouses at the land to the rear of 10-12 The Crest, West Heath. The front elevation of the proposed dwellings would face Gibbs Hill Road and would be located at the end of the cul-de-sac element of the road between No. 69 to the east and No. 92 to the west. The rear gardens would be back to back with the gardens of Nos. 10 and 12 The Crest.
- 1.2. Plot 1 to the east would be a 2 bedroom 3 person property and Plot 2 to the west would be a 3 bedroom 5 person property. At ground floor both properties would have an entrance hall with a WC and storage area, and an open plan kitchen, lounge and dining room to the rear. At first floor Plot 1 would have one double bedroom with an en-suite, one single bedroom and a bathroom and Plot 2 would have two double bedrooms, one single bedroom and a bathroom. Both dwellings would be 2 storeys in height, have a canopy feature above the front door and have 2 parking spaces to the front, accessed from Gibbs Hill Road.
- 1.3. Due to the angle of the site, Plot 1 would be set 1.8m forward of Plot 2. The proposal would have a hipped roof design with a projecting gable feature at Plot 1 and a gable end roof design at Plot 2 which would match the design of some neighbouring properties on Gibbs Hill Road. Plot 1 would have a garden size of 89.4sqm and Plot 2 would have 83.8sqm. The properties at 10 and 12 The Crest would have remaining garden areas of 99.1sqm and 96.4sqm respectively. There would be 21m between the rear elevation of Plot 1 and 12 The Crest and 21.5m between Plot 2 and 10 The Crest and both proposed gardens would be 10m in depth.
- 1.4. Amended plans were received reducing the size of the proposed properties, ensuring that adequate separation distances were met between the proposal and Nos. 10 and 12 The Crest and alterations were made to the design of the proposal.
- 1.5. The proposal would not attract a CIL contribution.

1.6. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site relates to the land to the rear of Nos. 10-12 The Crest, West Heath and is currently used as garden space for these properties, however fencing has been erected at No. 12 separating the garden into two. The site lies at the end of the cul-de-sac of Gibbs Hill Road and the properties would be accessed from this road.

2.2. The site is within a wholly residential area, with properties on The Crest and Gibbs Hill Road made up of predominantly two storey semi-detached and terrace housing set in staggered pairs and linear rows. Many properties provide parking areas to the front and have private amenity areas to the rear of varying sizes.

2.3. [Site Location Map](#)

3. Planning History

3.1. 2013/08306/PA – Erection of 2no. semi-detached bungalows – Refused because due to the plot size and shape, and proposed siting and design, the proposed dwellings would introduce a discordant, incongruous and cramped addition to the streetscene, which would be out of character and context with the area and so detrimental to local amenity

4. Consultation/PP Responses

4.1. Regulatory Services – No objection subject to conditions relating to contaminated land

4.2. Transportation – No objection subject to a condition relating to pedestrian visibility splays

4.3. West Midlands Police – No objection

4.4. Severn Trent Water – No objection

4.5. Neighbouring residents, residents associations, local Ward Councillors and the local MP have been consulted, a site notice has been displayed and a press notice was published.

4.6. Councillor Debbie Clancy – Objections have been received from residents relating to the impact on privacy, loss of views, loss of hedgerows, drainage and sewage.

4.7. A petition has been submitted signed by 37 residents objecting to the proposal. The petition states that all of those who have signed it wish to go to the planning committee meeting as advertised on the site notice, that the proposal has made no consideration for the environment and the aggravation the build may cause to other residents. Many of the residents who signed the petition also submitted a separate letter of objection.

- 4.8. 23 letters of objection have been received from neighbouring residents, objecting on the following grounds:
- Parking and turning area; transportation; highway safety:
 - The established area is an essential amenity for residents
 - Access concerns. Reversing on and off drives would be more difficult and dangerous
 - Loss of parking and turning area. Needed for residents, deliveries, visitors and service vehicles could cause driveways to be blocked.
 - Safety concerns; more hazards and accidents more likely
 - Concerns about manoeuvring, particularly larger vehicles such as buses, delivery vehicles and emergency vehicles
 - Concerns about increased traffic
 - Proposal would worsen existing issues
 - Drainage:
 - The area is known for poor drainage after heavy rain, some properties have soakaways and not proper drainage.
 - Long standing sewage problems
 - Gardens frequently flood after heavy rain and the stale water smells and water collects on the road.
 - Disruption to utilities when connecting pipework
 - Impact on residential amenity
 - Loss of an amenity
 - Loss of privacy
 - Loss of view and outlook
 - Safety and security concerns
 - Building debris will be left around creating an unsafe environment
 - Neighbouring properties will be less secure
 - Concerns about the safety of young children that play in the area
 - Hedgerows:
 - Historic ownership issues
 - Concerns about loss of wildlife
 - Inappropriate development in this location
 - The site is not correctly labelled – it is not ‘land to the rear’ and should be parking and turning area for the dwellings at the top of Gibbs Hill Road.
 - Decrease in property value
 - Noise, dust and nuisance concerns during construction – would be like living on a building site with great disruption

5. Policy Context

5.1. Relevant Local Planning Policy:

- Birmingham Development Plan (BDP) 2017
- Birmingham Unitary Development Plan (UDP) Saved Policies 2005
- Places for Living SPG 2001
- Mature Suburbs SPD 2008
- 45 Degree Code

5.2. Relevant National Planning Policy:

- National Planning Policy Framework (NPPF) 2018

6. Planning Considerations

- 6.1. This application has been assessed against the objectives of the policies set out above.
- 6.2. The planning considerations important in the determination of this application are the principle of development and the potential impact of the proposal on the residential amenity of existing and future residents, visual amenity, highway safety and parking, and drainage.

Policy and Principle of Development

- 6.3. The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development. It supports strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided by fostering a well-designed and safe built environment. Paragraph 68 states that small and medium sized sites can make an important contribution to meeting local housing requirements.
- 6.4. Policy PG3 of the BDP states that all new development will be expected to demonstrate high design quality, contributing to a strong sense of place. New development should reinforce local distinctiveness, with design that responds to site conditions and the local area context, including heritage assets and appropriate use of innovation in design. Policy 3.14 of the saved UDP policies echoes this, stating that a high standard of design is essential to the continued improvement of Birmingham as a desirable place to live, work and visit.
- 6.5. Policy TP27 of the BDP explains that new housing in Birmingham is expected to contribute to making sustainable places by offering: 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; environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources and the use of green infrastructure; attractive, safe and multifunctional public spaces for social activities, recreation and wildlife; and effective long-term management of buildings, public spaces, waste facilities and other infrastructure.
- 6.6. With respect to the location of new housing, Policy TP28 of the BDP explains that proposals for new residential development should be located in low flood risk zones; be adequately serviced by existing or new infrastructure which should be in place before the new housing is provided; be accessible to jobs, shops and services by modes of transport other than the car; be capable of land remediation; be sympathetic to historic, cultural or natural assets; and not conflict with any other specific policies in the BDP.
- 6.7. The 45 Degree Code and Places for Living SPG set standards for residential development to ensure the amenity of neighbouring residents is not adversely affected. Places for Living SPG also provides design guidance and seeks desirable, sustainable and enduring residential areas which build on local character and respect the appearance of the local area.
- 6.8. Mature Suburbs SPD relates to the development of infill plots and backland areas. It recognises that this form of development can have positive benefits through increasing housing stock and leading to more efficient use of land, however it can

also have a significant impact on local distinctiveness. It is considered essential that such developments should be appropriate in their design and all other respects such that they make a positive contribution to the environment within which they are located.

- 6.9. The application site is located within an established residential area, in a low flood risk zone (Flood Zone 1), is well served by existing infrastructure and services are accessible from the site. I therefore consider that the principle of residential development in this location is appropriate and acceptable. The application has overcome the principal reasons for refusal in the previous application (2013/08306/PA) and I consider that the size, siting and design of the proposed dwelling would create a positive addition to the street scene.

Residential Amenity

- 6.10. Following the amendments made to the proposal, both properties would exceed the required 70sqm of garden space, as would the two existing properties at Nos. 10 and 12 The Crest. Although not yet adopted by the Local Planning Authority, the Technical Housing Standards provide a useful guide for minimum floor areas of residential dwellings. It is recommended that a 2 bedroom 3 person property has a floor area of 70sqm and a 3 bedroom 5 person has a floor area of 93 sqm. Double bedrooms should achieve 11.5sqm and single bedrooms 7.5sqm.
- 6.11. Plot 1 would achieve a GIA of 77.3sqm, with Bed 1 achieving 11.8sqm and Bed 2 achieving 10.3sqm. Plot 2 would achieve a GIA of 93.5sqm, with Bed 1 achieving 12.4sqm, Bed 2 achieving 11.5sqm and Bed 3 achieving 8.4sqm. Both properties and all 5 bedrooms would achieve the required internal space standards, and as such, I consider that the proposal would have an acceptable impact on the residential amenity of future occupiers of these dwellinghouses.
- 6.12. The proposal would comply with the 45 Degree Code and the numerical guidelines contained within 'Places for Living' SPG. Following the amendments made, the proposal would achieve the required separation distances from the properties to the rear. The policies require a 10m garden length and 21m between the building faces of two storey properties. I acknowledge the concerns raised by neighbouring occupiers regarding loss of privacy and outlook, however as the application complies with the above policies, I consider that the proposal would have an acceptable impact on the residential amenity of existing neighbouring occupiers, and would not cause loss of light, outlook or privacy to any neighbouring residents.
- 6.13. Although the properties comply with the separation distances for two storey dwellings, they would not achieve the 15m garden length required for second storey windows. As such, a condition has been attached to the permission removing the permitted development rights for new windows, in order to protect the privacy and residential amenity of Nos. 10 and 12 The Crest to the rear. Permitted Development right have also been removed for extensions to the two properties, in order to maintain an adequate area of amenity space at the rear of the proposed dwellings.

Visual Amenity and Landscaping

- 6.14. The overarching aim of the NPPF is achieving sustainable development which includes protecting and enhancing the natural and built environment. Paragraph 124 acknowledges the importance of good design in achieving sustainable development and Policy 5 in the Council's 'Places for Living' SPG states that 'proposals should

demonstrate that they have considered that local context and the legibility of the layout’.

- 6.15. The application proposes two semi-detached properties which would be in keeping with the type of property within this area. The previously refused application for two wider bungalows on the site would have appeared cramped in the location; however this revised application proposes dwellings which I consider to be an appropriate size for the plot and build on local character.
- 6.16. I acknowledge that the gardens of the proposed dwellings and those of Nos. 10 and 12 The Crest would be smaller than those of neighbouring properties on The Crest, however I consider that they would be consistent with garden sizes on Gibbs Hill Road and would comply with the required garden sizes outlined in Places for Living (SPG). I consider that the siting of the properties at the end of the cul-de-sac would be appropriate, have a suitable relationship with the existing properties on Gibbs Hill Road and have an overall acceptable impact on the street scene.
- 6.17. The amended plans changed the design of the properties to be more in keeping with neighbouring properties on Gibbs Hill Road. The original plans sought consent for a hipped roof design with the use of multiple materials on the front elevation which would not have been in keeping with the closets properties on Gibbs Hill Road. The amendments show a hipped roof design with a projecting gable feature at Plot 1 and a gable end roof design at Plot 2 with a single material on all elevations. The design of the proposal would be in keeping with neighbouring properties and have an acceptable impact on wider visual amenity. A condition has been attached requiring the prior submission of sample materials, to ensure that the materials used in the external surfaces of the dwellings would be acceptable.
- 6.18. The City’s Landscape Officer has raised no objection to the proposal, subject to conditions being attached for the submission of details relating to landscaping, boundary treatment and surfacing. I acknowledge the concerns raised by Councillor Clancy and a neighbouring resident relating to the loss of hedgerows at the site. The City’s Landscape Officer requested a condition requiring the retention, reinforcement and protection of boundary hedging, however, given that the hedging would be within private space and not directly fronting a public area, I consider that appropriate landscaping and boundary treatment would be achieved through the above conditions. With regard to the comments made about the loss of wildlife and ecological concerns, the site is not within or adjacent to a designated area of ecological interest or value. Therefore I do not consider that the proposal would have an impact on local ecology or wildlife.
- 6.19. Overall, I consider that the proposal has overcome the issues outlined in the previously refused application, and would demonstrate a development of an appropriate scale, siting and design within this location. Both properties would be set away from the side boundaries and would not appear cramped within the context. The design amendments would ensure that the proposal has an acceptable impact on visual amenity.

Drainage

- 6.20. I acknowledge local concern relating to flooding and drainage within the area. The site lies in Flood Zone 1 (low risk) and as such there is no requirement for the submission of a Flood Risk Assessment. Severn Trent Water have been consulted on the application raising no objection, and consider that the application would have

a minimal impact on the public sewerage system and that no drainage conditions are required to be attached to the application.

Highway Safety and Parking

- 6.21. Many of the issues raised from neighbouring residents relate to the turning area and parking area at the entrance to the application site on Gibbs Hill Road. Transportation Development have been consulted on the application and have raised no objection to the proposal, subject to conditions. The existing footway at the site is public highway. A condition is recommended requiring pedestrian visibility splays of 3.3m x 3.3m x 0.6m to be incorporated into each driveway.
- 6.22. My colleagues in Transportation Development acknowledge that the parking in the turning head would be removed. There are no Traffic Regulation Orders (TROs) preventing this from happening however the new driveways would ensure that the area is just used as a turning head and not for parking. I note that there is no right for people to be parking in this area anyway.
- 6.23. I acknowledge the responses from neighbours relating to cars, delivery vehicles, emergency service vehicles and the 'ring and ride' bus service turning in this area, and concerns that the proposal would restrict this and worsen the existing issues. The development would not encroach onto the road and vehicles would still be able to turn around in this area. The application is for two additional dwellings in an established residential area and this is considered to be reasonable.
- 6.24. I concur with the views of Transportation Development and consider that the proposal would have an acceptable impact on highway safety and parking provision within the vicinity.

Other Matters

- 6.25. I note the issues raised by local residents. A loss of view and decrease in property value are not planning considerations and therefore do not form part of the assessment of this application.
- 6.26. West Midlands Police have raised no objection to the proposal. I acknowledge the concerns raised by neighbouring residents; however I do not consider that the proposal would have an impact on security and safety within the area.
- 6.27. Regulatory Services have raised no objection to the proposal, however have requested conditions be attached for the submission of a Contamination Remediation Scheme and a Contaminated Land Verification Report. These conditions are required as information on Regulatory Services' maps indicated the land was used for agricultural purposes and the site has previously been subject to tipping.
- 6.28. A condition for a noise insulation scheme was requested, however as the application site is located in a quiet residential area, I do not consider that this level of noise insulation would be required, and the levels required by Building Regulations would be sufficient. A fourth condition was requested from Regulatory Services for the provision of a vehicle charging point. If the future occupants wish to install one at a later date then they would be able to, however I do not consider it appropriate to require the installation of vehicle charging points at 10% of parking spaces.

- 6.29. I acknowledge the concerns raised relating to issues when building works would take place. Neither Transportation Development nor Regulatory Services have raised any concerns relating to this and I anticipate that any potential noise, disturbance or disruption would be on a short-term basis, and only during construction.

7. Conclusion

- 7.1. The proposal would not result in harm to residential amenity, visual amenity, highways safety and parking or drainage and is therefore considered acceptable. The proposal has overcome the issues of the previously refused application, constitutes sustainable development and accords with local and national planning policy. Therefore, I recommend that planning permission is granted subject to conditions.

8. Recommendation

- 8.1. Approve subject to conditions.

-
- | | |
|----|--|
| 1 | Requires the scheme to be in accordance with the listed approved plans |
| 2 | Requires the submission of sample materials |
| 3 | Requires the submission of hard and soft landscape details |
| 4 | Requires the submission of boundary treatment details |
| 5 | Requires the submission of hard surfacing materials |
| 6 | Requires pedestrian visibility splays to be provided |
| 7 | Requires the prior submission of a contamination remediation scheme |
| 8 | Requires the submission of a contaminated land verification report |
| 9 | Removes PD rights for new windows |
| 10 | Removes PD rights for extensions |
| 11 | Implement within 3 years (Full) |
-

Case Officer: Caroline Featherston

Photo(s)



Entrance to application site on Gibbs Hill Road

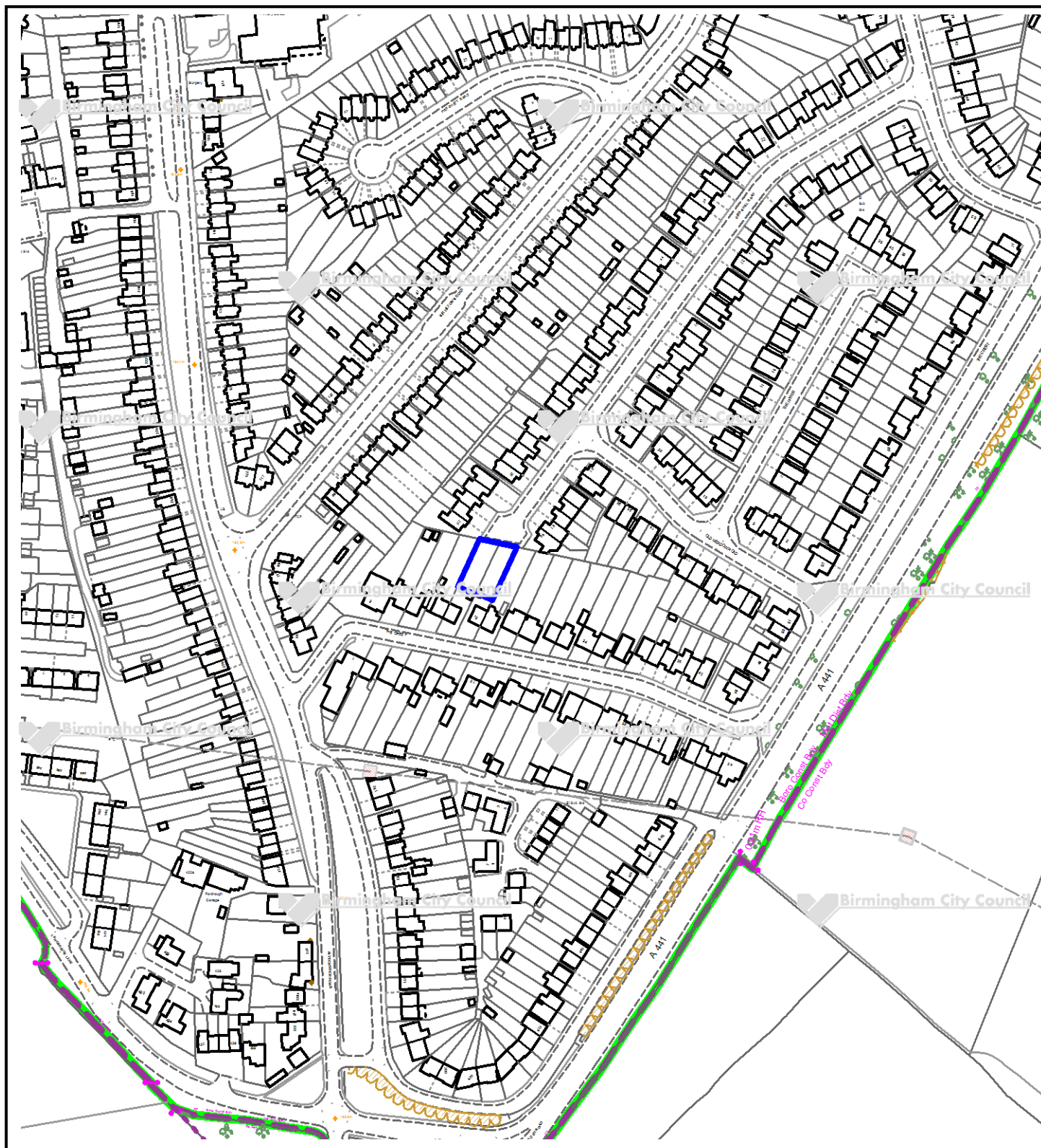


Rear of No. 12 The Crest



Rear of No. 10 The Crest

Location Plan



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Birmingham City Council

Planning Committee

22 November 2018

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	14	2018/01552/PA The Old Art School 34 Lichfield Road Sutton Coldfield Birmingham B74 2NJ Change of use from Use Class D1 (non-residential institution) to Use Class C3 (residential) with external alterations to allow for the conversion to 12 apartments
Approve – Conditions	15	2018/01575/PA The Old Art School 34 Lichfield Road Sutton Coldfield Birmingham B74 2NJ Listed Building Consent for internal and external alterations to allow for the conversion of the existing building into 12 apartments
Approve – Conditions	16	2018/06474/PA Blocks A and B Land at Burton Wood Drive, Bridgelands Way and Birchfield Road Perry Barr Birmingham Erection of 18 dwelling houses with associated infrastructure works, landscaping and car parking

Committee Date:	22/11/2018	Application Number:	2018/01552/PA
Accepted:	27/03/2018	Application Type:	Full Planning
Target Date:	26/06/2018		
Ward:	Sutton Trinity		

The Old Art School, 34 Lichfield Road, Sutton Coldfield, Birmingham, B74 2NJ

Change of use from Use Class D1 (non-residential institution) to Use Class C3 (residential) with external alterations to allow for the conversion to 12 apartments

Applicant:	The Old Art School Ltd 34 Lichfield Road, Sutton Coldfield, Birmingham, B74 2NJ
Agent:	Cerda Planning Vesey House, 5-7 High Street, Sutton Coldfield, Birmingham, B72 1XH

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. The proposal is for the conversion of the existing building into residential accommodation comprising 12 apartments (5, 2 bedroom and 7, 1 bedroom). Apartments 8, 9, 10 and 11 would be duplex apartments. The accommodation would be provided within the lower ground floor, ground floor, first floor and roofspace.
- 1.2. A number of new windows on the side and rear elevations would be inserted with existing window openings reinstated at lower ground floor level on the front elevation. The proposal would require internal walls to be removed including stud partitions and some original walls which will be addressed in the report on the listed building consent application (2018/01575/PA) elsewhere on this agenda. New partitioning would be inserted and the duplex apartments require the insertion of mezzanine levels in the double height studio at the rear (apartments 8 and 9) and the roofspace at the front (apartments 10 and 11).
- 1.3. The proposal does not include any car parking spaces.
- 1.4. Amenity space would be provided in a shared rear courtyard accessed at lower ground level. A grassed area would be retained on the site frontage.
- 1.5. The application is supported by a Planning, Design, Access and Heritage Statement, a Preliminary Bat Roost Assessment and Bird Survey and a Flood Risk Assessment and Sustainable Drainage Strategy.
- 1.6. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located within the Anchorage Road Conservation Area and comprises the Old Art School, a Grade II Listed Building dating from the early 20th Century in a Georgian style constructed of stone dressed red brick with a tall hipped roof. It fronts onto Lichfield Road and is located behind a red brick wall and lawn.
- 2.2. The Old Art School is within Sutton Coldfield Town Centre and adjacent to Bishop Vesey Grammar School and former Roman Catholic Chapel, both Grade II Listed. To the rear is Mitre Court, a more recent office development and an Indian restaurant together with associated parking areas.
- 2.3. [Site Location and Street View](#)

3. Planning History

- 3.1. 08/11/2018. 2018/01575/PA. Listed Building Consent for internal and external alterations to allow for the conversion of the existing building into 12 apartments. Report on this agenda.

4. Consultation/PP Responses

- 4.1. Transportation Development – No objections subject to cycle storage condition.
- 4.2. Regulatory Services – No objections subject to conditions requiring details of noise insulation to the Lichfield Road elevation and refuse storage.
- 4.3. Severn Trent Water – No objections.
- 4.4. Local Lead Flood Authority – No objections.
- 4.5. West Midlands Police – No objections.
- 4.6. West Midlands Fire Service – Request information as to how the building will be Accessed by emergency and refuse vehicles.
- 4.7. Royal Sutton Coldfield Town Council – Support the proposal provided there is no impact on the heritage assets or highway.
- 4.8. MP, Councillors, Residents Associations and nearby occupiers notified. Site and Press notice posted. 7 letters have been received objecting to the proposals on the following grounds;
 - Nowhere for vehicles to access the site or park during course of building work.
 - There are no parking facilities for residents and visitors or provision for deliveries.
 - Impact on parking areas used by occupiers of Mitre Court which may be subject to improper use by future residents.
 - No details of bins or refuse disposal.
 - There are many highway restrictions in the vicinity of the site.
 - The already heavy rush hour traffic and parking in this area will be further impacted by this development.
 - Development is too intensive.

5. Policy Context

- 5.1. Birmingham Development Plan 2017, UDP 2005 (saved policies), Places for Living SPG, Anchorage Road Conservation Area, Grade II Listed Building, NPPF (2018), NPPG.

6. Planning Considerations

- 6.1. **Principle** – The Old Art School is a vacant Grade II Listed Building located in a sustainable location within Sutton Coldfield Town Centre. I have no objection to the principle of the conversion of the building into residential accommodation subject to consideration of the impacts of the proposal on the heritage asset, standard of accommodation proposed, highway impacts, environmental and ecological impacts.
- 6.2. **Design/Heritage Assets** - The proposals would have minimal impact on the external appearance of the building as the only external alterations proposed are to reinstate existing window openings at lower ground floor level on the front elevation and the creation of a number of new window openings on the side and rear elevations. All new windows would match the windows in the existing building and the detail of the proposed windows would be conditioned. The internal layout has been amended following consultation with officers and Historic England to minimise the impact on the original fabric of the listed building. Detailed listed building issues are discussed in the report on application no. 2018/01575/PA for listed building consent to be found elsewhere on this agenda.
- 6.3. In terms of the external alterations, I do not consider the proposals would have an adverse impact on the visual amenities of the area or on the character and appearance of the Anchorage Road Conservation Area. A condition is recommended that a landscaping scheme be submitted which would enhance the front lawn area of the building.
- 6.4. **Standard of Accommodation for Future Occupiers** - The internal layout is constrained by the need to work within the historic fabric of the listed building and the proposed floor layouts have been amended following discussions with officers and Historic England.
- 6.5. I consider the proposed apartments are of an acceptable size and exceed the relevant standard sizes for 1 and 2 bedroom apartments contained within the “Technical housing standards – nationally described space standard”. All bedrooms are of an acceptable size and each apartment would contain adequate storage space.
- 6.6. The scheme has been designed to retain as much of the original fabric of the listed building as possible and the layout has been designed with this in mind. I note apartment 1 in the lower ground floor relies on a light well for the only source of light to its 2nd bedroom and bathroom, however, the living/dining/kitchen area and 1st bedroom have windows onto the courtyard. The only source of light to the living/dining/kitchen area and bedroom of apartment 2 would be via a larger light well on the site frontage. The applicants have agreed to terrace the light well to allow more natural light to the habitable rooms and a condition is recommended requiring

details of the proposed alterations to the light well. It is also considered that improvements can be made to the light wells to apartment 1 and this is also covered by condition.

- 6.7. At lower ground floor level the layouts of apartments 3 and 4 have been reconfigured as with apartment 3 becoming a 1 bedroom apartment which would allow for natural light into the bedrooms and a satisfactory outlook (the bedroom to apartment 4 would require 2 new windows in the side elevation). Apartment 7 would rely solely on a large obscurely glazed roof light for its natural light. There are a number of windows to apartments 11 and 12 at first floor level with limited views over the roof light to apartment 7, however, I am satisfied that the relationship between the two in terms of the relatively acute angle from these windows down to the glazed areas of the of the roof light and that the roof light is obscurely glazed that no overlooking or loss of privacy would occur.
- 6.8. I consider the layout of the proposed apartments is acceptable and a consequence of working within the constraints of an historic building. Any compromise on natural light/outlook is outweighed by the benefit of bringing this vacant listed building back into an active use and protecting its future.
- 6.9. A shared courtyard space would be available to residents at lower ground floor level. A condition is recommended requiring details of refuse storage.
- 6.10. **Highways** – The main objections to the proposal from local commercial occupiers are related to the lack of parking, impact on the parking area for Mitre Court and highway safety considerations on this busy stretch of the Lichfield Road. Transportation Development have commented that they consider the proposal would be unlikely to increase traffic to/from the site significantly. They have raised concern that the proposal would be likely to increase on-street parking demand within the area, however, they consider that the previous use as an art college would have generated some level of parking demand. Transportation Development also note that the site has a good level of accessibility to public transport with bus services accessible from Lichfield Road and Sutton Coldfield railway station is also within easy walking distance. Waiting is also regulated by Traffic Regulation Orders on this part of Lichfield Road.
- 6.11. On this basis, Transportation Development have raised no objection to the proposal on the grounds of lack of parking or impact on highway safety. They have recommended a condition requiring details of cycle storage. I concur with the above view and raise no objections on highway grounds.
- 6.12. The West Midlands Fire Service have requested details of how the building will be serviced by emergency and refuse vehicles. The applicants have responded that the access for refuse and emergency will remain exactly as it is at the moment – the furthest part of the habitable floor space is approximately 37m from the public highway which is within the maximum required distance of 45m stipulated by the building regulations.
- 6.13. **Ecology** – The Planning Ecologist recommended a Bat Survey be submitted prior to determination. The applicants have submitted a Preliminary Bat Roost Assessment and Bird Survey. This concludes there was no evidence of bats using the building as a place of shelter although there are roosting opportunities for bats under the ridge tiles of the rear building. The conversion of the building to dwellings will not affect a place of shelter for bats as the roosting opportunity beneath the rear building ridge tiles can be maintained. A raised ridge tile access can be retained in the converted

building.

- 6.14. **Environmental** – Regulatory Services have raised no objections subject to conditions requiring noise insulation for windows to habitable rooms on the Lichfield Road frontage and details of refuse stores. I have recommended the noise insulation and refuse store conditions be attached, however, I am mindful that as the building is Grade II listed with sliding sash windows, secondary glazing may not be appropriate.
- 6.15. **Drainage** - Severn Trent Water and the Local Lead Flood Authority raise no objection on drainage grounds.
- 6.16. **Community Infrastructure Levy (CIL)** – The site is within a CIL chargeable area. The proposal involves the conversion of 435sq.m of floorspace into residential accommodation which equates to a CIL charge of approximately £30,015.

7. Conclusion

- 7.1. I consider the proposal to convert the Old Art School into residential accommodation is in accordance with national and local planning policies and is acceptable. The proposal to bring back the vacant listed building into an active use, therefore, protecting the future of the listed building is welcomed.

8. Recommendation

- 8.1. Approve Subject to Conditions.

-
- | | |
|---|---|
| 1 | Requires the submission of a scheme of noise insulation |
| 2 | Requires the submission of sample materials |
| 3 | Requires the submission of hard and/or soft landscape details |
| 4 | Requires the submission of details of refuse storage |
| 5 | Requires the submission of cycle storage details |
| 6 | Requires the submission of details of proposed works to the light wells |
| 7 | Requires the prior submission of details of bird/bat boxes |
| 8 | Requires the scheme to be in accordance with the listed approved plans |
| 9 | Implement within 3 years (Full) |
-

Case Officer: John Davies

Photo(s)

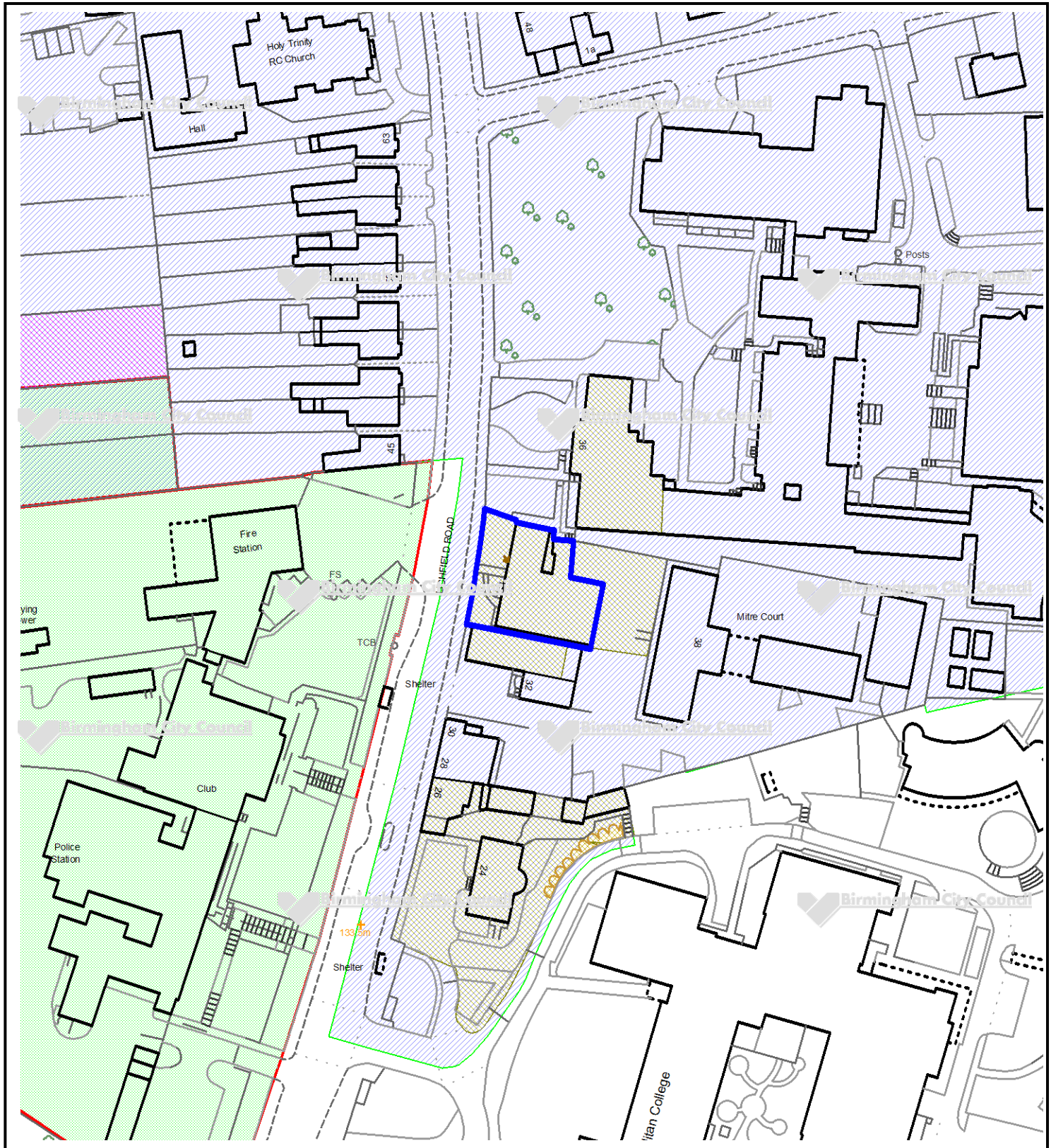


Figure 1 – Front Elevation



Figure 2 – Rear Elevation

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/01575/PA
Accepted:	27/03/2018	Application Type:	Listed Building
Target Date:	22/05/2018		
Ward:	Sutton Trinity		

The Old Art School, 34 Lichfield Road, Sutton Coldfield, Birmingham, B74 2NJ

Listed Building Consent for internal and external alterations to allow for the conversion of the existing building into 12 apartments

Applicant:	The Old Art School Ltd
	34 Lichfield Road, Sutton Coldfield, Birmingham, B74 2NJ
Agent:	Cerda Planning
	Vesey House, 5-7 High Street, Sutton Coldfield, Birmingham, B72 1XH

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. The proposal for the conversion of the existing listed building into 12 apartments would involve internal and external alterations and minor demolition works.
- 1.2. The interior of the building would require re-modelling and sub-division including the removal of non-original partitioning and suspended ceilings as well as a minimal amount of the original fabric. The conversion would require the insertion of new stud work partitioning and mezzanine floor levels/sub-division within existing large double height studio spaces. The proposed layout has been amended to retain more of the original internal walls in their original position following discussions with officers and Historic England.
- 1.3. A small number of additional windows are proposed to the side and rear elevation and some existing openings would be reinstated at lower ground level on the front elevation together. The design and materials of the proposed windows would match the existing
- 1.4. The proposal to landscape the lower ground floor courtyard will include the demolition of a non-original single storey extension.
- 1.5. The application is supported by a Built Heritage Statement.
- 1.6. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site is located within the Anchorage Road Conservation Area and comprises the Old Art School, a Grade II Listed Building dating from the early 20th Century in a Georgian style constructed of stone dressed red brick with a tall hipped roof. It fronts onto Lichfield Road and is located behind a red brick wall and lawn.
- 2.2. The Old Art School is within Sutton Coldfield Town Centre and adjacent to Bishop Vesey Grammar School and former Roman Catholic Chapel, both Grade II Listed. To the rear is Mitre Court, a more recent office development and an Indian restaurant together with associated parking areas.
- 2.3. [Site Location and Street View](#)
3. [Planning History](#)
 - 3.1. 08/11/2018. 2018/01552/PA. Change of use from Use Class D1 (non-residential institution) to Use Class C3 (residential) with external alterations to allow for the conversion to 12 apartments. Report elsewhere on this agenda.
4. [Consultation/PP Responses](#)
 - 4.1. Councillors, residents associations notified. Site and Press notice posted. No response received.
 - 4.2. Historic England – In respect of the original plans raised concern at the intensity of the proposal and impact on the significance of the building's interior spaces, in particular the large former studio which is characterised by a double height space that was designed to be top lit to maximise wall space and provide optimum lighting conditions to create and display art. Inserting an additional floor within this space will cause harm by diluting the building's significance. The insertion of an appropriately designed mezzanine may be acceptable if due regard is given to retaining a significant proportion of the space's height and natural lighting.
 - 4.3. Royal Sutton Coldfield Town Council – Support the proposal provided there is no impact on the heritage assets or highway.
5. [Policy Context](#)
 - 5.1. Birmingham Development Plan 2017, UDP 2005 (saved policies), Anchorage Road Conservation Area, Grade II Listed Building, NPPF (2018), NPPG.
6. [Planning Considerations](#)
 - 6.1. The proposal has been developed in conjunction with advice from officers and the amendments submitted by the applicants reflect concerns of officers and Historic England that too much of the original internal fabric of the listed building would have been lost as a result of the conversion and harm to the listed building would arise from the insertion of large mezzanine levels in existing studios.
 - 6.2. I consider that the amendments retaining more of the original internal walls and fabric of the listed building including doors and windows and a more sensitive sub-division of the large studio spaces would result in less than substantial harm to the

listed building and is now acceptable. The removal of later additions including suspended ceilings, non-original partitioning and a later extension in the lower ground floor courtyard together with proposals to repair the external brick and stonework is welcomed. The minor external alterations including new windows to match the existing sliding sash windows and the reinstatement of original openings is acceptable. The Conservation Officer concurs with this view subject to detailed conditions to ensure the conversion is carried out in a sympathetic manner with suitable materials.

- 6.3. I accept that the practical and viable conversion of the building requires a certain number of residential units although the size of the apartments proposed is generous and they would exceed minimum space standards. It is unlikely that the building would ever be reused for its original purpose and inevitable that some of the larger studio spaces would lose some of their significance through sub-division. On balance, however, the conversion to residential would secure the future use of the listed building and enable its repair and preservation of original features.

7. Conclusion

- 7.1. I consider the proposals for internal and external alterations to the listed building would cause less than substantial harm and the proposed conversion of the vacant building into 12 apartments would deliver benefits of securing repair to the building and bringing it back into an active use.

8. Recommendation

- 8.1. Approve Subject to Conditions.

-
- | | |
|---|---|
| 1 | Requires steps to be taken to protection of historical features |
| 2 | Requires any damage to the listed building to be made good |
| 3 | Requires the submission of sample materials |
| 4 | Requires the prior submission of details of works to the listed building |
| 5 | Requires the submission of a masonry/stonework survey |
| 6 | No consent is given to the proposed fire/acoustic separation to plots 6, 7 & 8. |
| 7 | Requires the scheme to be in accordance with the listed approved plans |
| 8 | Implement within 3 years (conservation/listed buildings consent) |
-

Case Officer: John Davies

Photo(s)



Figure 1 – Front Elevation



Figure 2 – Rear Elevation

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/06474/PA
Accepted:	20/08/2018	Application Type:	Full Planning
Target Date:	19/11/2018		
Ward:	Birchfield		

Blocks A and B, Land at Burton Wood Drive, Bridgelands Way and Birchfield Road, Perry Barr, Birmingham

Erection of 18 dwelling houses with associated infrastructure works, landscaping and car parking

Applicant:	Birmingham City Council Economy Directorate, 1 Lancaster Circus Queensway, Birmingham, B1 1TU
Agent:	Walker Troup Architects 52 Lyndon Road, Sutton Coldfield, Birmingham, B73 6BS

Recommendation

Approve subject to Conditions

1. Proposal

- 1.1. Planning consent was granted under application 2014/08946/PA for the redevelopment of the above sites for the erection of 18 open market dwelling houses but has not been implemented and the consent has expired. The consent was a replacement for 18 apartments which were approved under application 2014/02437/PA for the redevelopment of the Birchfield Gateway site to provide 111 new dwellings comprising a mix of houses and apartments for rent and sale under the BMHT (Birmingham Municipal Housing Trust) programme. Blocks A and B are the only undeveloped parts of the wider site and the proposal would provide the remaining 18 open market dwelling houses, 25 of the 43 open market dwelling houses have already been completed.
- 1.2. Planning consent is sought for the erection of 18 no. new dwellings in two blocks. The proposed units would all be provided for open market sale.
- 1.3. Block A which would be situated between Birchfield Road and Bridgelands Way would comprise the following :
 - A terrace of 10 no. dwellings, of which 4 no. would be 2 beds and 6 no. would be 3 bedroom dwellings.
 - Houses fronting towards Birchfield Road enclosed by a small front garden with landscaping and boundary railings and brick piers to the Birchfield Road frontage.
 - 2 bedroom dwellings to be two storeys with a small private rear garden, comprising 33 square metres.
 - 3 bedroom dwellings to be three storeys with a small private rear garden and a second floor terrace which combine to provide 51 square metres, with the

exception of plot 10 which would also have a side garden area comprising 85 square metres in total.

- Beyond the rear gardens there would be an area of retained public open space to be enclosed by boundary railings and which contains two existing trees that are to be retained.
- Two shared parking areas either side of the public open space accessed from Bridgelands Way containing a total of 13 no. car parking spaces.
- The two bedroom dwellings would each contain an open plan space at ground floor containing a living room, kitchen/dining area, plus a hall, w/c and store, with two double bedrooms (13 sq.m each) each with en-suite and stores at first floor.
- The three bedroom dwellings would each contain an open plan space at ground floor containing a living room, kitchen/dining area, plus a hall, w/c and store, with 3 double bedrooms (16sq.m, 15.3sq.m and 12sq.m respectively), bathroom, ensuite and stores on upper floors. All bedrooms therefore exceed Technical Housing Standards.

1.4. Block B which would be situated on land at Birchfield Road and Burton Wood Drive would comprise the following :

- A terrace of 8 no. dwellings, of which 2no. would be 2 beds and 6 no. would be three bedroom dwellings.
- Houses orientated such that the frontages would face towards a public footpath which links Birchfield Road to Burton Wood Drive to the south.
- A similar configuration of private space to Block A, with the two beds having a small private rear garden area of 31 square metres, and the three beds having a small private rear garden area plus a roof terrace which combines to provide 49 sq.m of private amenity space.
- Beyond the rear gardens there would be an area of retained public open space to be enclosed by boundary railings which contains an existing tree to be retained, and a new tree to replace three trees that are proposed to be removed.
- Parking would be provided to the west of the block in a row of shared spaces accessed off Burton Wood Drive containing 9 no car parking spaces.
- The house types are essentially similar to block A with some minor differences in room sizes, so the 2 beds would be two storeys, have the same open plan ground floor arrangement with 2 double bedrooms with en-suites (13sq.m and 12sq.m respectively), and the three beds would have an open plan ground floor, three double bedrooms (15 sq.m, 14.2 sq.m and 11 sq.m respectively). All bedrooms therefore exceed Technical housing Standards.
- The proposed site arrangement is consistent with the previous approval requiring the re-alignment of Burton Wood Drive.

1.5. Both blocks would be constructed in the same architectural style and materials, which would include a red brick with blue contrasting brick panels, anthracite concrete interlocking tiles with pitched roofs, black UPVC gutters, grey upvc casement windows, steel framed balconies with glass infill panels and timber deck and timber pagoda features to rooftop balconies, and aluminium copings to walls.

1.6. The application is accompanied by a Design and access Statement, Arboricultural survey, Noise assessment, Flood risk assessment, Sustainable drainage assessment, Geo-environmental assessment, Phase 1 extended habitat survey, transport statement and a travel plan.

1.7. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The wider site comprises a housing area redeveloped by BMHT within a Local Authority housing estate adjacent to the A34 Birchfield Road close to Birchfield/Perry Barr District Centre. The wider site is linear in nature with long frontages to both the A34, Bridgelands Way and Burton Wood Drive.
- 2.2. Development of the wider site has been completed with the land comprising Blocks A and B remaining vacant. There are a number of mature trees within the site that have been retained and have been protected during the redevelopment. Notably this includes two large trees adjacent to Bridgelands Way within the site of Block A and four trees within the site of Block B.
- 2.3. The surrounding area consists primarily of two storey Victorian/Edwardian housing to the north and west in either terraced or semi-detached form. Adjacent to the north west corner of the wider site is a large four storey high telephone exchange beyond which are allotments.

2.4. [Site Location and Street View](#)

3. Planning History

- 3.1. 05/03/2015 – 2014/08946/PA – Erection of 18 dwelling houses with associated infrastructure works, landscaping and car parking. Approved subject to conditions.
- 3.2. 21/08/2014 - 2014/02437/PA – Erection of 111 dwellings comprising a mix of houses and apartments for rent and sale with associated infrastructure works, landscaping and car parking – Approved subject to conditions.
- 3.3. 26/06/2013 – 2013/00613/PA – Erection of 111 dwellings comprising a mix of houses and apartments for rent and sale with associated infrastructure works, landscaping and parking – approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Press and site notices erected. MP, ward members, residents associations and neighbouring occupiers notified. 1 letter has been received giving support for the proposal.
- 4.2. Transportation Development – No objections subject to conditions. Comments that the proposed number of residential units, the proposed road layout and parking provision are similar to what has been approved. Recommends that the gates to the parking areas for Block A are removed. The works relating to roads, footway crossings, reinstatement of redundant footway crossings etc should be combined with the works required for the approved scheme with necessary amendments incorporated within all necessary highways agreements etc. Part of Burton Wood Drive within the site of the current application would require stopping up and an existing footpath between Burton Wood Drive and Birchfield Road is to be diverted/realigned. Therefore, there will need to be a S247 stopping-up resolution under the Town and Country Planning Act. Recommends conditions relating to

highway works, pedestrian visibility splays, construction traffic management plan, surfacing of hardstandings, and residential travel plan.

- 4.3. Regulatory Services – Awaiting comments. On previous application recommended conditions relating to noise insulation, ground contamination remediation and remediation verification.
- 4.4. West Midlands Police - Comment that the development should be undertaken in accordance with the Secured by Design 'New Homes 2014' guide. A lighting plan for the rear of the site should be produced and should follow the 'Lighting against crime' guide. Raises concerns regarding the open, porous design with a number of routes open to pedestrians that increases the potential of escape routes for offenders and exposes the rear and side boundaries. Concerned that the boundary treatment is not high enough. Also raises concern that the location of car parking provision is remote from the respective dwellings. Poorly overlooked parking area can be vulnerable to car thieves and therefore are not then well used by residents.
- 4.5. Severn Trent Water – No objections. Recommends a condition relating to drainage details and comments that there is a public sewer located within the site.
- 4.6. West Midlands Fire Service - Water supplies for firefighting should be in accordance with the National Guidance Document on the Provision for Fire Fighting published by Local Government Association and Water UK.
- 4.7. Local Lead Flood Authority – Have requested further information due to the context and scale of the development. Awaiting final comments.
- 4.8. Environment Agency – No objections.

5. Policy Context

- 5.1. Birmingham Development Plan 2017, Adopted UDP 2005 (saved policies), Aston, Newtown and Lozells Area Action Plan 2012, Places for Living SPG, Public open space in new residential development SPD, Affordable Housing SPD, Car Parking Guidelines SPD, NPPF 2018.

6. Planning Considerations

- 6.1. **Background** – The current application proposes 18 no. terraced houses in a configuration that is the same as the layout that was approved under application 2014/08946/PA which has now expired.
- 6.2. The application sites (Blocks A and B) are part of the development of a wider area of land for 111 dwellings by BMHT (2014/02437/PA), the remainder of the development having been completed. The principle of the proposals to develop the site for housing included a mix of 68 affordable dwelling houses and 43 open market dwelling houses. This application comprises the remaining 18 open market dwelling houses and does not include any further affordable housing.
- 6.3. **Design and Impact on Character of the Area** - The design of the proposed houses is unchanged from the previous application (2014/08946/PA). They have been designed to be sensitive to and enhance the character of the surrounding areas providing some variety of storey heights. The proposals have been developed

to create a strong and outward looking street scene for both sites. Block A is adjoined to the north and south by new three storey houses that form part of the approved scheme. There is a public right of way to the south side of this site that links Birchfield Road with Bridgelands Way. Block B is adjoined on three sides by the Birchfield Gateway development of 2 and 3 storey houses with a public footpath linking Birchfield Road and Burton Wood Drive on the south side with natural surveillance provided by the fronts of the proposed dwellings in Block B. The proposals will therefore integrate well with the approved houses that have been constructed around these sites.

- 6.4. The approach to designing the appearance of the houses has drawn on the approved scheme and linking them with a palette of contemporary materials and features that are repeated across the development. This includes the use of large grey-framed windows, recessed entrances and infill panels of contrasting blue brick. The houses have been developed closely with BMHT to create an innovative and efficient house type that includes the roof terrace and balcony, and pergola features that act as a semi-enclosed shelter and a support for planting. All houses have generous glazing to appear light from within, and the open plan ground floors are intended to enhance modern lifestyles with the kitchen at the heart of this space. The houses have been composed as a terrace with a stepped roofline by pairing 3 storey houses and alternating them with 2 storey houses in-between. This helps to break up the massing of the elevations and works well to provide some visual interest to the terraces.
- 6.5. **Standard of Accommodation for Future Occupiers** - The proposed house types have been developed to meet the needs of those who prefer smaller homes with areas of private amenity space in the form of small courtyard gardens and balconies. So for instance, the open-plan ground floor layouts, balconies, shared parking areas and communal public open spaces are facets normally associated with apartment schemes, however the overall internal layout of the typology of daytime accommodation at ground floor with associated bedrooms above and with a private front and rear gardens as would normally be expected for family houses.
- 6.6. The size of the dwelling houses and bedroom sizes would exceed minimum standards included in the "Technical housing standards – nationally described space standard". Separation distances exceed minimum guidelines included in Places for Living Supplementary Planning Guidance.
- 6.7. To achieve this preferred arrangement in respect of the existing trees, the rear gardens of the houses are smaller than would normally be sought, but is considered to be preferable than siting these trees in individual rear gardens where there may be pressure in the future from the purchasers to seek to severely prune, lop or remove these trees as a result of their positioning within rear garden areas. The proposed plans demonstrate that the proposed rear garden areas (typically 30 square metres) are sufficient to provide space for a patio area, small lawn to include space for a rotary washing line and space for a garden shed. The three bedroom dwellings would also have a second floor terrace (increasing the overall provision to 50 sq.m or thereabouts) and the adjoining areas of public open space would provide additional areas of amenity of benefit to the proposed residents and other residents of the wider development. The principle of the garden size/amenity provision has previously been accepted.
- 6.8. **Impact on Trees** - The proposed layout has been designed to retain three mature trees sited within the proposed areas of open space. In respect of Block A two existing mature trees are to be retained (a category A London Plane and a category

B Hornbeam) and there are no trees to be removed. For Block B, the existing mature beech (category A) is proposed to be retained whilst two smaller trees (both category B Norway maples) are proposed to be removed. An existing ash (category B) is also shown for removal due to its position in the amended highway alignment, though this would also be necessary to implement the approved scheme and is not a consequence specifically generated by this application. Nonetheless, 1 replacement tree is shown within the layout within the site of Block B to compensate for this loss. Part of the garden areas, boundary treatments and footpath to the rear of the houses would be within the root protection area (RPA) of the retained beech tree. This is consistent with the previous approval, subject to conditions to ensure there is no trenching for foundations, and no altering of ground levels, with a arboricultural method statement required for the laying of the paths and boundary treatment in the RPA, hence the proposal for the railings rather than a wall to enclose the sections of rear garden within the RPA. I have also recommended the removal of permitted development rights for extensions and boundary treatments to ensure that the existing trees are protected as in the previous approval.

- 6.9. **Highways** - The proposal includes parking in shared parking courts that will provide 100% provision for occupants and some shared visitor parking. Transportation Development raise no objections to the parking provision and access arrangements subject to conditions.

- 6.10. Transportation Development reiterate concerns raised previously regarding the position of the proposed gates as they consider this could result in vehicles impeding the highway whilst the gates are opened. The gates could not be set back to allow for cars to wait clear of the highway without reducing the number of spaces provided within the car park as the position of the gates would then affect the arrangement of the spaces. I am also mindful of the concerns raised by the Police, and it was previously agreed that the boundary treatment and gates should not be removed from the proposed scheme as they are important to the provision of defensible space. Bridgelands Way is a relatively lightly trafficked road such that I do not consider on this occasion that the gates will cause an unacceptable problem. With regard to the surveillance of the parking spaces, the relationship to the proposed units is comparable with the previously approved scheme, and is considered to be acceptable.

- 6.10. The proposed layout is consistent with the previously approved scheme which requires the realignment of Burton Wood Drive which necessitates the stopping up of the areas of public highway within the application site. I have therefore recommended a stopping up resolution, consistent with the previous applications.

- 6.11. **Other Issues** – The Local Lead Flood Authority have considered the Sustainable drainage assessment and raised a number of issues which the applicant is currently addressing. I have recommended a condition requiring the submission of a detailed sustainable drainage scheme.

- 6.12. The West Midlands Police have raised concern that this layout would be porous in their view, with opportunities for offenders to access the dwellings via the shared amenity space. Measures to minimise the vulnerability of the layout including lighting could be employed, for which I have recommended a condition to agree details. The overall configuration of the blocks is the same as the previously approved scheme where there are been open areas around the blocks providing access to the fronts and rears of the building. Whilst I accept that it would normally be preferable to have back gardens adjoining other back gardens to provide a more

defensible perimeter block, the constraints of these sites do not permit such a solution in this case. The proposed layouts are therefore considered to be the most appropriate solution given the site's constraints.

- 6.13. Community Infrastructure Levy – The site is not in a CIL charging area.

7. Conclusion

- 7.1. The application sites form part of the former housing land for which planning consent has been granted for the erection of 111 new dwellings. The application which has previously been approved proposes 2 and 3 bedroom family homes to meet local needs. Given the overall provision of 61% affordable housing in the wider development, there is no need for affordable housing to be provided within the 18 units to be delivered through this application. The proposed layout has been carefully configured to address the constraints of these sites, particularly to retain some existing mature trees that make a positive contribution to the street scene. I consider that the proposal will fit in well with the approved scheme that has been implemented either side of these blocks

8. Recommendation

- 8.1. Approve Subject to Conditions.
- 8.2. That no objection be raised to the stopping up of the areas of public highway within the application site and that the Department of Transport (DFT) be requested to make an Order in accordance with Section 247 of the Town and Country Planning Act 1990.

1	Requires the prior submission of a contamination remediation scheme
2	Requires the submission of a contaminated land verification report
3	Requires the prior submission of a drainage scheme (foul and surface water)
4	Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
5	Requires the submission of a scheme for ecological/biodiversity/enhancement measures
6	Requires the prior submission of details of bird/bat boxes
7	Requires the submission of hard and/or soft landscape details
8	Requires the submission of hard surfacing materials
9	Requires the submission of boundary treatment details
10	Requires the submission of a lighting scheme
11	Requires the prior submission of a construction method statement/management plan

-
- 12 Requires the submission of sample materials
 - 13 Requires the prior submission of level details
 - 14 Requires the submission a scheme of noise insulation on the east elevation
 - 15 Requires the submission of a scheme of noise insulation on the north and south elevations
 - 16 Requires the submission of a residential travel plan
 - 17 Requires the submission and completion of works for the S278/TRO Agreement
 - 18 Requires pedestrian visibility splays to be provided
 - 19 Requires the parking area to be laid out prior to use
 - 20 Removes PD rights for extensions
 - 21 Removes PD rights for boundary treatments
 - 22 Removes PD rights for new windows
 - 23 Arboricultural Method Statement - Submission Required
 - 24 Requires the implementation of tree protection
 - 25 Requires the scheme to be in accordance with the listed approved plans
 - 26 Implement within 3 years (Full)
-

Case Officer: John Davies

Photo(s)

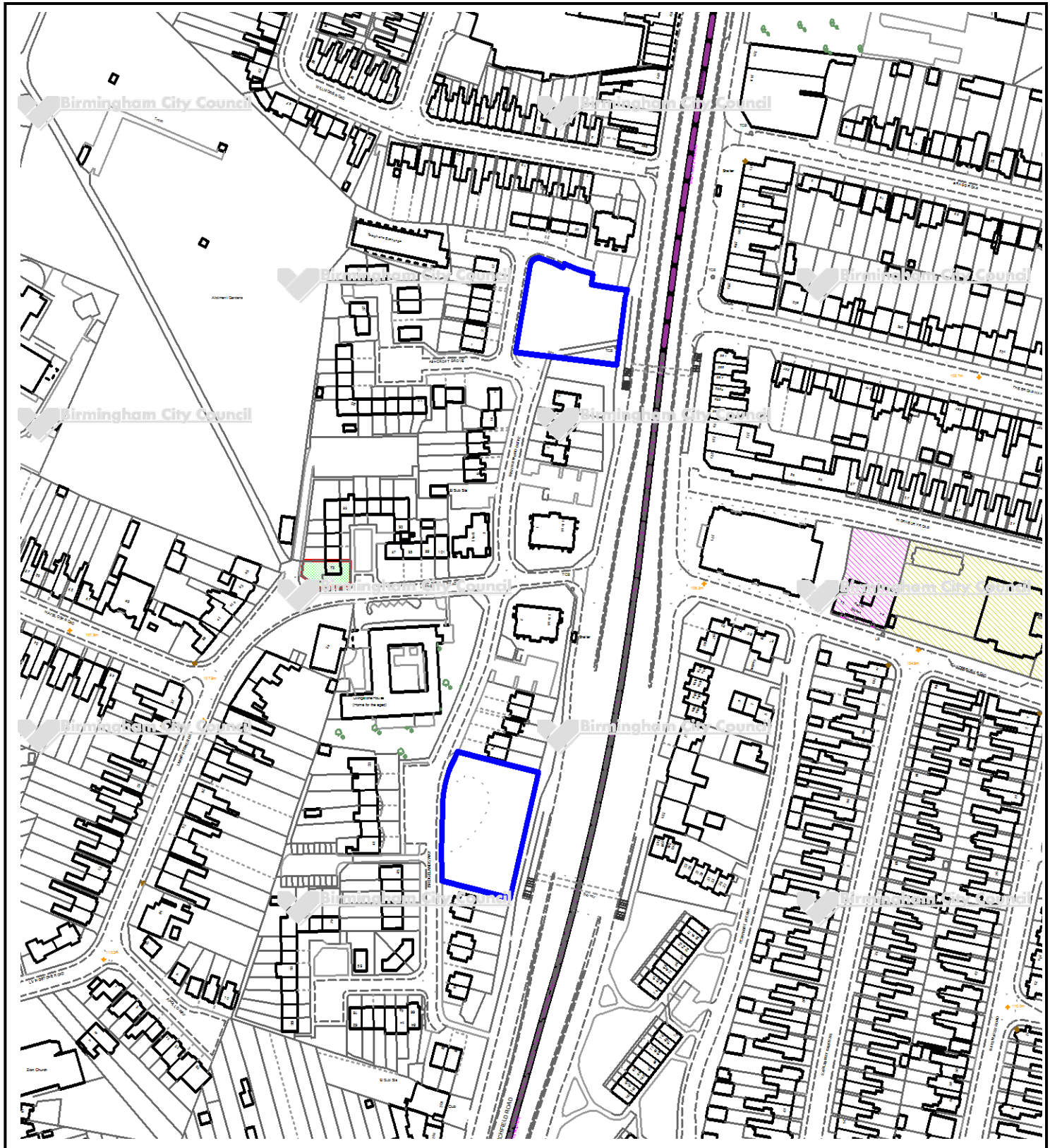


Figure 1 – Site of Block A viewed from Bridgelands Way looking east



Figure 2 – Site of Block B viewed from Burton Wood Drive looking south

Location Plan



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Birmingham City Council

Planning Committee

22 November 2018

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

<u>Recommendation</u>	<u>Report No.</u>	<u>Application No / Location / Proposal</u>
Approve – Subject to 106 Legal Agreement	17	2018/03568/PA Land at former Comet PH Collingbourne Avenue Hodge Hill Birmingham B36 8PE Erection of 20no. dwellings with associated landscaping and external works
Approve - Temporary	18	2018/07231/PA R51 - Sixways Roundabout Sutton New Road Birmingham B23 6BE Display of no. 4 non illuminated freestanding post mounted signs

Committee Date:	22/11/2018	Application Number:	2018/03568/PA
Accepted:	03/07/2018	Application Type:	Full Planning
Target Date:	02/10/2018		
Ward:	Bromford & Hodge Hill		

Land at former Comet PH, Collingbourne Avenue, Hodge Hill,
Birmingham, B36 8PE

Erection of 20no. dwellings with associated landscaping and external works

Applicant:	AJS Properties Ltd
Agent:	Swiss Cottage, 28 Willows Road, Walsall, West Midlands, WS1 2DR Architecture & Interior Design 17 Coleshill Road, Hodge Hill, Birmingham, B36 8DT

Recommendation

Approve Subject to a Section 106 Legal Agreement

1. Proposal

- 1.1. This planning application seeks consent for the erection of 20no. semi-detached and detached dwellinghouses on land which was formerly occupied by the Comet Public House, on Collingbourne Avenue, Hodge Hill.
- 1.2. The proposed layout would comprise of 20no. dwellings and associated car parking provision, rear gardens and an area of public open space in the west of the application site arranged in a small Cul-de-Sac with a separate private drive. The proposed dwellings would all benefit from four bedrooms and would be a mix of two and two and a half storey.
- 1.3. The residential layout is outward looking with each dwelling overlooking public open space to the rear of the site or the public realm to the front of the site. The residential units on the northern boundary of the site would overlook the existing pedestrian access from Collingbourne Avenue to Kempton Park. The proposed dwellings seek to reflect the arrangement and relationship of the existing houses with the public realm, and would be set back from the road to create an active frontage.
- 1.4. The residential units would feature the following internal arrangement:
 - House Type 1 (two and a half storey, four bed house) - Ground floor hallway, WC, utility, lounge, family room, dining room, kitchen; First floor en-suite master bedroom, two further bedrooms, bathroom, airing cupboard; Second floor bedroom and study (approx. 155sqm).
 - House Type 2 (two storey, four bed house) – Ground floor hallway, WC, utility, lounge, family room, dining room, kitchen diner; First floor en-suite

master bedroom, en-suite second bedroom, bathroom, two further bedrooms, airing cupboard (approx. 157sqm).

- House Type 3 (two storey, four bed house) - Ground floor hallway, WC, utility, lounge, dining room, kitchen, garage; First floor en-suite master bedroom, three further bedrooms, bathroom, airing cupboard (approx. 97sqm).
- House Type 4 (two storey, four bed house) - Ground floor hallway, WC, lounge, kitchen diner; First floor master bedroom, three further bedrooms, bathroom, cupboard (approx. 85sqm).

- 1.5. The proposed appearance of the dwellings would broadly reflect the appearance of the surrounding dwellings, proposing facing brick with elements of render and tiled roof with UPVC windows and doors. The dwellings would also feature entrance canopies, which would again reflect the appearance of existing dwellings in the area. House type 1 would also feature front dormer windows at second storey level. House type 3 would have integral garages. House type 4 would have car ports located to the side of the dwelling.
- 1.6. The proposed residential rear gardens would range in size from a minimum of approximately 70sqm up to approximately 150sqm. Each garden would be a minimum of 10m in length and would benefit from independent rear access.
- 1.7. The density of the site would amount to approximately 24 dwellings per hectare.
- 1.8. The primary access to the site is proposed to reflect the former access arrangement of the site when it was in operation as a public house. A private drive is located in the north of the site accessed from Collingbourne Avenue which would serve a pair of semi-detached dwellings overlooking the pedestrian footpath to the north and parking for plots 7 and 8. The proposed private drive would be subject to speed reduction and traffic calming measures.
- 1.9. Proposed car parking has been arranged in a variety of ways to provide a policy compliant level of parking provision, providing 2no. parking spaces per plot. Parking spaces are positioned adjacent to the dwelling, at the side or the front, for all plots. Plots 13-16 would be provided with car ports. Plots 7 and 8 would be provided with integral garages. Areas of soft landscaping are proposed throughout the residential layout to soften the appearance of the development, including the provision of trees and planting pits between areas of car parking.
- 1.10. An area of public open space is proposed to be provided in the west of the site, adjoining the existing Kempton Park. The area of public open space is subject to quite extreme levels with a 7 metre difference from the centre of the site to the western edge of the site. It is not proposed that these levels would be adjusted as part of the application proposals, given their role in contributing towards public open space. Two large, mature trees are proposed to be retained within this area of public open space. It is understood that the public open space would be distinguished from the land associated with Kempton Park by a line of concrete posts. Matters associated with specific landscape proposals are reserved for future consideration.
- 1.11. Due to the scale of the planning application, financial contributions towards public open space and the provision of affordable housing are required to mitigate the impact of the development. Due to the site's location within a low value residential area, a contribution to the Community Infrastructure Levy is not required.

- 1.12. The application proposals have been subject to extensive discussion between the applicant and the Council throughout the course of the application, which has resulted in a number of alterations to the scheme in response to comments provided, including the re-arrangement of parking spaces and the addition of traffic calming measures along the road.

- 1.13. [Link to Documents](#)

2. Site & Surroundings

- 2.1. The application site comprises vacant, derelict and overgrown land which was - previously occupied by the Comet Public House. This was a single storey public house with car parking to the front, a bowling green and extensive open space to the rear of the site. It is understood that the building was demolished in early 2009 and has been neglected since then. The remainder of the site is comprised of disused open space. Currently the site is subject to frequent occurrences of fly-tipping and anti-social activity.
- 2.2. The site is broadly rectangular in shape, amounting to approximately 0.5 hectares, however it is noted that there are significant level changes across the site which render some areas within the site undevelopable. The application site is subject to blanket Tree Preservation Order 1556, with a Scots Pine tree and a Common Ash tree in the west of the site identified to be of moderate quality and in good condition.
- 2.3. To the immediate west of the site is Kempton Park which is accessed from Bromford Drive and Collingbourne Avenue, via an existing pedestrian pathway which is located immediately to the north of the application site.
- 2.4. The surroundings to the site are predominantly residential with a mix of dwelling types present in the area, including two storey mid-century terraced dwellings; low rise tower blocks of flats; two storey extended semi-detached dwellings; and high rise tower blocks of flats. The majority of the existing dwellings in the area date from the development of the Bromford Bridge Estate in the mid-1960s.
- 2.5. A small parade of shops is located opposite the application site which serves a local function, comprising a convenience store and a takeaway with a large car park to the front and flats above. The closest local centre to the application site is Fox and Goose District Centre, located approximately 1 mile to the south west.
- 2.6. The site benefits from good access to the strategic road network, with junction 5 of the M6 located approximately 1.7 miles to the north east of the application site. Bus service 25 runs a limited service between Ward End and Erdington from immediately outside the application site. Frequent bus services between Birmingham and Chelmsley Wood and Solihull are accessible from Chipperfield Road, approximately 0.1 mile to the east of the application site.
- 2.7. [Site Location](#)

3. Planning History

- 3.1. 22.09.2017 – 2017/03380/PA - Outline application for erection of 29 dwellings with

access, appearance, layout and scale to be determined and landscaping to be reserved for future consideration – Approved subject to conditions.

- 3.2. 05.01.2017 – 2016/08338/PA - Outline planning application for residential development comprising the erection of 29 dwellings with access, parking and private amenity space – Withdrawn.
- 3.3. 21.03.2016 - 2015/09011/PA - Outline planning application for residential development comprising the erection of 29 dwellings with access, parking and private amenity space – Withdrawn.

4. Consultation/PP Responses

- 4.1. Transportation Development – raise concerns with regards to relocation of bus stop and require amendments to the internal site layout to address concerns with regards to securing the appropriate development of the application site.
- 4.2. Regulatory Services – recommend conditions to secure vehicle charging points; contamination remediation scheme and contaminated land verification report; and noise insulation scheme.
- 4.3. Local Lead Flood Authority – requested additional information regarding drainage layout and infiltration rates.
- 4.4. Leisure Services – object to the loss both of the bowling green and the public open space as a result of this development, and recommend off site financial contributions should exceptional circumstances be demonstrated.
- 4.5. West Midlands Police – no objection.
- 4.6. West Midlands Fire Service – no objection.
- 4.7. Severn Trent – no objection.
- 4.8. Site Notice posted. MP, Ward Members and neighbours notified. No representations received.

5. Policy Context

- 5.1. National Planning Policy Framework (2018); Birmingham Development Plan (2017); Birmingham Unitary Development Plan Saved Policies (2005); Places for Living SPG (2001); Car Parking Guidelines SPD (2012); DCLG Technical Housing Standards – Nationally Described Spatial Standard (2015); Affordable Housing SPG (2001); Public Open Space in New Residential Development SPD (2007)

6. Planning Considerations

Background

- 6.1. The application site benefits from an extant outline planning consent for the erection of 29no. dwellings with landscaping details reserved for future consideration. Consent was granted in October 2017, under application reference 2017/03380/PA.

- 6.2. This current planning application builds on the principles established through the granting of the outline planning application. The outline planning permission is valid until October 2020, and it must therefore be noted that this outline consent could still be implemented at the site, notwithstanding the outcome of this full planning application, and subject to the approval of reserved matters.
- 6.3. The current planning application has been prepared in consultation with the previous developer of the site, and a letter confirming that the current developer has access to the intellectual property submitted in support of the outline planning application has been supplied in support of the current full planning application.

Loss of Public Open Space and Bowling Green

- 6.4. Paragraph 97 of the NPPF identifies that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.5. Bowling greens are classed by Birmingham City Council in the Birmingham Development Plan as playing fields. Policy TP9 sets out that playing fields will be protected and will only be considered for development where they are either shown to be surplus for playing field use, taking account of the minimum standard of 1.2 hectares per 1000 population, through a robust and up to date assessment and are not required to meet other open space deficiencies, or alternative provision is provided which is of equivalent quality, accessibility and size. There is a third circumstance but not applicable in this instance where an application is for an indoor or outdoor sporting facility that outweighs the loss. The applicant has agreed to provide compensation to address this loss in accordance with paragraph 74 of NPPF and Policy TP9 of the BDP.
- 6.6. A Bowling Green Sequential Assessment has been submitted in support of the application, which states that the bowling green associated with The Comet public house was not used after 1995, and was used as part of the beer garden during the remaining years that the pub operated until its closure in 2008 and subsequent demolition. It is acknowledged that the bowling green does not currently resemble a bowling green due to it being neglected and overgrown for the last decade. The assessment in terms of quantity identified that there were 25 other bowling greens within the surrounding areas that include 22 within a 3 miles radius with the closest being Ward End Social Club situated approximately 1 mile from the site. The Bowling Green Sequential Assessment confirms that the site continues to remain unused and derelict and that has caused increase problems for the area in the form anti-social behaviour alongside the rest of the application site and provides little in the way of wider benefits.
- 6.7. Leisure Services have been consulted on the application proposals and object to the loss of both the bowling green and the public open space as a result of this

development. Leisure Services note that should exceptional circumstances be demonstrated and accepted by the Planning Committee in regard to this loss, then compensation would be required in accordance with BDP policy.

- 6.8. Leisure Services require a financial contribution to compensate the loss of the bowling green to amount to £75,000 to be spent on the provision or improvement of sports, recreation or community facilities within the Hodge Hill Ward. Furthermore, the loss of approximately 2140sq m of POS in the north west half of the site would generate compensation to the amount of £25/m2 due to the steep gradient not being of huge value for the siting of POS features. This would total a compensation figure of £53,500 which could also be spent on the provision, improvement and or maintenance of POS and Play facilities at the adjacent Bromford Bridge estate within the Hodge Hill Ward.
- 6.9. The outline planning application (reference 2017/03380/PA) was subject to a financial viability assessment which was independently assessed. It was concluded, taking all matters into account, that the maximum that the development could sustain to ensure that the scheme is viable and deliverable would be a financial contribution of £170,000, with £14,025 to relate to compensation for the loss of the bowling green (considering its condition and redundant nature, having been disused for over 20 years) and £155,975 to relate to compensation for the loss of the public open space and a financial contribution towards public open space on the grounds that the site would seek to deliver more than 20 dwellings, in accordance with Policy TP9 of the BDP. A letter from representatives of the applicant for the outline planning application has confirmed that the applicant for this application is permitted to rely on all submissions made as part of the outline planning application.
- 6.10. Given the recent grant of outline planning permission at the site, and the considerations made with regards to the viability at the site and the housing market conditions within the area, it is considered appropriate to adopt and maintain the findings set out within the viability assessment submitted in support of the previous outline application which was independently assessed. The Council is satisfied on this basis that the proposed development would only be able to sustain the contributions agreed on the site previously, particularly as the quantum of development has reduced as part of the current planning application.
- 6.11. Within Hodge Hill Ward, the total amount of public and private fields is 0.31 per 1000 population standard, which is significantly below the 1.2 hectares playing field provision per 1000 population in Hodge Hill Ward. However, the application site, due to its limited size and shape, it is unlikely to provide provision for alternative sports. The public open space provision within Hodge Hill Ward is 2.52 hectares per 1,000 populations, which is above the minimum 2 hectares per 1,000 population standard. Consequently, the local provision would be considered acceptable and the financial compensation offered would go towards funding a local facility (that would be "equivalent or better in terms of quantity and quality") and therefore satisfies the tests of paragraph 96 of the NPPF and the BDP.
- 6.12. Furthermore, given the condition of the application site and the disused nature of the existing bowling green and public open space, I am of the view that the proposed residential development of the site would deliver significant benefits in the form of the redevelopment of a site which would secure natural surveillance over the remaining public open space within the site and beyond, and the improvement of an existing pedestrian link from Collingbourne Avenue to Kempton Park.

- 6.13. On balance, I consider that the loss of the bowling green and public open space has been appropriately justified and an acceptable level of compensation would be secured through a Section 106 Agreement.

Principle of Residential Development

- 6.14. The application site comprises a brownfield site in a sustainable location. The application site surroundings are predominantly residential, and the proposed development is broadly reflective of the residential character of the surrounding area.
- 6.15. The NPPF states at paragraph 11 that planning applications to deliver housing should be considered in the context of the presumption in favour of sustainable development.
- 6.16. Policies TP27 and TP28 of the Birmingham Development Plan relate to sustainable neighbourhoods and the location of new residential development. Policy TP27 states that all new residential development will need to demonstrate that it is meeting the requirements of creating a sustainable neighbourhood, characterised by: a wide choice of housing sizes, types and tenures; access to facilities such as shops, schools, leisure and work opportunities; convenient options to travel by foot, bicycle and public transport; a strong sense of place with high design quality; environmental sustainability and climate proofing through measures that save energy, water and non-renewable resources; attractive, safe and multifunctional public spaces; and long-term management of buildings, public spaces, waste facilities and other infrastructure.
- 6.17. Policy TP28 goes on to state that new residential development should: be located outside flood zones 2, 3a and 3b; be adequately serviced by existing or new infrastructure which should be in place before the new housing for which it is required; be accessible to jobs, shops and services by modes of transport other than the car; be capable of remediation in the event of any serious physical constraints, such as contamination or instability; and be sympathetic to historic, cultural or natural assets.
- 6.18. The proposals comprise a mix of dwellings, which seek to meet a range of housing needs. Additionally, the site was identified in the 2018 Strategic Housing Land Availability Assessment under Site E101 as being available in the short term, and could deliver up to 29 dwellings, in accordance with the outline planning permission granted in 2017.
- 6.19. The application site is located within a sustainable location with reasonable access to public transport, and a number of public services accessible within a reasonable distance. The site is unconstrained in respect of flood risk, however it is subject to an existing TPO and significant level changes across the site from east to west. Furthermore, the site currently forms public open space which is designated under BDP Policy TP9: Open Space, Playing Fields and Allotments.
- 6.20. BDP Policy TP9 states that planning permission will not normally be granted on areas of open space except unless where it can be shown that the open space is surplus, underused and of poor quality, or appropriate compensation for the loss is agreed. The open space referenced in this context relates to a disused bowling green which was associated with the operation of the site as The Comet public house. Given the demolition of the public house in 2009 and the poor condition of the site, I maintain that the proposed redevelopment of the site would deliver a

number of significant benefits to the physical environment and regeneration of a site which is subject to significant levels of anti-social behaviour at present and has a negative impact on the current physical environment of the area.

- 6.21. Policy TP30 of the BDP indicates that new housing should be provided at a target density responding to its context. The density of the proposed development at 24 dwellings per hectare is considered acceptable; whilst a lower density than the surrounding area, the constraints of the site are considered to restrict the maximum density of the site. The site is well served by public transport, with a number of bus services available within a short walking distance of the application site.
- 6.22. Policy TP32 of the BDP relates to housing regeneration which promotes the regeneration and renewal of existing housing areas to ensure that high quality accommodation is provided to comply with the principles of sustainable neighbourhoods, of which the Bromford Estate is identified as a priority. The policy goes on to state that in redeveloping cleared sites, development would also need to identify and provide opportunities to improve open space provision amongst other community facilities, and improving the general quality of the environment. The application proposals seek to redevelop a vacant and disused site which has been subject to a number of instances of anti-social behaviour, whilst seeking to provide a considerable area of public open space associated with the development. Financial contributions have been secured in respect of mitigating the impact of the proposals and addressing the loss of open space.
- 6.23. I consider that the application proposals are acceptable in principle, being broadly compliant with relevant adopted planning policy.

Layout and Design

- 6.24. The application proposals seek to deliver a traditional residential development of 20no. four bedroom semi-detached and detached houses. The dwellings are proposed to be constructed of red brick, with elements of render on the building facades. The dwellings would have a pitched roof of slate roof tiles. It is considered that the scheme design would be broadly reflective of the character of the surrounding residential properties. I recommend that a condition to secure the details of the materials used in the development is attached to any planning permission granted.
- 6.25. The layout of the proposed development seeks to provide an active street frontage to Collingbourne Avenue. The proposed access road and private drive would create a safe and secure environment, incorporating speed reduction measures to encourage low vehicular speeds. Off street parking in the form of allocated spaces is proposed throughout the development to accommodate parking demands of prospective residents.
- 6.26. The proposals relate to a cul-de-sac arrangement. Whilst this is reflective of the character in the immediate area, it is not considered that there is an over-riding positive character of the area, and that the proposed arrangement would have an acceptable impact on the appearance and character of the surrounding area. The redevelopment of the site would have a significantly positive impact on the physical environment of the application site. Furthermore, the dwellings have been arranged in an outward looking fashion and this would achieve significant benefits in respect of providing natural surveillance across the public open space and beyond to Kempton Park.

- 6.27. The proposed private drive would provide access to a pair of semi-detached dwellings in the north east of the application site. As per the arrangement for the cul-de-sac, the dwellings would overlook the public open space in the form of the pedestrian link. This would achieve considerable benefits to the provision of natural surveillance throughout the site, and would consequently improve the pedestrian link at present which is understood to be subject to recurring instances of anti-social behaviour.
- 6.28. I consider that the proposals would have an overwhelmingly positive impact on the visual amenity of the site, which is currently vacant, in poor condition and subject to regular occurrences of anti-social behaviour. I consider that through introducing residential development on this site, this would improve the appearance of the application site in the context of the surrounding area and its character.

Flood Risk and Drainage

- 6.29. The application site does not fall within a flood plain and does not raise any concerns regarding flooding, given the previously developed nature of the site and proximity to watercourses. The site is however subject to a considerable difference in levels across the site.
- 6.30. Extensive discussions have been undertaken between the Local Lead Flood Authority and the applicant to ensure that concerns raised with regards to acceptable levels of infiltration have been suitably addressed and that the development of the site would be unlikely to lead to instances of flooding. This has since been provided in the form of a Drainage Strategy which has been reviewed and commented on by the Drainage Engineer. Severn Trent have also been consulted on this matter, and raise no concerns with regards to the proposed discharge rate into the drainage network.
- 6.31. Given the support for the development of the site in principle, and the significant benefits that the redevelopment of the site could achieve in respect of removing the opportunity for anti-social activity at the site and delivering 20 dwellings to contribute towards Birmingham's acute housing needs, it is considered appropriate in this instance to secure an acceptable drainage layout based on the information provided by relevant conditions recommended to be attached to any grant of planning permission.

Landscape and Ecology

- 6.32. The application proposals indicate areas of landscaping within the development, with areas of planting proposed throughout the site to improve the appearance and soften the development scheme overall and reduce the dominance of car parking on the frontages. The Council's Landscape Officer has been consulted on the application proposals and raised the same concerns raised on the outline planning application. It is considered that these matters could be sufficiently addressed through the application of appropriately worded planning conditions.
- 6.33. The Council's Tree Officer has been consulted on the planning application and is satisfied that the considerations set out within the tree survey submitted remain valid. As per the previous planning application, no development is proposed on the site which would be likely to affect existing tree root protection zones however the proposed access road through the site would sit on the boundary of such zones. It is recommended that conditions are attached to any grant of planning permission to

secure the appropriate methodology for the surfacing and laying out of the vehicular access road and car parking spaces adjacent to plot 20.

- 6.34. The Council's Ecologist, based on the likelihood of wildlife being identified on site, recommends that site clearance would need to be undertaken in a sensitive and methodical manner. Timing of site clearance would be most critical to avoid impact to nesting birds whilst dense areas of scrub should be cleared by hand first to check for mammals / birds before larger machinery is used, and it is recommended that this should be done under the supervision of a competent ecologist. A number of conditions are recommended to secure the appropriate mitigation of any impact on biodiversity, in accordance with Policy TP8 of the BDP. This policy states that all developments should, where relevant, support the enhancement of Birmingham's natural environment, with biodiversity enhancement measures being appropriate to the scale and nature of the development. On this basis, I consider that the recommended condition to secure a scheme for ecological / biodiversity enhancement measures is reasonable and necessary.

Residential Amenity

- 6.35. The application proposals relate to the erection of 20no. dwellings, seeking to regenerate a vacant and disused site. I therefore consider that by bringing an active use to the site and improving the security of the site through the redevelopment of the site for residential purposes, there would be a beneficial effect on the immediate area.
- 6.36. The proposed dwellings have been positioned within the site layout to achieve adequate separation distances throughout the new scheme and from existing dwellings, with minimum distances of approximately 22.5m between plot 18 and 46 Collingbourne Avenue to the south; and approximately 30m between plot 9 and 74a Blossom Grove to the north. The dwellings would relate to an outward looking layout which would achieve natural surveillance across public open space, pedestrian links, and the proposed vehicular accesses to the site. I consider that the layout would contribute towards a positive living environment for prospective occupiers of the site.
- 6.37. When assessed against the Technical Housing Standards – Nationally Described Space Standard, house types 1, 2 and 3 exceed or meet the minimum gross internal floor areas however it is noted that there are shortfalls in some of the bedroom sizes. In respect of the bedroom sizes in house types 3 and 4 (approx. 6.5sqm and 4.8sqm), it is noted that the single bedrooms are undersized, providing room for only a single bed and item of furniture with restricted circulation space. This does raise concerns in terms of its impact on residential amenity, however the family living spaces of the living room and dining kitchen are considered to be adequate and would be likely to achieve an acceptable living environment. On balance, I consider that the proposed dwelling types would achieve an adequate living environment overall and prospective occupiers would have a reasonable level of residential amenity. Furthermore, I consider that the redevelopment of the site would achieve good quality residential accommodation and contribute significantly towards housing needs in Birmingham.
- 6.38. It is clear from the submitted floor plans for house type 3 that, whilst there is a shortfall which is regrettable, a functional layout is achievable within each of the dwellings, and I consider that these would result in an acceptable living environment which would create an acceptable level of residential amenity.

- 6.39. Each of the houses is proposed to have a private rear garden and parking to the front or side of the dwelling provided. The gardens vary in size from approximately 70sqm to 150sqm. Places for Living SPG requires a minimum of 70sqm of private garden space for family dwellings (3+ bedroom). It is considered that this would be acceptable.
- 6.40. A large area of public open space, relating to approximately 1,640sqm would be provided within the site boundary, utilising the area of considerable level change. The development seeks to enhance an existing pedestrian link to Kempton Park. I consider that whilst the private external amenity space proposed is not fully policy compliant, it is of a good quality and future occupiers would have easy access to public open space within the site boundary as well as an existing park and recreation area within a short walk.
- 6.41. Given the residential surroundings of the application site, regard has been had towards the residential amenity of neighbouring properties. Due to the proposed orientation of dwellings, there is no breach of the 45 Degree Code with respect of the impact on the existing dwellings immediately adjacent to the application site. The proposed dwellings are located a minimum of 22.5m from existing dwellings (46 Collingbourne Avenue). Places for Living SPG recommends a distance of 21m between building faces and I consider that the proposals are therefore in accordance with the required guidelines.
- 6.42. Regulatory Services has been consulted on the application proposals and recommend a condition to secure noise insulation and acoustic protection for all windows, external doors and glazed area at the proposed development. I consider that such a condition is reasonable and necessary and has been recommended to be attached to any grant of planning permission.
- 6.43. By regenerating the site from its current dilapidated state, which is understood to have been subject to fly-tipping and anti-social behaviour, I consider that the proposed scheme would contribute towards the reduction of crime and fear of crime through the removal of a derelict former commercial property and the provision of new residential accommodation will ensure natural surveillance across the site and towards the pedestrian link to Kempton Park. I consider that in this regard, the proposals would have an overall significantly positive effect on neighbouring residential amenity.
- 6.44. I consider that the application proposals would, overall, achieve a reasonable level of residential amenity for prospective occupiers. In order to protect the sizes of the private rear gardens in the long term, I recommend that permitted development rights are removed and have attached a condition to that effect.
- 6.45. In respect of the impact on neighbours and existing properties, and their loss of privacy, I recommend that permitted development rights are removed for new windows, and have attached a condition to that effect.

Highway Safety

- 6.46. The application site is located within a sustainable location which is accessible to a public transport services providing access to a variety of destinations between Birmingham and Solihull. The bus stop to the front of the site provides a limited, hourly service between 10:00 and 14:30 Monday – Saturday. No cycle storage is proposed as part of the application proposals however it is considered that cycle

parking for the dwellings could be reasonably accommodated in rear gardens for the houses.

- 6.47. The application site seeks to provide a policy compliant level of car parking associated with the residential development of the application site, proposing 40no. car parking spaces at a ratio of 2 spaces per 4 bed unit. This parking provision is therefore in accordance with the Car Parking Guidance SPD.
- 6.48. Transportation Development have been consulted on the application proposals and raised a number of concerns regarding the cul-de-sac access and the need for the relocation of the bus stop to the front of the application site which serves the limited service 25 serving sites between Ward End and Erdington to facilitate this; the arrangement of car parking spaces and the provision of garages and car ports which would be considered to be insufficient to accommodate modern cars; no speed reduction for private drive; inappropriately located refuse store; no turning head provided for refuse vehicle access; long expanses of vehicle crossing; and no pedestrian visibility splays.
- 6.49. The applicant has been made aware of Transportation Development's concerns and has introduced some amendments to the layout of the development to address the issues raised.
- 6.50. Regarding the outstanding concerns raised by Transportation Development, I am of the view that these could all be sufficiently addressed through relevant pre-commencement conditions being attached to any grant of outline planning permission, including a Section 278 Agreement to secure the relocation of street furniture. This is consistent with the approach that is taken on many other sites throughout Birmingham for this scale of development, and would not be reasonable grounds for refusal in this instance.
- 6.51. With regards to the relocation of the bus stop, Travel for West Midlands has been consulted and have advised that they would require the relocation of the bus stop to be accompanied by a three-seat shelter and a bus cage. I am of the view that this would be excessive given the frequency and use of the bus service and am satisfied that a like-for-like replacement of the bus stop further along Collingbourne Avenue would be sufficient in this instance. This would be secured through an application made by the developer for Travel for West Midlands and an appropriately worded planning condition to secure Section 278 / Traffic Regulation Order to relocate street furniture.
- 6.52. Where the proposed garages are considered to be inadequate in size, it is noted that plots 7 and 8 also benefit from 2no. driveway frontage parking spaces and accordingly meet the requirements set out within the Car Parking Guidelines SPD. The car ports would also be inadequate in size, and it is considered that an appropriately worded condition to secure minor alterations to the width and depth of the car ports should be attached to any grant of planning permission to ensure the function of such a facility.
- 6.53. On balance, I consider that the proposed residential development of a significantly problematic site which has been subject to recurrent instances of anti-social behaviour will achieve far-reaching benefits including the effective redevelopment of a vacant and dilapidated site and the delivery of houses to address Birmingham's acute housing need. Whilst Transportation Development's concerns are noted, I remain of the view that these outstanding matters could be addressed through appropriate pre-commencement conditions and the redevelopment of this

challenging site should be supported. Transportation Development officers have since agreed that this would be a reasonable approach to take in this instance.

Affordable Housing

- 6.54. The postcode within which the development site is located falls within a Low Value Area Residential Zone and will therefore be subject to a £0 Community Infrastructure Levy charge. However, given the scale of the proposed development, seeking to deliver more than 15 dwellings, 35% affordable housing must be delivered as part of the scheme, in accordance with Policy TP31 of the Birmingham Development Plan.
- 6.55. Other elements which would be required to form part of a Section 106 Agreement is addressed in paragraphs 6.4 – 6.13 of this report, in accordance with the scheme's compliance with Policy TP9 of the BDP.
- 6.56. A Financial Viability Assessment was submitted in support of the previously approved outline planning application proposals (2017/03380/PA) and this was subject to an independent appraisal undertaken by Lambert Smith Hampton. The conclusions of the appraisal found that the site location is a low value residential location. The immediate surrounding locality is generally characterised by fairly typical local authority housing stock. It is considered appropriate that the current planning application proposals are considered in the context of the previously assessed Financial Viability Assessment, given the amount of time elapsed and the housing market conditions experienced in the area. Furthermore, it is noted that the current application proposals comprise a reduced quantum than that which was approved at outline stage.
- 6.57. In order to secure the appropriate regeneration of the application site, it has been concluded that the site could secure a maximum of 10% affordable housing which would be the equivalent of 2 units, alongside the financial contributions required to mitigate the loss of the bowling green and public open space and to address the demand of future residents. Given the scale of this level of provision, and in accordance with the previous planning permission issued in respect of the development of the application site, it has been agreed that this should be secured as a commuted sum to reflect the discounted value of the affordable housing units, amounting to £70,000 to support the Council's current BMHT building programme.
- 6.58. Whilst a higher level of affordable housing provision would be welcomed, I accept that the proposed provision to be secured through the Section 106 Agreement would be the maximum that the development could sustain when considering the low value of the area and the financial contributions required to address other issues associated with the site. When balanced against the prospective benefits of the residential development of the site, in terms of improvements to the physical environment and contributing towards Birmingham's acute housing need, I consider that the proposed level of affordable housing provision as a commuted sum would be acceptable.

Other Matters

- 6.59. Given the former use of the application site, Regulatory Services has recommended conditions for contaminated land investigation to be undertaken. I consider that such conditions would be appropriate and reasonable in the context of the scale of the proposed residential development.

- 6.60. Regulatory Services has also requested a condition to secure vehicle charging points throughout the development. Given the emergent focus on electric vehicles and their contribution towards addressing air quality matters in the UK, I consider that such a condition would be justified. However, I note that a large proportion of the proposed residential units would have driveway parking, I would expect that vehicles can be charged in this manner without the need for a dedicated vehicle charging points. I therefore consider that such a condition would not be reasonable or necessary in the context of the development.

7. Conclusion

- 7.1. Whilst I acknowledge that the loss of the bowling green would be regrettable, the application has agreed appropriate compensation for the loss of bowling green and public open space together with off-site compensation sum that would provide long-term recreational community benefit for the immediate area. Furthermore, the bowling green has been disused for a number of years and the site is currently subject to high levels of anti-social behaviour.
- 7.2. The application site is an identified site within the 2018 SHLAA that is situated within a sustainable location and would deliver housing, contributing towards the acute housing need of Birmingham, with provision of affordable housing for the city. The density together with mix of housing would be appropriate for the site, in the context of the site constraints, and would integrate positively with the surrounding area. The proposal is considered acceptable in residential amenity terms.
- 7.3. Whilst Transportation Development raises concerns in respect of the access, relocation of the existing bus stop to the front of the application site, and the arrangement of car parking spaces, I consider that these matters can be appropriately dealt with through pre-commencement conditions. On balance, the overall benefits of the residential development of this vacant and dilapidated site which has been subject to recurrent instances of anti-social behaviour and currently makes a negative contribution to the surrounding area would outweigh the concerns of Transportation Development.
- 7.4. I therefore consider that the application is acceptable subject to conditions and completion of a Section 106 agreement to secure a financial contribution for the compensation associated with the loss of the bowling green and public open space and a commuted sum to reflect 10% affordable housing of the development.

8. Recommendation

- 8.1. Approve subject to a Section 106 Legal Agreement.
1. That consideration of Application No: 2018/03568/PA be deferred pending the completion of a planning obligation under Section 106 of the Town and Country Planning Act to secure the following:-
 - i) 10% affordable housing (2 units) as a commuted sum to the amount of £70,000 (index linked to construction costs from the date of the Committee resolution to the date on which payment is made) to support the Council's current BMHT building programme.
 - ii) The payment of £14,025 to compensate for the loss of the bowling green (index linked to construction costs from the date of the Committee resolution

- to the date on which payment is made) towards the provision and improvement of sports facilities within Hodge Hill Ward that shall be agreed in writing between the Council and the party responsible for paying the sum provided that any alternative spend purpose has been agreed by the Council's Planning Committee.
- iii) The payment of £155,975 to compensate for the loss of public open space and to address the public open space needs of new residential dwellings (index linked to construction costs from the date of the Committee resolution to the date on which payment is made) towards the provision, improvement and maintenance of public open space at the adjacent Bromford Bridge Estate POS within the Hodge Hill Ward that shall be agreed in writing between the Council and the party responsible for paying the sum provided that any alternative spend purpose has been agreed by the Council's Planning Committee.
 - iv) Payment of a monitoring and administration fee associated with the legal agreement subject to a contribution of £8,400.
2. In the absence of the completion of a suitable planning obligation to the satisfaction of the Local Planning Authority on or before the 21st December 2018, planning permission be REFUSED for the following reasons:
- i) In the absence of a suitable planning obligation to secure affordable housing on the site, the proposed development conflicts with Policy TP31 of the Birmingham Development Plan (2017) and with paragraph 50 of the National Planning Policy Framework (2018).
 - ii) In the absence of a financial contribution towards the provision, improvement and maintenance of public open space at the adjacent Bromford Bridge estate POS within the Hodge Hill Ward, the proposed development conflicts with saved paragraphs 8.50-8.53 and 8.54 of the Birmingham Unitary Development Plan 2005, Policy TP9 of the Birmingham Development Plan and with paragraphs 96 and 97 of the National Planning Policy Framework (2012).

That the City Solicitor be authorised to prepare, complete and seal the appropriate planning obligation under Section 106 of the Town and Country Planning Act.

That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before the 21st December 2018, favourable consideration will be given to the application subject to the conditions listed below:

1	Requires the scheme to be in accordance with the listed approved plans
2	Requires the prior submission of level details
3	Requires the prior submission of earthworks details
4	Requires the prior submission of a contamination remediation scheme
5	Requires the prior submission of a contaminated land verification report
6	Requires the prior submission of a drainage scheme
7	Requires the prior submission of a sustainable drainage scheme

8	Requires the prior submission of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan
9	Requires the prior submission of a construction ecological mitigation plan
10	Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
11	Requires the submission a Noise Insulation Scheme to establish residential acoustic protection
12	Requires the prior submission of a construction method statement/management plan
13	Requires the prior submission of sample materials
14	Requires the prior submission of details of refuse storage
15	Removes PD rights for new windows
16	Removes PD rights for extensions
17	Requires the prior submission and completion of works for the S278/TRO Agreement to secure construction of new accesses, reinstatement of redundant drop kerbs and relocation of street furniture including bus stop, street lighting columns, public refuse bin
18	Requires the prior approval of the siting/design of the access - private drive
19	Requires the prior submission of details of pavement boundary
20	Requires the prior approval of an amended car park layout
21	Requires pedestrian visibility splays to be provided
22	Requires the prior submission of altered details to the proposed car ports to plots 13-16
23	Requires the submission of hard and/or soft landscape details
24	Requires the submission of boundary treatment details
25	Requires the prior submission of Public Open Space Management Plan
26	Arboricultural Method Statement - Submission Required
27	Requires tree pruning protection
28	Implement within 3 years (Full)

Case Officer: Claudia Clemente

Photo(s)



Figure 1: Application Site looking west



Figure 2: Application Site looking south



Figure 3: Application Site looking north

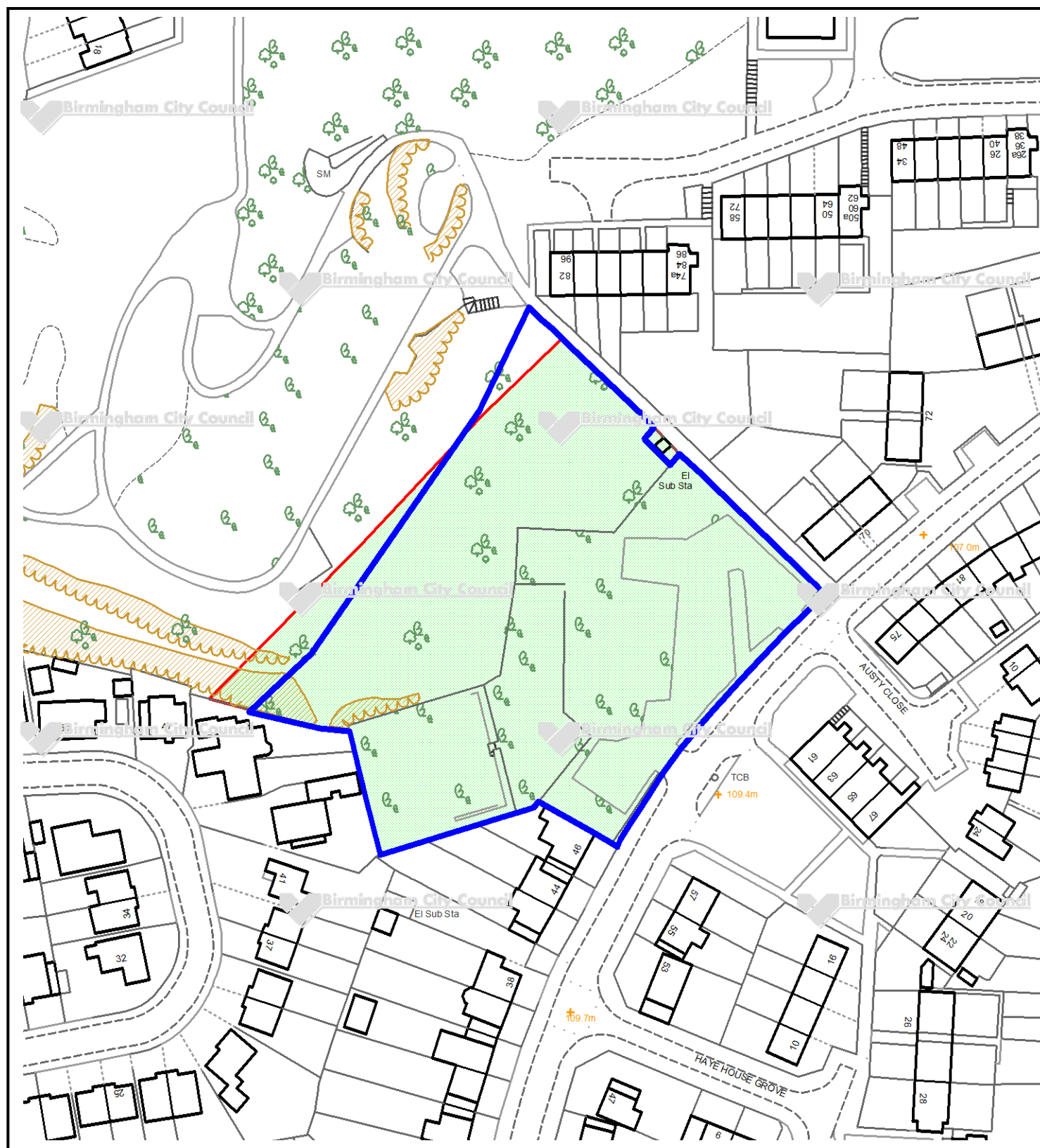


Figure 4: Application Site surroundings to the north



Figure 5: Application Site surroundings to the east

Location Plan



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Committee Date:	22/11/2018	Application Number:	2018/07231/PA
Accepted:	06/09/2018	Application Type:	Advertisement
Target Date:	01/11/2018		
Ward:	Gravelly Hill		

R51 - Sixways Roundabout, Sutton New Road, Birmingham, B23 6BE

Display of no. 4 non illuminated freestanding post mounted signs

Applicant:	Birmingham City Council Procurement, 10 Woodcock Street, Aston, Birmingham, B7 4GB
Agent:	Immediate Solutions D221, D Mill, Dean Clough, Halifax, HX3 5AX

Recommendation

Approve Temporary

1. Proposal

1.1. This application seeks advertisement consent for the display of no. 4 non-illuminated freestanding post mounted signs on R51 - Sixways Roundabout at Reservoir Road / Sutton New Road / High Street / Wood End Road / Wood End Lane / Gravelly Hill North, Erdington. The proposed signs would be located close to the edge of the roundabout in the following locations:

- near the junction with Reservoir Road, at the western end of the roundabout;
- near the junction with Sutton New Road and High Street, at the northern end of the roundabout;
- near the junction with Wood End Road, at the southern end of the roundabout; and
- near the junction with Gravelly Hill North, at the south-western end of the roundabout.

1.2. The proposed signs would each have a width of 1.0m and height of 0.5m and would be mounted on posts giving an overall height of 0.65m above ground level. The signs would be made of aluminium composite panel and steel end mounted posts.

1.3. [Link to Documents](#)

2. Site & Surroundings

2.1. The application site comprises the whole of the roundabout which forms the junction between Reservoir Road / Sutton New Road / High Street / Wood End Road / Wood End Lane / Gravelly Hill North, Erdington. There is a tree and elements of landscaping on the roundabout. Other street furniture currently located at the edges of the roundabout includes directional highway signage and traffic lights. Pedestrian crossings are located on Reservoir Road / Sutton New Road / High Street / Wood End Road / Wood End Lane / Gravelly Hill North.

- 2.2. The surrounding area contains predominantly commercial uses including a number of non-retail uses. The railway line is located to the west of the roundabout. A bus stop is located on Wood End Road.

[Site Location Map](#)

3. Planning History

- 3.1. No relevant application is associated with this application site.

4. Consultation/PP Responses

Transportation Development – No severe highway safety implications identified. No objection subject to signage located within the public highway being in receipt of a suitable licence and would require a Highway Change notification from Birmingham City Council Highways.

5. Policy Context

- 5.1. National Planning Policy Framework (2018), Birmingham Unitary Development Plan (2005) and Birmingham Development Plan (2017).

6. Planning Considerations

Principle of Development

- 6.1. The NPPF restricts Local Planning Authorities to considering only amenity and public safety when determining applications for consent to display advertisements (paragraph 132).
- 6.2. Paragraph 132 of the NPPF states that poorly placed adverts can have a negative impact on the appearance of the built environment. It adds that only those advertisements that will clearly have an appreciable impact on a building or on their surroundings should be subject to a Local Authority's detailed assessment. Finally, it states that the cumulative impact of advertisements should be considered.

Amenity

- 6.3. The proposed adverts would be situated at appropriate locations on the roundabout and as there are no existing elements of advertising on the roundabout, I consider the proposal would not over-burden the roundabout with advertising. The proposed adverts would be of a modest size, in keeping with the commercial nature of the surroundings and would not dominate the highway environment.
- 6.4. The proposed signage is in context to the roundabout and surrounding area. The scale of the proposed advertisement signs is considered acceptable and would not constitute clutter within the street scene.

Highway Safety

- 6.5. The proposed signs would form part of the highway environment and an appropriate level of visibility would be provided in order for drivers to assimilate the contents of the advert without causing highway safety concerns. Such adverts are not an

unusual feature on roundabouts and therefore would not cause an unacceptable degree of driver distraction.

6.6. Transportation Development has no objection in principle but raised concerns about suitable licence from Birmingham City Council Highways.

6.7. On this basis, it is considered that the application proposals are acceptable and would not have a detrimental impact on highway safety.

7. Conclusion

7.1. The proposed adverts would not have an adverse impact on amenity or public safety and I therefore recommend consent is granted subject to conditions.

8. Recommendation

8.1. Temporary consent subject to the following conditions:

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

2 Limits the approval to 5 years (advert)

Case Officer: Obafemi Okusipe

Photo(s)

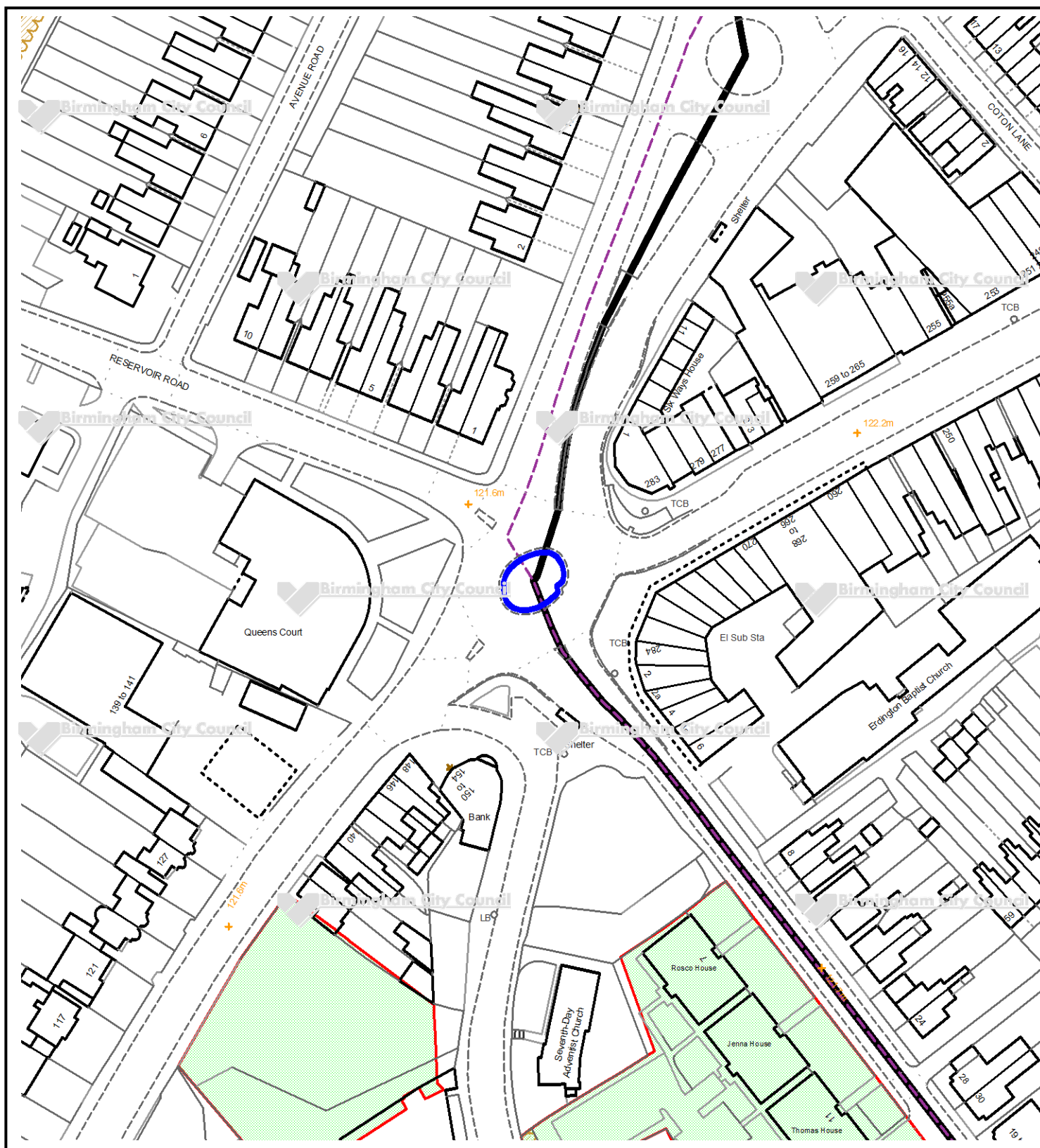
R51-Sixways Roundabout



R51-Sixways Roundabout-Exit 3



Location Plan



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Birmingham City Council
Planning Committee 22 November 2018

Appeal Decisions Received from the Planning Inspectorate in October 2018

<u>CATEGORY</u>	<u>ADDRESS</u>	<u>USE</u>	<u>DECISION</u>	<u>TYPE</u>	<u>PROCEDURE</u>
Householder	186 Swanshurst Lane, Moseley	Installation of footway crossing and hardstanding to front. 2018/00099/PA	Dismissed	Delegated	Written Representations
Householder	105 Little Sutton Road, Sutton Coldfield	Erection of two storey side extension. 2018/02467/PA	Dismissed	Delegated	Written Representations
Advertisement	Brunel Street / Suffolk Street Queensway, Near junction of	Display of 1 no. internally illuminated single sided advertisement panel on telephone kiosk. 2018/01931/PA	Dismissed	Delegated	Written Representations
Advertisement	Albert Street / New Meeting Street, Near junction of	Display of 1 no. internally illuminated single sided advertisement panel on telephone kiosk. 2018/01930/PA	Allowed (see note 1 attached)	Delegated	Written Representations
Advertisement	High Street / Bull Street, Near junction of	Display of 1 no. internally illuminated single sided advertisement panel on telephone kiosk. 2018/01940/PA	Dismissed	Delegated	Written Representations
Advertisement	Digbeth / Rea Street, Near junction of	Display of 1 no. internally illuminated single sided advertisement panel on telephone kiosk. 2018/01932/PA	Allowed (see note 2 attached)	Delegated	Written Representations
Advertisement	Smallbrook Queensway / Station Street, Junction of	Display of 1 no. internally illuminated single sided advertisement panel on telephone kiosk. 2018/01933/PA	Dismissed	Delegated	Written Representations
Advertisement	Former Police Station, 1170 Bristol Road South, Northfield	Display of 1 internally illuminated fascia sign, 1 non-illuminated PVC sign and 4 flags. 2018/01664/PA	Dismissed	Delegated	Written Representations

Birmingham City Council
Planning Committee 22 November 2018

Appeal Decisions Received from the Planning Inspectorate in October 2018

<u>CATEGORY</u>	<u>ADDRESS</u>	<u>USE</u>	<u>DECISION</u>	<u>TYPE</u>	<u>PROCEDURE</u>
A3 / A5	2 Addison Road	Change of use from retail (Class A1) to restaurant (Class A3) with ancillary take away, and installation of extraction flue to rear. 2017/09557/PA	Dismissed (see note 3 attached)	Committee	Written Representations
Residential	Site situated within the existing curtilage of African Village Restaurant and Bar, Birchfield Road, Perry Bar	Erection of 5 storey apartment building containing 55 apartments together with associated parking. 2016/08154/PA	Dismissed (see note 4 attached)	Committee	Written Representations
Residential	Land adjacent to 95 Staple Lodge Road, Northfield	Erection of 4 residential dwellinghouses with associated access, parking and landscaping. 2017/06551/PA	Dismissed	Delegated	Written Representations
Residential	Land adjacent to 49 Four Oaks Road, Sutton Coldfield	Erection of dwelling house and associated car parking. 2017/06262/PA	Dismissed	Delegated	Written Representations
Residential	2278 Coventry Road, Sheldon	Change of use to 1 no. flat at ground floor level, 2 no. flats at first floor, creation of 3 no. parking spaces and bin storage and alter position of canopy and extraction. 2018/02043/PA	Dismissed	Delegated	Written Representations
Residential	325-329 Tyburn Road, Erdington	Erection of side and roof extensions to form ground floor / lower ground floor office suite and 11 no. flats alongside creation of amenity space, parking and associated works. 2017/07282/PA	Dismissed	Delegated	Written Representations
Residential	29 Boswell Road, Land rear of, Sutton Coldfield	Erection of a dwellinghouse with associated parking. 2018/00229/PA	Dismissed	Delegated	Written Representations

**Birmingham City Council
Planning Committee 22 November 2018**

Appeal Decisions Received from the Planning Inspectorate in October 2018

<u>CATEGORY</u>	<u>ADDRESS</u>	<u>USE</u>	<u>DECISION</u>	<u>TYPE</u>	<u>PROCEDURE</u>
Other	Former Police Station, 1170 Bristol Road South, Northfield	Retrospective and temporary change of use from former police station to car dealership with associated offices. 2018/01632/PA	Dismissed	Delegated	Written Representations
Other	Saturn Facility Centre, 54-56 Bissell Street, Nechells	Retention of ATM.	Dismissed	Delegated	Written Representations

Total - 17 Decisions: 15 Dismissed (88%), 2 Allowed

Cumulative total from 1 April 2018 - 70 Decisions: 55 Dismissed (79%), 15 Allowed

Notes relating to appeal decisions received in October 2018

Note 1 (Albert Street / New Meeting Street)

Application refused because the proposed development by virtue of its scale, digital nature and siting would create additional visual clutter and having an adverse impact on the street scene.

Appeal allowed because the Inspector concluded that the proposal would cause no significant harm to the amenity of the area.

Note 2 (Digbeth / Rea Street)

Application refused because the proposed development by virtue of its scale, digital nature and siting would create additional visual clutter and having an adverse impact on the street scene.

Appeal allowed because the Inspector concluded that the proposal would cause no significant harm to the amenity of the area.

Note 3 (2 Addison Road)

The appellant's application for costs was refused.

Note 4 (African Village)

The appellant's and the Council's applications for costs were both refused.