

Birmingham City Council

Planning Committee

06 April 2023

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 | 6 | 2021/03467/PA The Irish Centre Birmingham 205 Wheelers Lane Kings Heath Birmingham B13 0ST Extension of clubhouse to provide a 59 bed hotel, replacement changing rooms, boxing gym, improved clubhouse, community facility and function room, a new full sized 3g football pitch, resurfacing of tennis courts/muga, amended car parking area with re-surfacing, improved pedestrian/vehicular access and associated works |

| | | | |
|-----------------|------------|---------------------|---------------|
| Committee Date: | 06/04/2023 | Application Number: | 2021/03467/PA |
| Accepted: | 26/09/2022 | Application Type: | Full Planning |
| Target Date: | 12/04/2023 | | |
| Ward: | Billesley | | |

The Irish Centre Birmingham, 205 Wheelers Lane, Kings Heath, Birmingham, B13 0ST

(Amended description) Extension of clubhouse to provide a 59 bed hotel, replacement changing rooms, boxing gym, improved clubhouse, community facility and function room, a new full sized 3g football pitch, resurfacing of tennis courts/muga, amended car parking area with re-surfacing, improved pedestrian/vehicular access and associated works

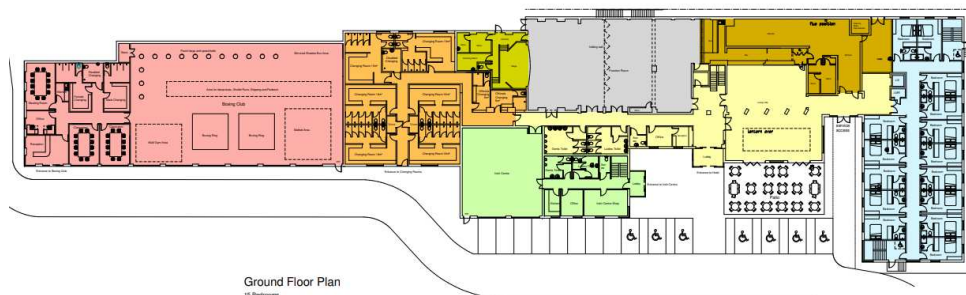
| | |
|------------|---|
| Applicant: | The Irish Centre Birmingham 205 Wheelers Lane, Kings Heath, Birmingham, B13 0ST |
| Agent: | Claremont Planning Consultancy Ltd Second Floor, No 2 Snow Hill, Queensway, Birmingham, B4 6GA |

Recommendation

Approve subject to Conditions

1. 1. Proposal

- 1.1. Consent is sought for extensions and alterations to the existing clubhouse and Irish Centre to improve the existing clubhouse facilities and provide a community facility with a function room. The works would also consist of the erection of a three storey extension to the existing clubhouse to create a 59 bedroom hotel, as well as alterations and improvements to the existing changing rooms and the creation of a boxing gym. The existing tennis courts/MUGA to the north of the site would also be re-surfaced as part of the works.



- 2.1. The site is located off Wheelers Lane in the Ward of Billesley. Wheelers Lane abuts the north western boundary of the site. The surrounding area to the north and west of the site (along Wheelers Lane and Hollybank Road) is predominantly residential in character, with two storey semi-detached dwelling houses, the adjacent residential dwellings along Wheelers Lane are set from the site by a deep grass verge and setback. The southern and south western boundary backs onto six, six storey blocks of flats and Moseley Rugby Club. Swanshurst School is located to the east of the site and Billesley Tennis Club is located to the rear of the site along the south eastern boundary of the site.
- 2.2. The site has been historically used as a sports facility, with three grassed football pitches, two bowling greens and tennis courts/multiuse games area (MUGA). There is an existing clubhouse building located in the south western corner of the site. The site has been used as the "New Irish Centre" since 2020.

[Site Location](#)

3. Planning History

- 3.1 11431000 – Bowls Hut and lavatories – approved – 08/01/1953
- 3.2 11431001 – 7ft9 inches high boundary fence – Approved – 04/06/1953
- 3.3 11431002 – Boundary fence – Approved – 26/05/1954
- 3.4 11431003 – New Club Premises – Approved – 12/03/1964
- 3.5 11431004 – Stewards accommodation – Refused – 31/12/1964
- 3.6 11431005 – Stewards accommodation – Approved – 11/02/1965
- 3.7 11431006 – Two storey club and flat – Refuse – 25/05/1967
- 3.8 11431007 – Two storey licensed club – Approved – 30/11/1967
- 3.9 11431008 – Bedroom extension to existing – Approved – 24/09/1970
- 3.10 11431009 – Stadium pavilion sports ground first floor games area committee rooms – Approved – 17/05/1973
- 3.11 11431010 – Concrete storage building – Approved – 15/11/1973
- 3.12 11431011 – Erection of two refabricated squash courts – Approved subject to conditions – 13/07/1978
- 3.13 11431012 – New lighting for driveway, football pitch and bowling green at sports ground – Approved subject to conditions – 10/01/1980
- 3.14 11431013 – Entrance lobby, lounge bar, committee room extension to bottle store and internal alterations – Approved with conditions – 17/07/1980
- 3.15 2000/05176/PA - Erection of function and conference rooms, entrance and associated facilities and extension of parking area – Approved with conditions – 23/08/2001
- 3.16 1997/01570/PA - Retention of conservatory (for use as an extension to lounge bar) and alteration of means of access – Approved with conditions – 19/01/1998

4. Consultation Responses

- 4.1 Sport England –Support the application subject to planning conditions.
- 4.2 Regulatory Services – Support the application subject to conditions to ensure mitigation measures identified within the submitted noise assessment are implemented.
- 4.3 Transportation –Support the application subject to conditions.
- 4.4 Ecology – Based on the information supplied including the Preliminary Ecological Appraisal, there are no objections to the proposed development. The existing buildings hold no ecological value and do not provide places of refuge for protected species. Changes in lighting, especially around the sports pitches could have an impact, therefore, there would need to be the inclusion of conditions relating to the proposed floodlighting and the inclusion of biodiversity enhancement measures/avoidance measures and mitigation.
- 4.5 Trees – Support the application subject to conditions to include an Arboricultural Method Statement and Tree Protection Plan.
- 4.6 Lead Local Flood Authority (LLFA) – Has raised concerns over the discharge rate of surface water from the site and the connection to the local sewer, once Severn Trent have agreed a discharge rate and sewer connection, there would be no objections subject to the inclusion of pre-commencement planning conditions.
- 4.7 Severn Trent – Support the application subject to conditions for details of foul and surface water drainage to be submitted.
- 4.8 Leisure Services – No objections provided that there will be no overall loss of pitches and subject to the improvements planned to the on site sporting provision.
- 4.9 Natural England – No comments to make.
- 4.10 West Midlands Police – Have raised no objections subject to security measures being included as part of conditions, relating to CCTV, security lighting and Security Management at the site.
- 4.11 West Midlands Fire Service – No objections raised, fire hydrants would need to be located closer to the hotel building.
- 4.12 Environment Agency – No comments to make.

5. Third Party Responses

- 5.1 Adjacent occupiers, residents associations, M.P, Councillors notified and site/press notices posted. 7 letters of objection have been received raising the following matters:
- Noise and nuisance concerns; this will become greater with evening functions.
 - Anti-social behaviour, late night drinking and people leaving via the memorial garden and spilling out onto Wheelers Lane.
 - Traffic concerns, local schools in the area.
 - Customers attending the Irish Centre park on grass verges of Wheelers Lane.

- The area is currently a quiet residential area.
- The introduction of a pedestrian entrance/exit is welcomed from a point of safety.
- Impact of the LTN in Kings Heath and wider impact on Wheelers Lane which will increase congestion.
- A one way system with a separate entrance and exit should be introduced, one bowling green would be lost with this solution.
- The traffic from the hotel and deliveries would lead to greater congestion.
- Concern that sporting traffic will park on the road with the use of the hotel.
- A hotel is not appropriate in the area.
- Scale of the hotel is out of keeping and number of bedrooms.
- Number of people coming and going at the same time.
- Concerns over the design of the building.
- Impact on house prices in the area.
- Lighting issues, with current lighting shining into the homes of residents on Wheelers Lane.
- Tree loss Lighting control is needed.
- Existing trees block out light to neighbouring properties.
- Overlooking and intrusion to neighbouring properties.
- The plans for the memorial garden appear attractive and sensitive.
- Noise concerns, the expansion would result in greater volume generated. A generator is running on Wednesday evening to power temporary lights.
- There is no barrier between the site and the nearby residential properties. Reduced hours and additional shielding would be required.
- Schools located in the local area, the increase in traffic could affect children.
- The extension works to the building would have no distinguishable architectural features that would enhance the local community.
- Concerns relating to the hours for the outdoor facilities.
- Increase in height of the building, would this result in an increase in light pollution.
- A pedestrian access was introduced at the Tennis Courts for an event in August 2022 which worked really well.

5.2 The Moseley Society have commented on the application, raising the following points:

- Welcome the improvements to the site.
- Could the lighting be updated to improve energy costs?
- EV car parking should be improved.
- Entrance/exit from Wheeler Lane, will the boards be moved from the front of the site with the removal of hedgerow, want it to be safe entrance and egress if the site is used at full capacity.

6. **Policy Context**

- **National Planning Policy Framework:**
Chapter 2 – Achieving Sustainable Development
Chapter 7 – Ensuring the Vitality of Town Centres
Chapter 8 – Promoting Healthy & safe Communities
Chapter 9 – Promoting Sustainable Transport
Chapter 11 – Making effective Use of Land
Chapter 12 – Achieving Well Designed Places
Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Birmingham Development Plan 2017:**
PG3 – Place Making

TP3 – Sustainable Construction
 TP4 – Low and Zero Carbon Energy Generation
 TP6 – Management of Flood Risk and Water Resources
 TP8 – Biodiversity and Geodiversity
 TP9 – Open space, Playing Fields and Allotments
 TP11 – Sports Facilities
 TP21 – The Network of and Hierarchy of Centres
 TP24 – Promoting a diversity of uses within centres
 TP25 – Tourism and Cultural Facilities

- **Development Management DPD:**
 - DM2 – Amenity
 - DM4 - Landscaping and trees
 - DM5 - Light Pollution
 - DM6 - Noise and vibration
 - DM14 - Transport access and safety
 - DM15 - Parking and servicing
- **Supplementary Planning Documents & Guidance:**
 - Birmingham Design Guide SPD (2022)

7. **Planning Considerations**

7.1 The key planning issues are; the principle of the development; the scale and appearance of the proposed works; the impact on neighbouring residential amenity, impact on parking and highway safety; impact on trees, landscaping and ecology and drainage.

7.2 **Principle**

7.3 The site has historically operated as a sporting facility with a community clubhouse, with planning history supporting this dating back to the 1950's and 1960's. The site currently benefits from three grass football pitches, tennis courts, a MUGA and Bowling Greens and an existing clubhouse and community building which has been used by the New Irish Centre since January 2020.

7.4 The proposed development seeks to provide improvements to the existing sports provision at the site, the creation of a 59 bedroom hotel and extensions and alterations to the building to improve the existing changing room facilities and the existing community facility, as well as a new boxing gym. The principle of these elements of the development have been assessed below.

7.5 *Improvements to sports provision*

7.6 The proposed works would result in the reduction of the third, westernmost grass football pitch, reducing it from one of three full size football pitches to a smaller sized pitch for youth football. Policy TP11 of the Birmingham Development Plan stipulates that where there is a recognised need for sporting facilities, the loss of existing sporting facilities would not be allowed unless an equivalent or better quantity and quality replacement is provided. Whilst the proposed works would result in the reduction of an existing sporting facility, Sport England recognise that this loss has been reduced as much as possible through the design of the proposed works and that this would be outweighed by the significant benefits to sport that would be secured through the creation of an AGP/3G football pitch, the re-surfacing of the existing tennis courts, the creation of a boxing gym and the inclusion of a Gaelic football pitch, as well as improved changing facilities. Whilst Leisure Services have

raised no objection subject to there being no reduction in the sports provision for the site, the additional sporting facilities and sporting options that would come forward as part of the proposed development would significantly outweigh the reduction in the existing grass football pitch.

- 7.7 The 3G pitch would significantly improve play in comparison to the current grass pitch and the re-surfacing of the tennis courts would also improve the quality of play. The provision of a boxing gym as part of the proposed extensions to the existing building and the introduction of a Gaelic football pitch, would introduce new sporting uses and facilities, as well as improved changing facilities which would benefit all users. Subject to the inclusion of planning conditions relating to the surface water drainage of the AGP/3G football pitch, the proposed hours of use and the AGP/3G football pitch and the community scheme of use; any earlier objections raised by Sport England have now been overcome by the amended plans that have been submitted which demonstrate the improvement in the quality and quantity of sports provision at the site and would now accord with the principles of policy TP11 of the Birmingham Development Plan.

7.8 *Proposed hotel use*

- 7.9 The proposed development also seeks consent for the erection of a three storey extension to create a 59 bedroom hotel at the site. Policy TP24 of the Birmingham Development Plan states that tourist related development, such as hotels would be encouraged and supported in District and Local Centres, as set out within the hierarchy of town centres within policy TP21 of the Birmingham Development Plan. The proposed hotel use would be combined with the existing social club and sports ground use at the site as well as the proposed boxing gym. This would introduce a tourism/leisure facility outside of a designated District or Local Centre, and in accordance with policy TP21 of the Birmingham Development Plan and the National Planning Policy Framework (NPPF), a Sequential Test has been provided by the applicant which has assessed all twenty two district centres across the City and the City Centre, as the facility would be of City-wide significance.

- 7.9 The revised Sequential Assessment and supporting information has been assessed by the Planning and Growth Strategy Team; based on their findings, it is considered that due to the nature of the development and the combination of the existing and proposed uses at Wheelers Lane, no suitable or available sites can be found across the whole City which could provide a viable and practical alternative to the application site in order to ensure the long term future of the Irish Centre and its proposed facilities. The updated Sequential Assessment also demonstrates that the scale of the hotel proposed has been strongly informed by the imperative to generate additional income at the Wheelers Lane site to support the retention of existing sporting facilities on site and deliver the required improvements to ensure its continued use. A condition has been attached to the application to ensure that the hotel shall not be occupied or first used until the proposed 3G football pitch, boxing gym and changing room facilities have been constructed and are in use, this is to ensure that the sporting facilities come forward at the site. The Sequential Assessment is, therefore, acceptable in accordance with Policy TP21 of the Birmingham Development Plan and paragraph 87 of the NPPF.

7.10 *Proposed extensions*

- 7.11 The proposed extension works seek to improve the existing changing room facilities and the existing community and function rooms at the site, as well as introducing the new boxing gym. These elements of the application would be broadly suitable in principle and would seek to improve an existing community and sporting facility.

7.12 In summary, the proposed development would be considered suitable in principle and policy compliant with the necessary policies contained within the Birmingham Development Plan. However, the suitability of the proposed development would be underpinned by the scale and appearance of the proposed works; the impact on neighbouring residential amenity, impact on parking and highway safety; impact on trees, landscaping and ecology and drainage which are further explored below.

7.13 Design and appearance

7.14 The current building at the site consists of a single storey and two storey building which is narrow in depth and long in length; the building currently consists of a lounge bar, two functions rooms, a snooker room, conservatory, bar, kitchens and changing rooms. There is a separate ancillary office building located in the south western corner of the site.

7.15 The proposed changes would largely follow the existing footprint of the building, in taking a long, narrow form. The proposed extensions would be a combination of three storey (housing the proposed hotel use), two storeys in the centre, with the first floor would be used as part of the hotel and the ground floor would house the function room, bar area, kitchen, a bespoke area to accommodate the Irish Centre, changing rooms, and the boxing area with separate changing areas and reception entrance.



Image 3 – Proposed front elevation

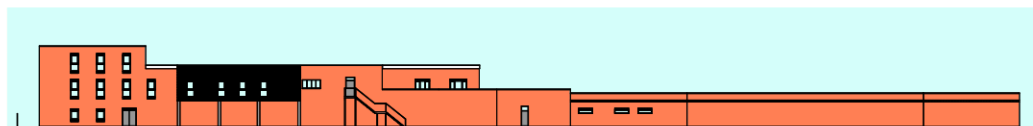


Image 4 – Proposed rear elevation

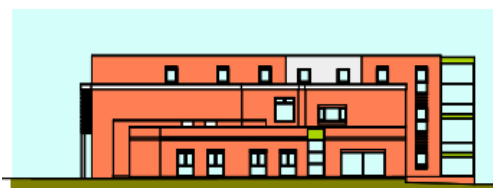


Image 5 – Proposed side elevation (eastern elevation facing onto car park)



Image 6 – Proposed side elevation (western elevation facing onto Hollybank Road boundary)

- 7.16 Concerns have been raised by local residents with regard to the proposed design of the extensions and how this does not make a strong visual contribution to the local area. The application has been subject to a number of sets of amended plans which have sought to address the concerns raised by the City Design Team. Whilst the City Design Team note that the design could be pushed further, the main design concerns have now been addressed and the proposed extensions would significantly improve the appearance of the existing building and it is considered that this visual betterment of the proposed works would make a positive contribution to the local area.
- 7.17 In addition, concerns have also been raised about the height of the proposed extensions and the likelihood of light pollution from light in the upper windows. However, the larger part of the building which is three storeys in height would be positioned near to six storey buildings which are used for flats adjacent to the site (Woodstock House, Claverdon House and Southam House off Hollybank Road). Given the height of these adjacent building, the scale and height of the proposed extensions would not appear out of scale or character. The introduction of third floor bedrooms and light from the upper windows would also not introduce an unacceptable form of light pollution and any light spill from the upper bed rooms in the third floor would create less of an impact than the neighbouring six storey buildings.
- 7.18 Planning conditions would be attached to establish the appearance and colour of the proposed fencing and ball-stop fencing that would surround the proposed AGP/3G football pitch and the proposed re-surfacing of the tennis courts would have a minimal wider visual impact.
- 7.18 In summary, the proposed extensions would secure a significant visual betterment to the existing building and the scale and massing of the proposed extensions would be consistent with surrounding development. The City Design Team have requested that conditions are attached to secure architectural details and materials to ensure a good finish to the development. The proposal would accord with the requires of policy PG3 of the Birmingham Development Plan, policy DM5 of the Development Management in Birmingham Plan, the guidance within the Birmingham Design Guide SPD (2022), the NPPF and the NPPG.
- 7.19 **Residential Amenity**
- 7.20 Concerns have been raised by local residents with regard to the impact of the proposed development on the amenity of neighbouring residential occupiers by way of noise and disturbance, anti-social behaviour and light pollution arising from floodlighting.
- 7.21 Owing to the existing nature of the use, the existing pitches and sports facilities can be used during the day and after dark owing to the presence of existing flood lighting to the north of the site, lighting up the tennis courts, along the driveway into the site and along the southern edge of the existing football pitches. The proposed AGP/3G football pitch would introduce further lighting along the north eastern corner and a better surface which could allow more play than a grass pitch, continuing for later into the evening. A Noise Assessment has been submitted by the applicant and assessed by the Councils Regulatory Services Team, which identifies a number of mitigation measures such as restrictions to the hours of the use of the AGP/3G football pitch and the erection of acoustic fencing along the north eastern boundary of the site to ensure that any noise would not travel to the closest residents at Haige Place. Regulatory Services have requested that the hours of use condition is extended to include the existing bowling greens, tennis courts and MUGA. However, as these uses are of an existing nature it would not be reasonable or proportionate to extend conditions to existing sporting facilities which have been previously permitted and,

with the exception of re-surfacing the existing tennis courts, fall outside of the site boundary of the current application.

- 7.22 Local residents have also raised concerns regarding noise coming from a generator to power temporary lighting at the site to allow better use of the existing football pitches. The proposed development seeks consent for the installation of eight new floodlights to provide lighting for the AGP/3G Football pitch. Whilst this would remove the need for the generator and the noise source this would also allow for better quality flood lighting which could create less light spill. A condition would be attached for details of the proposed floodlighting to be assessed prior to installation and for the floodlighting to accord with the approved details.
- 7.23 In addition, concerns have been raised by local residents with regard to the noise and disturbance of people leaving the site in the evenings and that this would be further exacerbated by the proposed extension works to improve the existing clubhouse facilities and the proposed hotel use. The Councils Regulatory Services Team have requested a condition for a "Site Operations and Noise Management Plan" which would relate the use of the hotel and extended clubhouse in terms of noise and security. This is also re-iterated by West Midlands Police; whilst they have raised no objections to the proposal, they have requested details of CCTV, security lighting and details of the management of the hotel use which would also be covered by the inclusion of this as a planning condition.
- 7.24 The closest residential properties to the clubhouse building and the hotel extension would be the existing six storey flats to the south west of the site; Woodstock House, Claverdon House and Southam House. These buildings would be positioned in excess of 27.5m away from the three storey side elevation of the proposed hotel. This would accord with the minimum separation distances as contained within City Note LW-3 of the Design Guide and taking into account the three storey nature of the proposed building and the height of neighbouring buildings, it is considered that the level of separation will ensure that there is no undue impact in terms of a loss of light or overbearingness.
- 7.25 In summary, subject to the inclusion of planning conditions, the proposal would not result in a harmful impact to the amenity of adjacent residential occupiers and would accord with the principles of policies DM2, DM5 and DM6 of the Development in Management Plan and the guidance contained within the Birmingham Design Guide SPD.
- 7.26 **Transportation**
- 7.27 The site is currently accessed off Wheelers Lane, this existing vehicular access would be retained with visibility splays of 2.4m x 43m in accordance with the Manual for Streets. The proposed works would result in the creation of a new pedestrian access off Wheelers Lane through the existing memorial garden into the site, the re-surfacing of the parking area and a new car parking layout. The proposal would also increase the level of car parking on site to include 175 vehicle car parking spaces and 32 cycle spaces. This would accord with the requirements of the Car Parking in Birmingham SPD, of which the proposal would result in an over supply of 49 car parking spaces.
- 7.28 Concerns have been raised by local residents with regard to the impact of the proposed works on the wider street network and highway safety, in particular, due to the close proximity of the site to local schools. The site would utilise an existing site access which would accord with the required visibility splays in order to provide suitable visibility for vehicles entering and leaving the site. A separate pedestrian access would also ensure that people entering and leaving the premises by foot

would not be entering and leaving the site at the same place as vehicular traffic. The driveway into the site would be 5.5m wide and would allow two cars to pass one another and would not result in vehicles reversing out onto the carriageway. It is considered that this would result in a safe and suitable access arrangement and there have been no objections raised by the Councils Transportation Team.

- 7.29 In addition, concerns have been noted by local residents with regard to buses and coaches leaving the site. However, this traffic would likely be generated by the existing use as a sports club, with sports teams using the premises for events. It is considered that the changes proposed including the pedestrian access and greater numbers of car parking spaces within the site would secure a betterment to the current arrangement.
- 7.30 There have also been concerns raised by local residents with regard to the lack of parking within the site to support the sporting facility, the improved clubhouse and the new hotel building and that this would increase the likelihood of people parking on the grass verges along Wheelers Lane. In accordance with the Car Parking in Birmingham SPD, the site is located within zone C and the proposed hotel use would generate one car parking spaces for every three bed spaces proposed as part of the hotel use. The leisure, clubhouse and sports provision would generate one car parking space for every 25m² of floor proposed space. The car parking area is proposed to be resurfaced and extended to accommodate up to 175 car parking spaces, the proposal would result in an oversupply of car parking and would fully accord with the requirements of the Car Parking in Birmingham SPD. Owing to the proposed re-surfacing, this would help to demarcate the parking bays and would make users more likely to park there in the future.
- 7.31 In summary, the proposed development would provide a suitable and safe access for pedestrians and vehicle users as well as adequate car parking to support the development and would accord with the principles of policies DM14 and DM15 of the Development Management in Birmingham Plan and the Car Parking in Birmingham SPD.

7.32 Ecology, Landscaping and Trees

There have been no objections raised by the Councils Tree Officer with regard to the application, subject to the inclusion of a planning condition for the submission of an Arboricultural Method Statement and Tree Protection Plan prior to works commencing on the site, this is to ensure that any works such as acoustic fencing around tree protection areas would be carried out in a way that would not cause damage to the trees.

- 7.33 There have been no objections raised by the Councils Ecologist based on the submitted Preliminary Ecology Appraisal (PEA). Whilst light spill from the proposed floodlighting may have an impact, a planning condition would be attached to ensure that light spill is reduced as much as is practicable and it is considered that a suitable solution can be reached to limit light spill as part of a planning condition. The Councils Tree Officer has raised no objections to the extent of tree removal subject to the inclusion of a Tree Protection Plan being included as a planning condition.

7.33 Drainage

- 7.34 Concerns have been raised by the LLFA, owing to the disposal of surface water from the site and the LLFA require confirmation that Severn Trent would agree to water discharging to an existing sewer with an agreed discharge rate. However, subject to this information being agreed by Severn Trent, the LLFA would have no objections to the proposed development subject to the inclusion of pre-commencement conditions

relating to surface water drainage, and it is considered that a suitable solution can be achieved through the use of planning conditions.

7.34 Other

7.35 An existing storage building will be moved from next to the existing building to the north eastern boundary of the site next to the car parking. The moving of this existing building within the site would have a minimal wider visual impact and would pose no impacts in terms of overlooking or overbearing to adjacent residential amenity.

7.36 It has been raised by a local resident throughout the consultation period that a new vehicular access could be introduced to implement a one way system into the site. However, this would result in the loss of a Bowling Green and the loss of a sporting facility on the site, of which, this would fail to accord with the principles of policy TP11 of the Birmingham Development Plan.

7.37 There is an existing telecommunications mast that is located within the site to the front of the existing building. Whilst there appear to be no plans to move and re-locate this monopole and associated equipment, the proposal does not introduce residential development into the site and the mast would not be positioned adjacent to the windows of the proposed hotel bedrooms. Its continued presence would not result in a harmful impact to residential amenity by way of outlook and this would not introduce a sensitive use closer to the mast.

7.38 Conclusion

7.39 The proposal would result in the improvement of an existing sports facility and would increase the level of sports provision on site as well as the quality of the facilities. The proposed extensions to the existing clubhouse and the creation of the hotel use would improve existing facilities on site and ensure the long term use of the Irish Centre. The siting, scale and appearance of the proposed development would be acceptable and would create a significant visual betterment to the current building. Subject to the inclusion of planning conditions, there would be no adverse impact on the amenity of neighbouring occupiers and no undue impact on the local highway network. It is considered that the proposal would constitute sustainable development and it is recommended that planning permission is granted subject to planning conditions.

8.0 Recommendation:

1.1 Approval subject to conditions

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- | | |
|---|---|
| 1 | Implement within 3 years (Full) |
| 2 | Requires the scheme to be in accordance with the listed approved plans |
| 3 | Hotel use - ensured delivery of sporting facilities provided |
| 4 | Requires the implementation of the submitted mitigation/enhancement plan |
| 5 | Drainage of 3G Pitch |
| 6 | Requires the prior submission of disposal of foul and surface water flows |
| 7 | Community use |
-

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- | | |
|----|--|
| 8 | Hours of use - 0800 - 2200 Monday to Friday, 0800 - 2000 Saturday and 0800 - 2000 Sunday/Public holidays |
| 9 | Playing field maintenance |
| 10 | Community agreement |
| 11 | Ventilation and odour details |
| 12 | Arboricultural Method Statement |
| 13 | Noise mitigation measures |
| 14 | The provision of an acoustic barrier |
| 15 | Site Operation and Noise Management Plan |
| 16 | Requires the prior submission of earthworks details |
| 17 | Requires the submission of sample materials |
| 18 | Requires the submission of architectural details |
| 19 | Requires the submission of boundary treatment details |
| 20 | Requires the submission of hard surfacing materials |
| 21 | Requires the prior submission of a floodlighting scheme |
| 22 | Requires the submission of a CCTV scheme |
| 23 | Requires the submission of a lighting scheme |
| 24 | Requires the submission of cycle storage details |
| 25 | Noise Levels for Plant and Machinery (Text Protected: Y) |
| 26 | Requires the provision of a vehicle charging point |
-

Case Officer: Katie Moriarty

Photo(s)



Photo 1 – Site Access



Photo 2 – Existing Clubhouse building



Photo 3 – Existing grass football pitches – view to the west of site

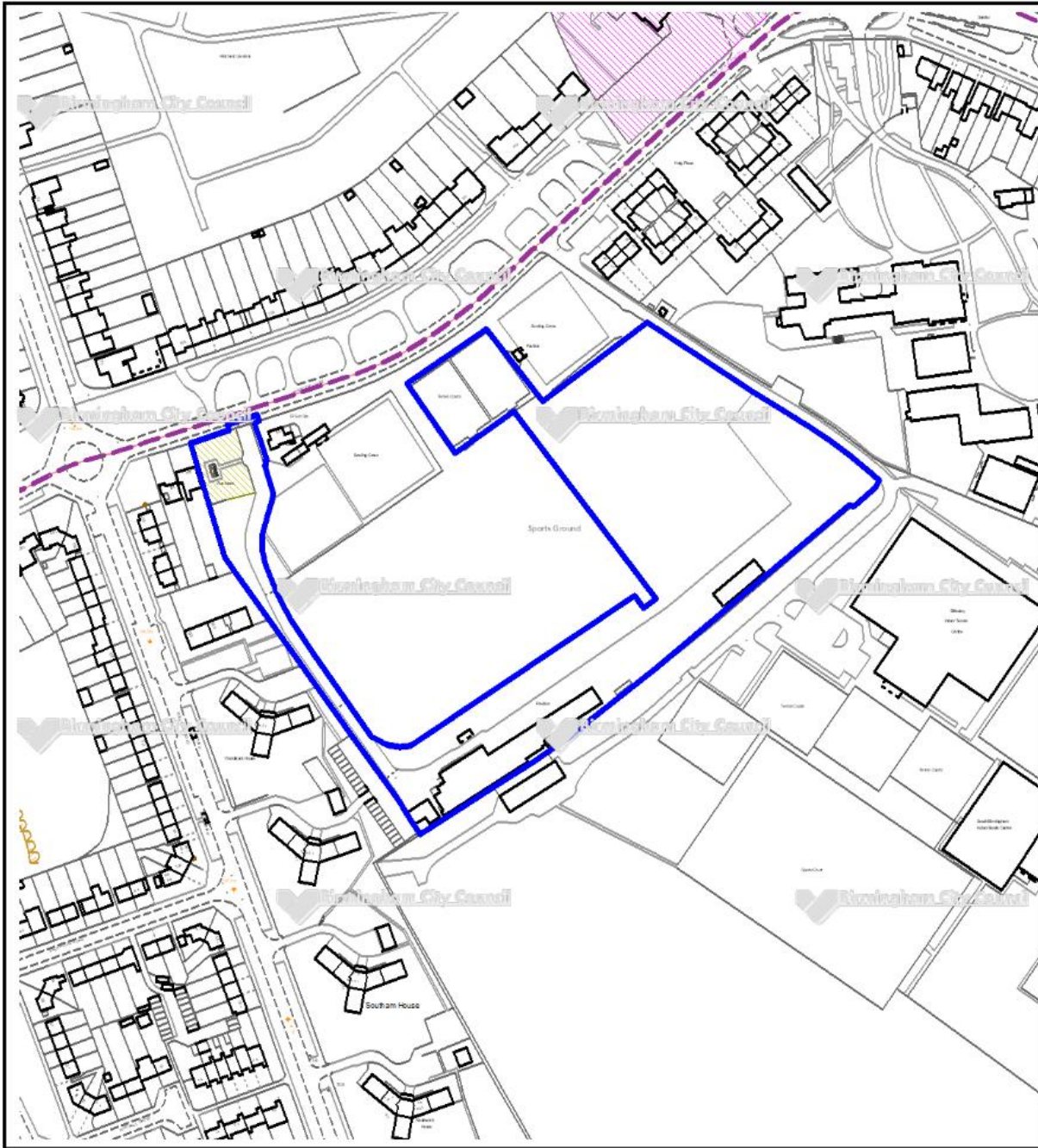


Photo 4 – Grass pitch and existing tennis courts – view to the north of the site



Photo 5 – Aerial view and surrounding area

Location Plan



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Birmingham City Council

Planning Committee

06 April 2023

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 | 7 | 2022/09002/PA Star City 32 Watson Road Nechells Birmingham B7 5SA Demolition of existing drive thru restaurant (Unit F85), Units 18, 19, 21, part of Unit 17 and part of Unit 20; reconfiguration of part retained Unit 17 and Unit 16 to create a single unit with minor ground floor extension (Class E); reconfiguration of pedestrian access to Unit 20 (Goals) including internal bridged walkway within the multi-storey car park; reconfiguration of vehicular and pedestrian access to multi-storey car park including first and second floor open bridge links; and erection of 1no. industrial building (Use Classes E(g)(iii), B2 and B8) with dedicated servicing arrangements off existing service road, car, cycle and motorcycle parking with dedicated access off Watson Road, relocated roundabout, landscaping and associated works. |

| | | | |
|-----------------|------------|---------------------|---------------|
| Committee Date: | 06/04/2023 | Application Number: | 2022/09002/PA |
| Accepted: | 06/12/2022 | Application Type: | Full Planning |
| Target Date: | 20/03/2023 | | |
| Ward: | Nechells | | |

Star City, 32 Watson Road, Nechells, Birmingham, B7 5SA

Demolition of existing drive thru restaurant (Unit F85), Units 18, 19, 21, part of Unit 17 and part of Unit 20; reconfiguration of part retained Unit 17 and Unit 16 to create a single unit with minor ground floor extension (Class E); reconfiguration of pedestrian access to Unit 20 (Goals) including internal bridged walkway within the multi-storey car park; reconfiguration of vehicular and pedestrian access to multi-storey car park including first and second floor open bridge links; and erection of 1no. industrial building (Use Classes E(g)(iii), B2 and B8) with dedicated servicing arrangements off existing service road, car, cycle and motorcycle parking with dedicated access off Watson Road, relocated roundabout, landscaping and associated works.

Applicant: Star City Trustee I Ltd and Star City Trustee II Ltd
as Joint Trustees of the Star City Unit Trust, C/o Agent
Agent: Quod
8-14 Meard Street, London, W1F 0EQ

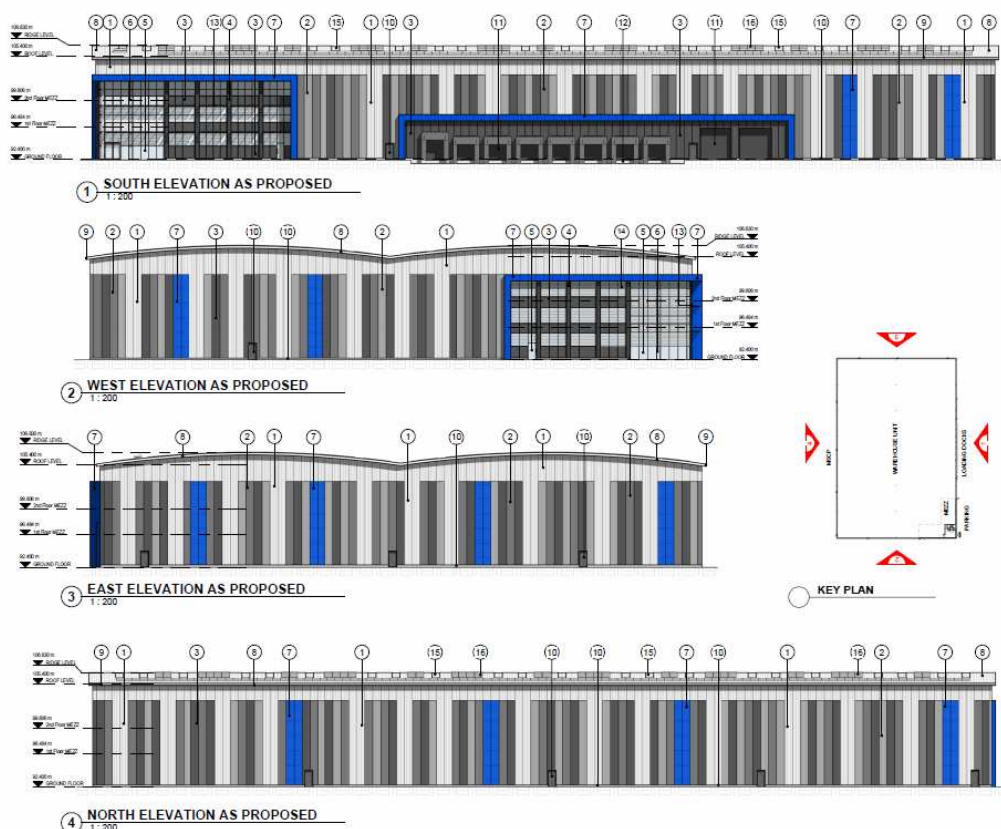
Recommendation

Approve subject to Conditions

1. Proposal:

- 1.1 The proposals include the construction of a new 9,110sqm industrial warehouse with associated office, parking and service yard on the existing Star City eastern car park, demolition of a small area of the existing building, relocation of an existing drive-thru (subject to separate application 2022/09003/PA) and associated highway access changes.
- 1.2 The Application comprises the erection of an industrial unit which extends to 9,110 square metres (GIA) / 9,296 square metres (GEA) with dedicated parking and servicing areas including internal office mezzanine at first and second floor. On the basis of demolition, loss of existing floorspace, and subsequent redevelopment there is a net increase of 3831 square metres over existing.
- 1.3 The industrial unit has an eaves height of 13 metres above ground and a roof pitch of 14.4 metres. The scale of the unit is informed by institutional investment standards for buildings providing a footprint of the size proposed. The roof of the unit includes evenly distributed 15% rooflights leaving space for the installation of photovoltaic (PV) panels.
- 1.4 In order to accommodate the industrial unit, the existing McDonald's drive through restaurant; Units 18, 19, 20 and 21; part of Unit 17; and part of the existing multi storey

car park (MSCP) would be demolished. The remaining floorspace at ground floor of Units 16 and 17 would be reconfigured and extended to create a single retail/leisure unit (Class E).



Elevations as Proposed

- 1.5 Within the MSCP, the pedestrian and vehicular access to Unit 20 (Goals) would be reconfigured including installation of an internal bridged walkway and first and second floor open bridge links. An additional vehicular exit to the MSCP is also created. It is also proposed that the existing roundabout be relocated to slightly to the north west. The existing vehicular access from both Watson Road and the internal service road would also be relocated to provide separated access to the staff car park and service yard.
- 1.6 The application has been submitted with the following supporting statements: The application has been submitted with the following supporting statements: Planning Statement, Design and Access Statement, Transport Assessment and further Technical Note, Travel Plan, Flood Risk Assessment, Sustainable Drainage Report, Phase 1 Desk Study, Tree Survey and AIA, Townscape and Visual Impact Appraisal, Noise and Vibration Assessment, Air Quality Assessment, Phase 1 Ecological Assessment, Energy and Sustainability Statement, Utilities Assessment, and Lighting Strategy and Report.

1.7 [Link to Documents](#)

2. **Site & Surroundings:**

- 2.1 The site is part of Star City, which was built in the year 2000 and is one of the largest family leisure complexes in the country, featuring restaurants, 25 screen cinema, bowling and other 'physical' and leisure activities. The land proposed for redevelopment is within the south eastern part of the Star City complex. The site is

currently occupied by Units 18-21 of Star City, along with associated surface level car parking (496no. spaces) and drive-thru McDonald's and is shown below edged red –



- 2.2. Star City is located in a predominantly industrial/commercial area running along the M6 motorway and the Grand Union Canal.
- 2.3. The site is located encircled by designated Core Employment Areas. Gravelly Industrial Park and its continuation at Burns Road is located North and East, Dutton Trading Estate is located to the South of the site, and Argyle Street are located to the West,
- 2.4. To the immediate north of the site is a tributary of the River Tame and the M6, which is elevated along this stretch of the motorway. To the west, the Canal forms the western boundary of the Star City complex, is Nechells residential neighbourhood. To the south of the site is the River Rea, over which is a Costco and a motor dealership.
- 2.5. The link, *right*, shows the 'Site location' on [Google Maps](#)

3. **Planning History:**

Summary of main relevant applications listed below:

2022/09003/PA – Erection of drive thru restaurant (Class E(b)/sui generis hot food takeaway) including new pedestrian access, servicing arrangements, landscaping and associated works – Approved w/conditions.

2009/06331/PA – Erection of single storey detached building to operate as a restaurant and drive through takeaway, creation of new service access and associated parking and landscaping – Approved w/conditions

1997/04723/PA – Reserved matters submission in accordance with previous Application No. H/00998/96/OUT (Phase 1) major leisure and entertainment facilities (Class D2 and A3) with non-food retail (Class A1), and associated infrastructure – Approved w/conditions

1996/00998/PA – Redevelopment of the former Nechells Power Station for major leisure and entertainment facilities and retail floorspace – Approved w/conditions

4. **Consultation Responses:**

- 4.1 The **Council's Transportation Manager** has no objection subject to conditions.

- 4.2. The **Council's Ecologist** has no objection.
- 4.3. The **Council's Arboriculturist** has no objection.
- 4.4. The **Council's Policy Team** has no objection to the proposals, noting policies TP3 and TP4 are satisfied. Conditions are recommended to ensure the BREEAM standards and other sustainability and environmental benefits are delivered.
- 4.5. The **Council's Regulatory Services Officer** has no objections subject to recommended conditions to safeguard amenity.
- 4.6. The **Council's Employment Access Team** confirms it requires no conditions.
- 4.7. **National Highways** has no objection, commenting the proposals will not affect the safe operation of the Strategic Road Network.
- 4.8. The **Environment Agency** has provided Standing Advice and has no further comments.
- 4.9. **West Midlands Police** have no objection, however recommend a number of conditions and informatives to reduce the risk of crime and antisocial behaviour.

5. **Third Party Responses:**

- 5.1 Public consultation included the displaying of Site Notices. The appropriate Ward Member and local MP were notified in writing. North Nechells Neighbourhood Forum and a total of 6 adjoining local properties were consulted by notification letter.
- 5.2 An objection has been received from Abdrn, the owners of Gravelly Industrial Park, who have concerns with regard to access and traffic through their site if the proposal is approved.

6. **Relevant National & Local Policy Context:**

a. **National Planning Policy Framework**

Although read as a whole, the following sections and paragraphs are particularly relevant:

Chapter 6 – Building a strong, competitive economy
 Chapter 7 – Ensuring the vitality of town centres
 Chapter 8 – Promoting healthy and safe communities
 Chapter 9 – Promoting sustainable transport
 Chapter 10 – Supporting high quality communications
 Chapter 11 – Making effective use of land
 Chapter 12 – Achieving well-designed places
 Chapter 15 – Conserving and enhancing the natural environment

Planning conditions and obligations – Paragraphs 55 – 58.

b. **Birmingham Development Plan 2017**

Policy PG3: Place making
 Policy TP1: Reducing the Cities Carbon Footprint
 Policy TP2: Adapting to climate change
 Policy TP3: Sustainable construction
 Policy TP4: Low and zero carbon energy generation

Policy TP6: Management of flood risk and water resources
 Policy TP7: Green Infrastructure
 Policy TP8: Biodiversity and Geodiversity
 Policy TP19: Core Employment Areas
 Policy TP26: Local employment
 Policy TP27: Sustainable neighbourhoods
 Policy TP38: A sustainable transport network
 Policy TP39: Walking
 Policy TP40: Cycling
 Policy TP43: Low emission vehicles
 Policy TP44: Traffic and congestion management
 Policy TP45: Accessibility standards for new development

c. Development Management DPD

DM1 – Air quality
 DM2 – Amenity
 DM4 – Landscaping and trees
 DM5 – Light pollution
 DM6 – Noise and vibration
 DM14 – Transport access and safety
 DM15 – Parking and servicing

d. Supplementary Planning Documents & Guidance:

Birmingham Design Guide SPD (2022)

- Design Principles Document
- Birmingham ID Manual
- Streets & Spaces Manual
- Landscape & GI Manual
- Healthy living & Working Manual
- Efficient & Future-ready Manual

Car Parking SPD 2021
Sustainable Construction and Low and Zero Carbon Energy Generation
guidance note

7. **Planning Considerations:**

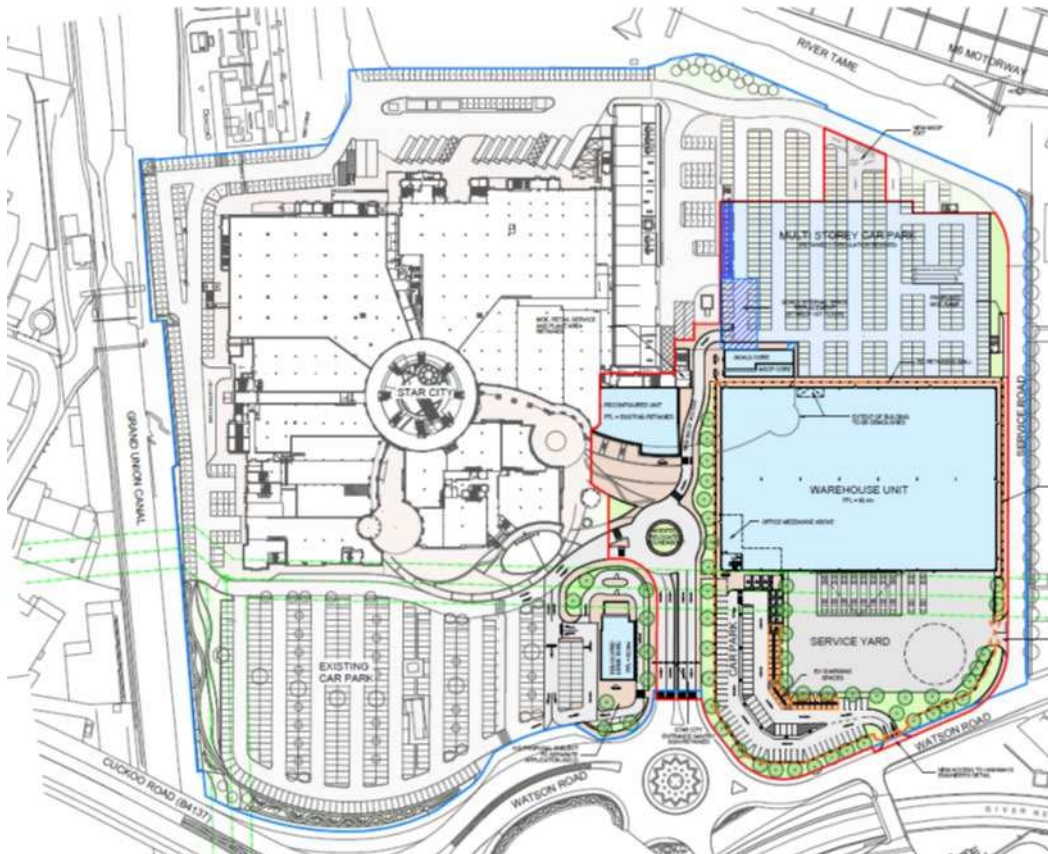
7.1 *Principle*

7.2 The application site has no specific designation or allocation shown on the Birmingham Development Plan (BDP) Policies Map.

7.3 In regard to the proposed E(g)(iii), B2 and B8 uses, the development would provide an additional 3.24 hectares to the city's supply of Good Quality employment land and so would help to support the delivery of a portfolio of readily available employment land as prescribed by policy TP17 of the BDP.

7.4 In regard to the proposed class E ground floor extension, it is noted that this forms part of the reconfiguration of this part of the site and that there would be an overall loss of 5,279 square metres of class E/F2 floorspace. There are no specific policies that relate to this overall loss of commercial floorspace.

7.5 The plan below shows the proposed layout –



- 7.5 It is also noted that the proposal involves the loss of a drive through restaurant, however this would be relocated adjacent and to the left of the entrance to the Star City site, as shown above. This replacement restaurant was subject to planning application reference 2022/09003/PA and has been approved with conditions.
- 7.6 *Transportation and Highways*
- 7.7 A Technical Note (TN) was provided to address original points raised by the Transportation Officer regarding the access visibility splay designs, along with an amended site plan which provides and demonstrates unobstructed visibility splays at the proposed vehicular accesses and an improved forward visibility splay around the curvature of the service road.
- 7.8 Trees, which have an important landscaping and environmental function, are now located outside these visibility zones to provide unobstructed visibility splays as shown on amended plan 1276-A17-P01-D. As set out in the TN, proposed planting around the bend (at the junction of Watson Rd/service road) has been moved further into the site, to provide/maintain unobstructed forward visibility splay around the bend
- 7.9 A footway of minimum 2m width would now be provided along site boundaries along service road and Watson Road, connecting to the existing footway within initial part of Watson Road (public highway).
- 7.10 It is noted that both of the proposed vehicular accesses would be within the private road, however these would still need to be constructed to appropriate standards and would need to be of heavy duty accesses. The above referred footway along the site boundary would need to be connected to the public highway/footway on Watson Road to appropriate technical standards.
- 7.11 The proposed parking provision is less than the specified parking provision for 'Zone C' within the current BCC guidelines. However, the site is located close to 'Zone B' and

the TA has included Framework Travel Plan for the proposed new unit “to encourage employees and visitors to travel to the proposal using sustainable modes of travel”. Also, the submitted TA & TN referred to observed parking within the existing car parks within Star City, according to which there is a possibility to have some spare capacity within the retained Star City car parks. The retained car-parking provision would still be more than the observed peak parking demand. As such the retained car parking provision is considered acceptable based on all of the above.

- 7.12 Following review of the above, Transportation has no objection and assesses the proposal would be unlikely to increase traffic significantly to have severe impact on surrounding highways. Conditions securing, delivering, and maintaining visibility splays, road markings, demarcation of car parking spaces; secure and covered cycle parking and EV charging points in line with BCC current guidelines at appropriate locations, are recommended in the interests of highway safety and to secure environmental and sustainability benefits.

7.13 *Design and Landscaping*

- 7.14 The existing site is a large open carpark. In this context, replacing this with a large industrial building edged with significant green landscape, and providing an active glazed office element on the most prominent corner, can be considered an improvement in terms of visual impact. Retention and repositioning of the Vue signage gantry fixed to the top of the Star City building roof is welcomed to help mark the entrance.

- 7.15 The industrial building would have a footprint of about 112m by 75m (equivalent to a football pitch) and be 14.4m high to ridge and 13m to its lowest eaves. The façade would be broken up by relatively narrow vertical strips of microrib profiled metal cladding panels in different shades of grey with irregular strips in bright blue. The 3-storey glazed office corner element would be framed by a projecting bright blue aluminium fascia. This approach is supported as a way to add interest to, and to visually break up the massing of, the building as shown below.



- 7.16 The width of landscape strip along the most sensitive western edge of the proposed industrial building measures off the drawing as generally about 5.5m, reducing to c.3.5m to facilitate the repositioned roundabout and widening up to maximum of c.8.5m closest to Star City building. Around the southern edge of the service yard, by the car park entrance, it is generally 3.5 – 4.5m wide. The width of the landscape strip is considered acceptable, taking account of the narrowest part along the western edge being in front of the more interesting, glazed part of the building.

- 7.17 it is considered that the magnitude of change experienced by the immediate townscape would be low and the overall townscape effects would be minor and neutral. The effects are judged to be neutral because it is considered that on balance the effects would be neither beneficial nor adverse. From the wider area, there would be very limited to no awareness of the Proposed Development which would complement the existing land uses and urban form, as demonstrated below –



- 7.18 Whilst the proposed development would be visible from external areas of the Star City complex, it would not be experienced as a discordant or inappropriate addition to the townscape. Overall, it is considered that the proposal would result in neutral visual effects on views from the Star City complex and the immediate area. It would be indiscernible in longer views from higher ground to the north.

7.19 *Ecology and Arboriculture*

- 7.20 All existing buildings to be demolished/ altered have negligible value for bats/ birds. There is very limited other vegetation on site and that which is of limited value. The areas of local designation, such as the canal and River Rea, are separated from the main area of redevelopment so it is considered there is limited risk of disturbance.
- 7.21 There is no statutory tree protection near the site and the effects to trees are all on private land. A tree survey has been provided which includes an Arboricultural Impact Assessment and CAVAT calculations for removals and new trees in the landscape plan. A final Tree Protection Plan (TPP) and Method Statement has also been provided.
- 7.22 All existing trees within the site are removed. The CAVAT assessment has assumed that the replacement trees in the landscaping plan are all 25cm DBH (projected growth.) The period to reach this size is not stated but would be approx. 20 years. A considerable increase in capital value (and canopy cover) would be achieved. This is considered reasonable as the new trees are shown in linear planting beds and the new roundabout which should provide adequate shared rooting volume providing the landscape beds are well designed.
- 7.23 Overall, 57 no. specimen trees over 9 different species would be planted, including Maple, Lime, Pear, and Oak across the site, combined with grassland wildflower planting, new amenity grass planting, herbaceous borders, and native and evergreen new hedge planting comprising 12 different species.

- 7.24 Whilst it is not expected that trees would screen the building, given its scale, they would however provide significant canopy that would break up its outline. In addition, significant shrub planting (including evergreens) screen security fencing and visually soften the lower part of the elevation. The new planting is quite intensive and delivers visual amenity and ecological benefits, which includes a wide variety of species, including herbaceous species for additional colour and form.
- 7.25 Retained trees are exclusively the birch trees alongside the existing access road and the multi-story car park. Although there is considerable impact to existing trees across the site, the nature of the site (with currently more restricted rooting volume in most cases) and the improvements offered in the landscaping plan do make an arboriculturally acceptable proposal.
- 7.26 The arboricultural survey has been presented to complete the BS5837:2012 procedure up to development. Overall, the landscape plan for post development would replace and significantly improve on what would be lost. Conditions are recommended to ensure implementation and maintenance of the landscaping scheme and planting.
- 7.27 *Sustainable Design and Construction and Low and Zero Carbon Energy Generation*
- 7.28 Policy TP3 requires new development to be sustainably constructed and non-residential development more than 1,000 sq.m. or 0.5ha to aim to meet BREEAM Excellent unless financially unviable. Policy TP4 requires new developments to incorporate the provision of low and zero carbon forms of energy generation or to connect into existing networks where they exist, unless financially unviable.
- 7.29 The submitted BREEAM Pre-Assessment demonstrates that the industrial unit would be a BREEAM 'Excellent' development which achieves Building Regulations Part L2A and Local Plan policy compliance when assessed against policy TP3. The energy strategy includes integration of renewable technologies in the form of photovoltaic (PV) arrays and Air Source Heat Pumps (ASHP) to generate at least 20% of the site's energy demand.
- 7.30 The report concludes that the building is expected to score in excess of the 70% minimum for BREEAM 'Excellent' rating. The development is therefore acceptable in energy and sustainability terms and the proposals comply with Policy TP3.
- 7.31 In regard to policy TP4 the statement determines that air source heat pumps and solar photovoltaics are the most appropriate to be delivered as part of the development scheme. The development reduces CO2 emissions by 15.1 tonnes.CO2.year, equal to a 26.7% saving beyond the Part L 2021 baseline (regulated and unregulated, using SAP 10.2 emission factors). The proposal can therefore be considered as being in accordance with policy TP4.
- 7.32 To ensure the delivery of the proposed sustainable construction and energy generation measures it is recommended conditions are applied. These are set out below.
- 7.33 *Contaminated land*
- 7.34 The site has previously been used as a sewage works, electrical power generation and railway land use prior to its redevelopment to current use. There has been a number of smaller developments carried out recently where contamination was identified during the construction including elevated ground gas.
- 7.35 The submitted phase one desk study identifies the previous use and conclude the need for an UXO assessment and a further phase 2 intrusive site investigation to characterise ground gas, soils and groundwater. This approach is accepted by

Regulatory Services and confirm this can be conditioned. It would however be necessary to carry out the ground gas assessment prior to any demolition works being carried out which would involve disturbance below existing ground, slab or tarmac level.

7.36 *Air Quality*

7.37 The application is supported by an air quality assessment, and it is further noted from the transport assessment that it is anticipated that there would be a reduction of 630 existing car parking spaces; and the proposed warehouse building would result in 429 new trips between 07.00 and 19.00.

7.38 In respect of operational phase impacts the report includes modelling on proposed resulting traffic flows and concludes that there would be negligible impact on any sensitive receptors and Regulatory Services accept that conclusion. There is an assessment of the potential dust emissions during construction and demolition phase, however Officers are content that the measures detailed in Section 7.1 of the submitted Report would be adequate to mitigate potential adverse impacts and this can therefore be subject to suitable conditions.

7.39 Whilst it is noted that there has been no consideration of any emissions that may be created as part of the use of the industrial building, this can be adequately conditioned.

7.40 *Noise*

7.41 The application is supported by a noise assessment. The report includes data from an extended unattended survey along with attended noise monitoring during daytime and night-time periods at a number of noise sensitive receptors. It is noted that one receptor is a hotel (and is not EPU policy to comment on impacts of hotels as this is not regarded as a residential impact), however the council do not deal with commercial to commercial nuisance complaints. Regulatory Services have assessed the application based on the other 4 locations which are residential use.

7.42 The Report includes a model based on typical noise data for operations and also models 8 HGV movements an hour during the night-time and 10 per hour during daytime. In order to mitigate the noise from the service yard the report recommends the provision of a 3m high noise barrier and the modelled impacts are based on this. The results from the assessment show the change in noise levels between the existing measured LAeq noise levels and the contribution from the proposed development which are negligible.

7.43 The Report also includes a BS4142 assessment, and this concludes that with the incorporation of the noise barrier the cumulative noise impact of all operations at the site would not exceed existing background at noise sensitive receptors which represents No Observed Adverse Effect considered to be an adverse amenity impact arising with regards to the enjoyment of adjoining uses.

7.44 Regulatory Services accept the conclusions of the report and appropriate conditions would safeguard local amenity regarding noise matters.

7.45 *Economic Assessment*

7.46 The redevelopment of Star City can act as a catalyst for economic growth, with wider benefits than just the provision of the facilities themselves. The immediate location, along with Birmingham itself can benefit throughout the lifetime of the development, from the construction phase through to its completion and use.

- 7.47 The proposals would contribute to the growth of jobs and Gross Value Added (GVA) in the following principal ways:
- by creating temporary employment linked to the construction project;
 - Creation of between 115 – 258 full-time equivalent (FTE) roles during the operational phase
 - by attracting visitors whose off-site visitor expenditure would create jobs in other businesses in Birmingham and the West Midlands;
 - by incurring additional operating expenditure which would create employment in the supply chain in Birmingham and the West Midlands; and
 - by new employees spending their wages on goods and services in the economy (induced effects).
- 7.48 *Drainage*
- 7.49 The majority of the site is located in Flood Zone 1 (and therefore considered to be at low risk of flooding from fluvial flooding), however part of the southern and eastern boundary falls within Flood Zone 2. The site is at Very Low Risk from Surface Water Flooding.
- 7.50 The submitted Flood Risk Assessment advises that the warehouses entrances are set 150 mm above the finished ground level as part of the flood resilience strategy to mitigate against surface water pooling. Emergency and dry pedestrian access and egress is available to and from the site along Watson Road.
- 7.51 The proposed surface water drainage strategy has been developed on the basis that surface water runoff would be managed through means of below ground attenuation, with the use of restrictors to control outflow rates. SuDs have been used where possible. A porous paving system has been proposed within parking bays that receive run off. Filter drains have been proposed at the edge of the service yard. A “Stormtech” storage system is proposed and been sized to ensure that the flow from the development has been restricted to the equivalent green field run off rate for all return periods, including a 1 in 100 year + 40% climate change scenario.
- 7.51 Foul water would discharge to the mains sewer, and its generation would be minimal and limited to that generated from staff facilities.
- 7.52 *Environmental Impact Assessment*
- 7.53 The proposals have been subject to a Screening Opinion. It has been determined an Environmental Statement was not required as follows –
- 7.54 The proposed development would result in a visual change to the appearance of the site and its immediate environment however the site is within an urbanised context where change is not unusual. In addition, and critically, the impact of the proposal would be assessed through the planning process using the supporting documents noted to be submitted with the planning application. Therefore, on the basis of the above assessment, I assess that, overall, the development would not have a significant adverse effect sufficient to warrant it constituting EIA development. I do not therefore consider the proposed redevelopment requires an Environment Impact Assessment.
- 7.55 The Local Planning Authority considers that the potential the greatest impacts arising from the development might be in regards to traffic and transport. It is acknowledged that in regard to culmination with other existing development and transport matters it is considered that the likely significant effects are considered to be moderate.
- 7.56 In forming the view that this does not represent EIA development the Local Planning Authority has had regard to the characteristics of the development, the location of

development and the types and characteristics of the potential impact as required by Schedule 3 of the 2017 Regulations. In conclusion and based on the above the likelihood of significant effects is considered to be low risk.

7.57 ADOPTED SCREENING OPINION

7.58 *The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal is listed in Schedule 2, exceeds the thresholds but is not in a sensitive area as defined in the Regulations.*

7.59 *Based on the information provided, it is considered that the likelihood of significant adverse environmental effects is low in this instance and confined to the local area. The proposal is therefore not considered to represent EIA Development and an Environmental Statement is not required.*

7.60 *Other Matters*

7.61 No statutory or locally listed buildings, or other heritage assets, are located within the vicinity of the development that their character or setting is affected.

8. Conclusion

8.1 The proposals are assessed against the three objectives of sustainable development as follows –

Economic Objective

8.2 A key aspect of the economic role played by the planning system is to ensure that sufficient land of the right type is available in the right places and at the right time to support growth. In this context, the proposals score, in economic terms positively. The proposals would support economic growth arising from:

- Investment in the local area and Birmingham as a whole
- Increased spend in the local area and Birmingham as a whole
- Increased and retained employment opportunities during and post construction on and off site
- Provision of readily available Good Quality employment land

8.3 The positive economic benefits arising from the scheme are considered to be significant and would include direct economic betterment. On the basis of the scale and nature of the development I attach significant weight to these benefits.

Social Objective

8.4 Planning's social role incorporates providing support to strong, vibrant and healthy communities, and by fostering a well-designed and safe built environment.

8.5 The proposal delivers a mix and range of social benefits, through creating a high quality built environment with improved public realm and increased access to facilities for the local community. The proposals also represent potential job opportunities for local residents.

8.6 As such the social objective is considered to be satisfied and I attribute weight to the benefits in community terms, particularly establishing sustainable communities and a sense of place the development would secure.

Environmental objective

- 8.7 The environment objective requires consideration of how the development contributes to enhancing the natural and built environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating climate change (low carbon economy).
- 8.8 The proposal would enable more sustainable patterns of activity through providing new and expanded economic development in a single consolidated location which is accessible by public transport and promoting non vehicular movements. The building would reach an 'excellent' BREEAM rating and include green energy generation features.
- 8.9 As such the environmental objective is considered to be satisfied and I attribute significant weight to the benefits in reducing carbon emissions and energy efficiency and increased biodiversity.

Summary

- 8.10 Section 38(6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that if regard is to be had to the development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.11 Taking all of the above into account, it is considered that the public benefits arising from the proposals, as outlined above are positive. There is very limited evident harm arising in relation to other technical matters as discussed above, and officers do not feel that the impacts of the development should tip the planning balance in favour of refusal. The application delivers local plan policy compliant sustainable development, securing additional employment land in the city, making use of existing underutilised brownfield site. As such I attach positive weight to the proposals and recommend accordingly.
9. **Recommendation:**
- 9.1 Approval is recommended subject to the conditions listed below (that may be amended, deleted or added to providing the amendments do not materially alter the permission).

-
- | | |
|----|---|
| 1 | Time Limit |
| 2 | Development in Accordance with the Approved Plans |
| 3 | Implementation of energy efficiency measures, renewable energy, and sustainable design principles |
| 4 | Submission of BREEAM Final Certificate |
| 5 | Demolition Method Statement and Contaminated Land Remediation Strategy |
| 6 | Construction Method Statement |
| 7 | Fixed Plant Details - External Discharge |
| 8 | Cumulative Sound Levels |
| 9 | Approval of Fixed Plant Mounting Details |
| 10 | Noise Barrier Specification and Design |
-

| | |
|----|---|
| 11 | Delivery Code of Best Practice |
| 12 | Provision of EV Charging Points |
| 13 | Remediation Scheme Details |
| 14 | Remediation Verification Report |
| 15 | CCTV |
| 16 | External Lighting Scheme |
| 17 | Construction of Vehicular and Pedestrian Access |
| 18 | Provision of Turning and Parking Facilities |
| 19 | Cycle Parking Provision |
| 20 | Visibility Splays - Construction and Protection |
| 21 | Travel Plan |
| 22 | Highway Works - Standards and Costs |
| 23 | Restriction and Definition of Permitted Uses of the Development |
| 24 | Implementation of Drainage Arrangements |

Case Officer: Carl Brace

Photo(s)

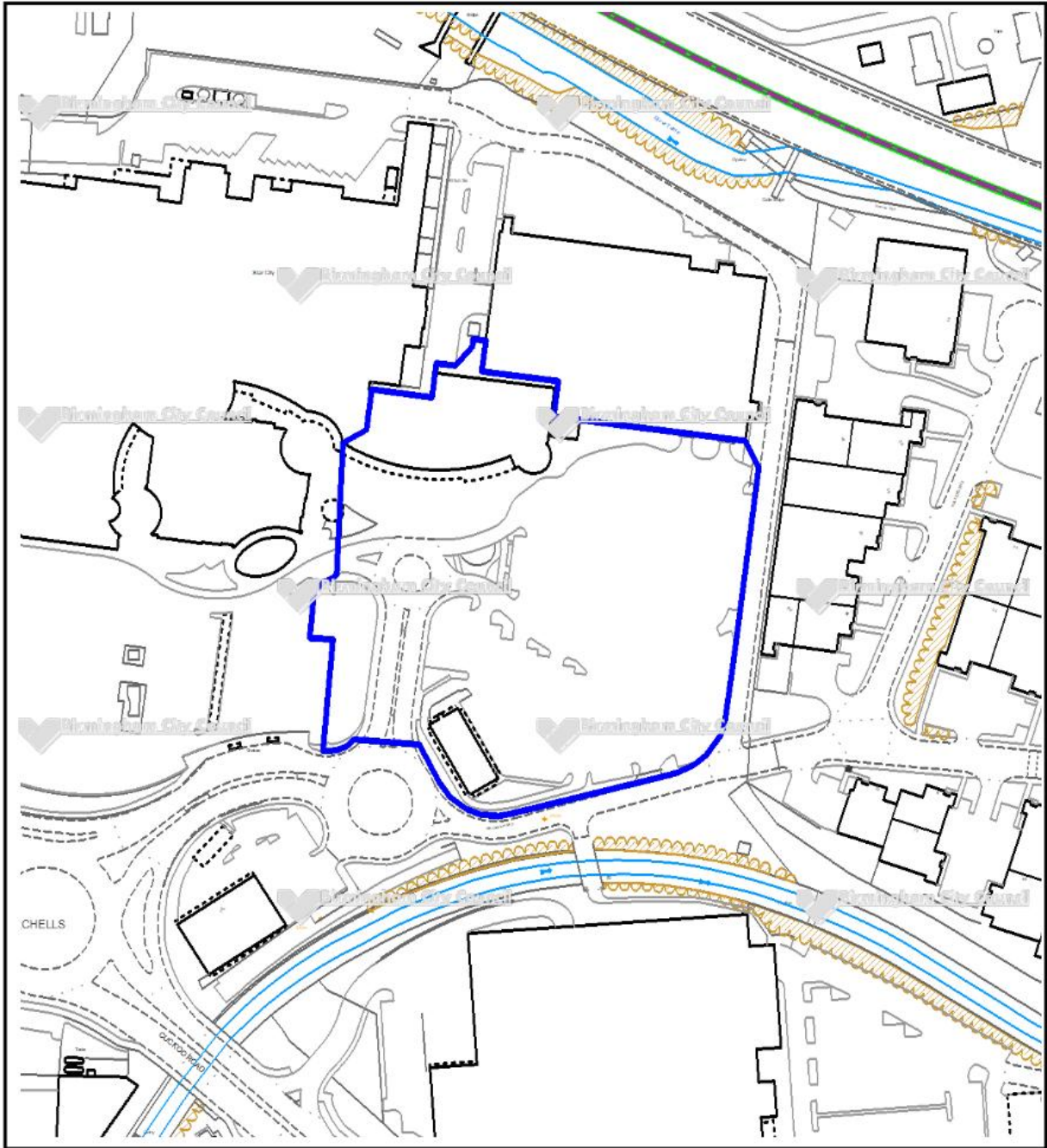


Existing Site Entrance and View Towards Application Site



View over Site

Location Plan



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Birmingham City Council

Planning Committee

06 April 2023

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

| <u>Recommendation</u> | <u>Report No.</u> | <u>Application No / Location / Proposal</u> |
|-----------------------|-------------------|---|
| Approve – Conditions | 8 | 2022/07984/PA 75-79 Lancaster Street City Centre Birmingham B4 7AT Variation of Condition no. 29 (approved plans) attached to Planning Approval 2018/08221/PA to amend approved plans list to allow design changes to the facade, increase in height of the tower and shoulder building and additional student bed spaces |

| | | | |
|-----------------|------------|---------------------|------------------------|
| Committee Date: | 06/04/2023 | Application Number: | 2022/07984/PA |
| Accepted: | 25/10/2022 | Application Type: | Variation of Condition |
| Target Date: | 24/01/2023 | | |
| Ward: | Newtown | | |

75-79 Lancaster Street, City Centre, Birmingham, B4 7AT

Variation of Condition no. 29 (approved plans) attached to Planning Approval 2018/08221/PA to amend approved plans list to allow design changes to the facade, increase in height of the tower and shoulder building and additional student bed spaces

| | |
|------------|---|
| Applicant: | CC Crown Birmingham Ltd C/o Agent |
| Agent: | Pearce Planning Ltd The Office, Woodspring House, 17 Hill Road, Clevedon, BS21 7NE |

Recommendation

Approve subject to Conditions

1. **Proposal**

- 1.1 This is a variation of Condition application, to vary the approved plans attached to Planning Approval 2018/08221/PA. The proposed amendments include:
- Increase the tower by seven-storeys
 - Additional 3 storeys to the shoulder block along the Lancaster Street frontage
 - Internal Layout alterations including increase in bed spaces by 258, from 556 up to 814. Of the additional 258 beds, 104 (roughly 40%) are within the consented footprint, 154 are within the additional storeys.
 - Proposed use of brick material
 - Design changes to the entrance colonnade and window design and arrangement
 - Slight footprint changes, removing chamfered corners

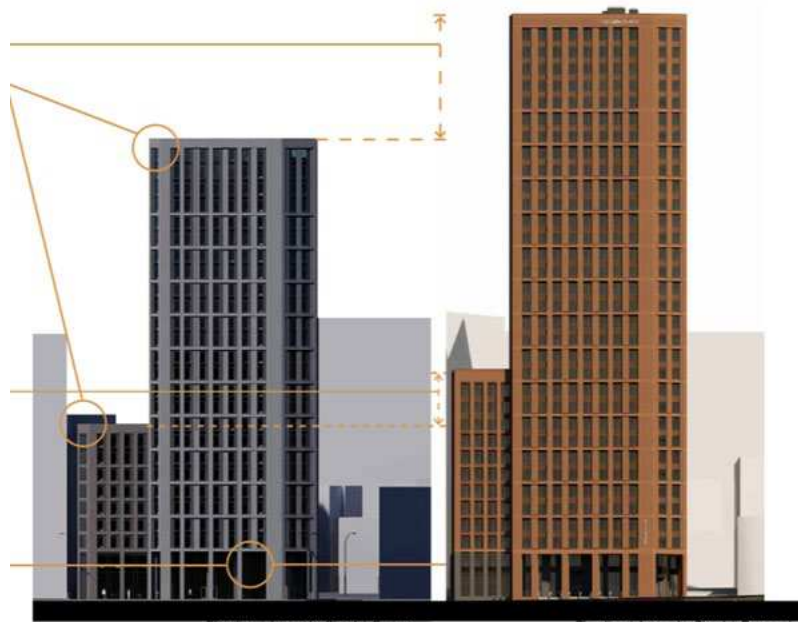


Figure 1. Consented and proposed scheme comparison

- 1.2 This application is supported by a Design and Access Statement, Planning Statement, Daylight/Sunlight Assessment, Fire Statement, Heritage Assessment, Student Accommodation Statement and Management Plan, Air Quality Assessment, Energy Statement, Drainage Statement, Sustainable Construction Statement, Wind Micro climate Assessment, Tall Buildings Report and Transport Assessment/Travel Plan.

1.3 [Link to Documents](#)

2. **Site & Surroundings:**

- 2.1. The application site comprises a cleared site on the east side of Lancaster Street, on the northern corner with Lawson Street.
- 2.2. The land to the north is largely developed out with mid to high rise residential/student accommodation, whilst the carpark to the east has planning permission for a mid-rise student scheme. Lawson Street car park sits at a higher elevation than the application site, with the land rising to the east.
- 2.3. A large floorplate, post war, office building is located to the south (on the opposite side of Lawson Street), separating the site from the large intersection of Lancaster Circus and the city core beyond.

3. **Planning History:**

- 3.1. 2018/08221/PA - Demolition of existing buildings and development of a 24 storey building with 8 storey shoulder height buildings to provide purpose-built student accommodation (556 bed-spaces) with external landscaping and associated works Approved 03/01/2019
- 3.2. 2019/02334/PA - Non-Material Amendment to approval 2018/08221/PA to correct a typographical error on the elevation plans and sections relating to the height of the top of the plant screen Approved 27/03/2019
- 3.3. 2019/10302/PA - Non-Material Amendment to planning approval 2018/08221/PA, for alterations to the internal layout - amendments to roof plan to reflect amended architectural treatment and PV locations - amendments to facade detailing to include

ventilation to head of glazing and drip channel, facade materials and treatment - amendments to window detailing - Approved 03/06/2020

- 3.4. 2021/04138/PA - Variation of Condition Numbers 7 (glazing specification), 8 (ventilation details), 9 (internal noise validation report), 18 (window/door reveal/setbacks) and 29 (approved plans) attached to approval 2018/08221/PA and removal of Condition 13 (green/brown roofs) Approved 15/07/2021
- 3.5. 2022/03980/PA - Application for a non-material amendment to planning approval 2018/08221/PA to remove reference to number of bedspaces and storeys quoted in the description of development Approved 17/06/2022

4. **Consultation Responses:**

- 4.1. BCC Transportation - No Objection
- 4.2. BCC Ecology – No objection subject to previous conditions for landscaping details and ecology roofing.
- 4.3. BCC Conservation – No objection
- 4.4. BCC Environmental Protection- No objection subject to conditions requiring compliance with previously agreed contaminated land remediation strategy, submission of a verification report, extraction details, limit plan and machinery noise levels, glazing details, ventilation details.
- 4.5. BCC City Design and Landscape – No objection subject to conditions securing architectural detail.
- 4.6. Birmingham Airport – No object subject to tall equipment licence
- 4.7. HSE Fire – No objection
- 4.8. BCC Employment and Skills – No objection subject to employment condition attached to original consent.
- 4.9. West Midlands Fire Service – No objection
- 4.10. West Midlands Police – No objection
- 4.11. Lead Local Flood Authority – No response.

5. **Third Party Responses:**

- 5.1. The application has been publicised by sending out letters to neighbours, posting a site notice within the vicinity of the site and a press notice. No third-party letters of representation have been received.

6. **Relevant National & Local Policy Context:**

- 6.1. National Planning Policy Framework
- 6.2. Birmingham Development Plan (2017):
 - Policy PG3: Place making
 - Policy TP2: Adapting to climate change
 - Policy TP3: Sustainable construction
 - Policy TP27: Sustainable neighbourhoods
 - Policy TP33: Student accommodation
 - Policy TP39: Walking

- Policy TP40: Cycling
- 6.3. Development Management DPD (2021):
- Policy DM3: Amenity
- Policy DM4: Landscaping & Trees
- Policy DM10: Standards for Residential Development
- Policy DM14: Transport Access and Safety
- 6.4. Supplementary Planning Documents & Guidance:
- Birmingham Design Guide (2022) National Design Guide (2019)

7. Planning Considerations:

- 7.1. The main considerations of this application are

- The principle of development
- Design
- Impact upon Heritage
- Microclimate
- Contaminated Land, Noise and Air Quality
- Transportation

Principle of Development

- 7.2. This application is a variation of an existing consent, therefore the principle of a building on this site for use as purpose-built student accommodation (PBSA) is already established. Nevertheless, since the previous approval The Birmingham Development Plan became 5 years old on 10th January 2022. In accordance with NPPF paragraph 74, BDP policies PG1 and TP29 are considered out of date, and the Council's five-year housing land supply must now be calculated against the Local Housing Need figure for Birmingham. As of 10th January 2022, the Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11d) of the NPPF is engaged and the tilted balance applies for decision taking.
- 7.3. The proposed amendments result in an increase in bed spaces by 258 from 556 up to 814. Therefore, the application is supported by a Student Accommodation Statement and Management Plan. The supporting information is based on the BCC July 2022 Student Accommodation Supply and Demand Update which showed a need for bed spaces within the City Centre.
- 7.4. This has more recently been updated by the Council dated, March 2023. This document shows there is a deficit of 2,629 bedspaces under Scenario 2 (future demand against existing and committed supply) and a deficit of 630 bedspaces under Scenario 3 if all current applications (including this one) are approved. This report shows that there is limited need for PBSA in the City Centre, however there is a greater need in Selly Oak/ Edgbaston.
- 7.5. In this instance the proposed development is an increase to a consented development with 40% of the additional rooms within the consented footprint, the increase in bedspaces of 258 is not significant and is considered in the calculated current applications and would therefore not lead to an oversupply, if approved. Furthermore, the principle of the use of land for student accommodation is already established.
- 7.6. Overall, it is considered that there is a need for PBSA across the city, although less so within the city centre itself. Notwithstanding, the application site is in a suitable and sustainable location for student accommodation, with an existing permission. It is

within an area where there are already several existing student residential schemes and is very well located for a number of City Centre institutions (Aston being the closest). Given the proximity of the site to public transport services and higher education institutions as well as the efficient use of brownfield land as encouraged by the NPPF, it is considered that the proposed increase in bed spaces is acceptable in principle in this location, in accordance with Policies GA1 and TP33 of the BDP (2017) and the NPPF.

- 7.7. Moreover, the proposal delivers 669 units of residential accommodation (572 studios plus 79 units from clusters (calculated by 26 clusters having 242 bed spaces / 2.5 =96.8, rounded to 97 where 2.5 is the Housing Delivery Test ratio for student accommodation)), helping to deliver housing in accordance with the government's commitment to significantly boosting the delivery of housing, this would assist in meeting the shortfall in the five year housing land supply, in accordance with Policies PG1, TP27 TP28 and TP29 of the BDP (2017).
- 7.8. The pre-commencement conditions of the original consent have been discharged and the buildings that were once present on the site have been demolished.

Design

- 7.9. The increased scale to the tower (by seven-storeys) as well as an increase to the shoulder block along the Lancaster Street frontage by three storeys, are both acceptable and work well with the emerging cluster/avenue of towers, implemented, under construction and approved, along this major artery into the city.
- 7.10. The approved tower is broadly 'L'-shaped in plan. This application does not change the basic floor plan, but it makes two improvements. Firstly, the plan is simplified, and chamfers and angles are deleted; and secondly, more windows are added and distributed across the previously bland northern and eastern flanks, thereby further distracting from the L shape plan form of this tower.
- 7.11. The design moves away from the previously approved material of cream and grey cladding in favour of a red/orange brick that better reflects the heritage of Birmingham. This is fully supported. Some blue brick is proposed around the base, this can be accepted as it does not result in an over complication, with only one other material (red brick) proposed.



Figure 2. Shwoing typical shoulder bay and blue brick base



Figure 49: Consented scheme – aerial view from north-west.



Figure 3. Showing previous approval and proposed scheme

- 7.12. The detailing of the application sets out how the brickwork will form the window openings and it appears that this is likely to be delivered through pre-cast brick slip panels allowing for the stepped profile in modelling. However, the depth of the brickwork is only a single stretched brick deep, for a building of this size at least 1.5 brick depth is required. The applicant has confirmed that notwithstanding the plans they are content to accept a condition requiring this additional depth. In addition, as shown on the plans the brick soffit is also shown to the proposed colonnade. Securing a high-quality detail.

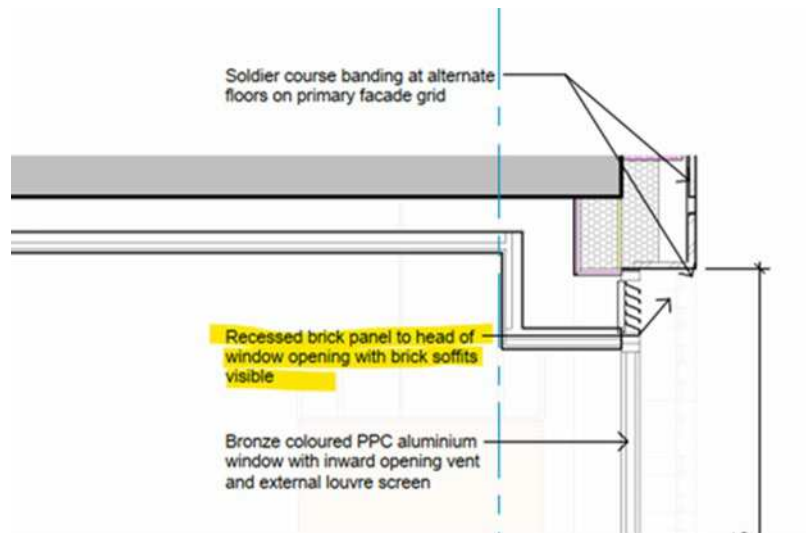


Figure 2. Plan detail showing brick soffit annotation

- 7.13. No information is provided in relation to the landscaping of the first-floor amenity terrace or the apron around the edge of the building, under the colonnade, and how this will integrate with the existing public realm. However, there is has previously been a hard/soft landscaping condition required, which should be reapplied.

Impact upon heritage

- 7.14. Policy TP12 establishes that the historic environment will be valued, protected, enhanced and managed for its contribution to character, local distinctiveness and sustainability and the Council will seek to manage new development in way which will make a positive contribution to its character.
- 7.15. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (NPPF paragraph 199).
- 7.16. While the site itself is of no historic significance, there are various nearby heritage assets that are affected by the proposal, including statutorily and locally listed buildings and the Steelhouse Conservation Area.
- 7.17. The impact of the original proposal was considered to have a minimal and neutral to positive impact on the settings of the Steelhouse Conservation Areas and the identified statutorily listed and locally listed buildings.
- 7.18. The Conservation officer concurs with the submitted Heritage Statement which states that *'The surrounding area lacks any overall distinctive character. It mostly comprises a proliferation of grey concrete and tarmac surfacing, interspersed with the occasional statutorily or locally listed buildings... There are a number of tall modern buildings in the area which have added to the fragmented character and overall anonymous quality of the local area. As such, the immediate townscape has negligible sensitivity in heritage terms.'* In this regard, the settings of all assets have been compromised by the construction of the flyover and roundabout island.
- 7.19. The Conservation Officer considers that the proposed addition of seven storeys causes varying degrees of harm from negligible to moderate, as it causes the tower to be more prominent from longer distance views and is visible in established rooflines and backdrops to various heritage assets affecting a greater number of assets than the consented scheme. This is felt most keenly to the west of the application site, particularly in and around Princip Street, where the context is historic, and buildings are of a traditional low scale. Where a 24-storey tower may have been disguised or successfully blend in with neighbouring towers, a 33-storey tower will project beyond many rooflines and visible from some distance.
- 7.20. In the immediate setting, there is little difference between 24-33 storeys, for instance

to the locally listed 1930s Clinic. Where there is also considered to be a moderate degree of less than substantial harm is to the Fire Station, as identified in the HS.

- 7.21. The conservation officer identifies that some heritage assets are not considered within the submitted heritage assessment and that these should be assessed. The officer takes each of these additional assets in turn and identifies that the proposed development would have less than substantial harm upon the setting of these assets to varying degrees.
- St Chad's Cathedral (grade II*); a low level of less than substantial harm is caused.
 - Nos. 92, 94-99 and 100-101 Bath Street (all grade II listed); a low degree of less than substantial harm to their setting.
 - Nos. 37-38 Princip Street and Barker Canal Bridge; a low degree of less than substantial harm
 - Nos. 43-45 (grade II) and 46 (locally listed) Princip Street; cause a moderate degree of less than substantial harm.
- 7.22. Whilst additional heritage assets have been identified by the Conservation Officer, their assessment of the degree of impact upon the significance of these assets is that less than substantial harm would be caused. The degree of impact varies from limited to moderate. It is noted this is most notable from the intact historic townscape of the gun quarter, which the development would be seen above the rooflines of. Whilst not a conservation area there are a significant number of listed and locally listed buildings grouped around Princip Street. However, as it is noted in the submitted HS, the wider setting of these buildings is characterised by modern midrise and tall buildings with a number of recent planning permissions and developments in the area further changing the setting of these buildings (development along Shadwell Street, Lower Loveday Street and Princip Street itself).
- 7.23. Therefore, the proposed increase in height of the scheme is considered to cause less than substantial harm to the settings of various listed and locally listed buildings. This harm is less than substantial, ranging from low to moderate level.
- 7.24. The identified harm to the setting of designated heritage assets should be weighed against the public benefits of the proposal. Further, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the non-designated heritage assets identified in accordance with Paragraph 202 and 203 of the NPPF.

Microclimate

Daylight and Sunlight

- 7.25. The submitted Daylight and Sunlight Assessment identifies some failures in meeting the BRE recommendations. This is limited to some windows within the adjacent 'The Heights' student accommodation building on Staniforth Street, some accommodation on Corporation Street, 90 Lancaster Street and within International House. However, the submitted survey concludes that overall the proposed development is acceptable in this context and the vast majority of adjacent residential accommodation is student accommodation and is therefore occupied on a temporary basis.

Wind

- 7.26. The submitted wind microclimate assessment found that the proposed development does not elevate wind safety risks and wind conditions would be suitable for all intended uses and would not cause any adverse impacts at ground level either. The previous scheme was subject to a condition requiring wind mitigation measure details, however the submitted report demonstrates that this is not necessary.

Residential Amenity

- 7.27. Policy DM10 and DM12 of the DMB (2021) requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 7.28. In accordance with City Note LW1.1 Internal communal spaces in multi-unit schemes, such as student accommodation, should be provided, that allow people to interact. This scheme introduces communal amenity spaces by way of shared work spaces, lounges, cinema, laundry room and a gym. The cluster flats also have shared living and kitchen facilities. City Note LW.12 deals with external amenity space and states that student schemes should have communal gardens/courtyards or other shared external space. This scheme proposes a first floor roof terrace.
- 7.29. There is a student scheme to the north of the application site 'Staniforth House' and shares a boundary with the application site. The Lancaster Street shoulder of the proposal aligns with the section of Staniforth House on Lancaster Street. There would be a small gap between the buildings but each of the buildings has a blank wall to the shoulder/flank along here, as no not enclose or overlook any bedrooms. Staniforth House then projects to the rear with a ground floor communal courtyard and bedroom windows facing south, out on to the application site. The footprint of the tower has amended slightly bringing the windows within the tower slightly closer to the southern facing windows of the existing scheme. However, the separation distance would be around 30m, which is acceptable. There are also proposed windows within the shoulder along Lawson Street however these are around 23m from the windows within Staniforth House. There are windows proposed on the north and east elevations of the tower that would face the adjacent sites. However, these windows serve circulation space or are secondary windows serving bedrooms. Nonetheless the facing elevations of the existing Staniforth House and proposed scheme on Lawson Street car park, are blank and amenity therefore protected.
- 7.30. The ground floor footprint of the proposed building comes closer to the boundary with the courtyard of Staniforth House. However, this is single storey and has a flat roof. Therefore, whilst this will introduce a boundary taller than what currently exists, it is not unacceptable. There is a condition requiring boundary treatment details and landscaping details.

Contaminated Land, Noise and Air Quality

- 7.31. The previous application has been subject to a number of discharge of condition decisions, the applicant wishes to retain the matters approved rather than have a number of new conditions to discharge. EHO Officers have no objection in principle to this change to an already approved scheme.
- 7.32. The applicant has submitted a revised noise assessment. This report has updated the façade noise assessment and provides a further model of the original noise assessment, taking account of the design changes and has confirmed that the facade ratings provided in the agreed report are still valid, subject to incorporation of the design changes. Therefore, the noise conditions can be carried over, making reference to the updated report.
- 7.33. Ventilation was addressed as part of the noise scheme and this approved approach can be retained. Construction and demolition method statements were approved and are unchanged and can be included as compliance conditions. The contaminated land remediation strategy as approved can be complied with and a verification report condition can be carried over.

Transportation

- 7.34. The revised submission increases the number of student bedrooms by 258. The cycle parking is increased from the consented scheme to include 148 spaces for residents of the building, located within the internal cycle store and 12 visitor spaces,

located outside the building close to the entrance. The changes don't affect the adjacent highway or raise any transport concerns.

- 7.35. A Management Plan was submitted with the application, setting out the property management and specifically the approach to travel management.

Other Issues

- 7.36. The original consent was submitted before the requirement of consultation with the HSE Gateway One, in relation to fire safety. Guidance also states that where “the application is for permission to develop land without compliance with conditions under section 73 of the Town and Country Planning Act 1990” the application is exempt from requiring a fire statement. Nonetheless the application is supported by a Fire Strategy. HSE Fire commented that HSE is content with the fire safety design, to the extent that it affects land use planning.
- 7.37. Birmingham Airport made no comments on the consented scheme, however, given the increase in height this application is supported by an aerodrome safeguarding report. The submitted assessment suggests further consultation with Birmingham Airport as they may require assessment on IFP procedures and/or a crane management plan. Birmingham Airport responded to the consultation with no objection subject to the applicant applying for a tall equipment license (crane management).
- 7.38. Where details of conditions have been submitted and approved and remain relevant to this application they will be carried over. Where new or additional information is required, new conditions have been applied for discharge. Conditions are attached that relate to drainage and ecology.
- 7.39. The consented scheme was not subject to a condition requiring compliance with an energy strategy. This amended scheme has been supported by a sustainability assessment that sets out how the new scheme will be subject to the new more stringent part L building regulations and therefore will have to meet higher sustainability standards.
- 7.40. A telecommunications impact assessment was submitted with the application and did not identify any necessary mitigation. However, a condition requiring a post development assessment and proposed mitigation if identified has been carried over from the previous consent.
- 7.41. The application will be subject to CIL circa £1,982,878.87.

8. Conclusion

- 8.1. The principle for development for Purpose-Built Student Accommodation has been established by application 2018/08221/PA. The additional bed spaces are not considered to have a detrimental impact upon the strategic Policies of the development plan. The proposed changes to the development with regards to scale, facade design and materials offer design betterments to the original scheme, weighing in favour of the proposal.
- 8.2. Less than substantial heritage harm has been identified to the setting of designated and non-designated heritage assets, arising from the increase in height of the tower, this weighs against the proposal and needs to be considered against the public benefits.
- 8.3. Following the three strands of sustainable development the benefits of the scheme are identified as;
- Economic benefits through the construction of the scheme, creation of jobs and constructions spend, albeit for a temporary period. The continued support of services through additional population.

- Environmental benefits through the regeneration and efficient use of a brown-field site and improved design quality.
 - Social benefits through the provision of 669 units of residential accommodation.
- 8.4. There are no other technical objections. Therefore, on balance, the benefits of the proposed development are considered to outweigh the identified harm and should therefore be approved.

9. **Recommendation:**

- 9.1. That planning application 2022/07984/PA be APPROVED subject to the conditions below

-
- | | |
|----|--|
| 1 | Requires compliance with agreed contamination remediation scheme |
| 2 | Requires the submission of a contaminated land verification report |
| 3 | Requires the prior submission of a sustainable drainage scheme |
| 4 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 5 | Requires the submission of extraction and odour control details |
| 6 | Limits the noise levels for Plant and Machinery |
| 7 | Requires the submission of sound insulation |
| 8 | Requires the prior submission of ventilation details |
| 9 | Requires the prior submission of an internal noise validation report |
| 10 | Requires the submission of hard and/or soft landscape details |
| 11 | Requires the submission of boundary treatment details |
| 12 | Requires the submission of a lighting scheme |
| 13 | Requires the submission of details of green/brown roofs |
| 14 | Requires compliance with the agreed construction method statement/management plan |
| 15 | Requires accordance with the construction employment plan |
| 16 | Requires window/door reveal/setbacks |
| 17 | Requires the ground floor windows not to be obscured. |
| 18 | Requires the submission of a 1:1 scale panels of architectural bay |
| 19 | Requires the submission of sample materials |
| 20 | Requires the submission of a CCTV scheme |
| 21 | Requires a post completion telecommunications reception assessment |
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- 22 Removes PD rights for telecom equipment
 - 23 Requires the provision of cycle parking prior to occupation
 - 24 Requires the submission and completion of works for the S278/TRO Agreement
 - 25 Limits the occupation of the development to students in education
 - 26 Development shall accord with the management plan for the move in/move out of students
 - 27 Requires the scheme to be in accordance with the listed approved plans
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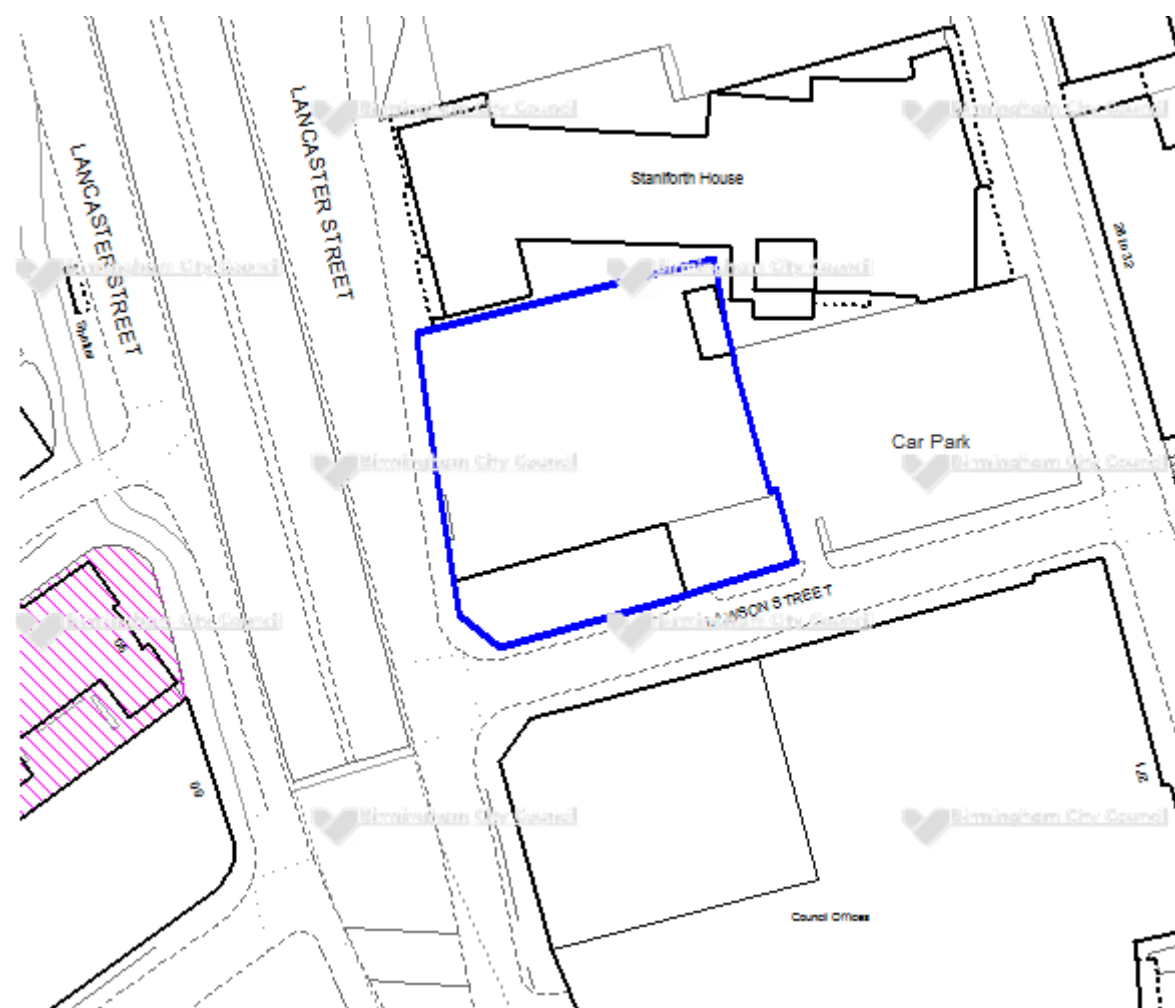
Case Officer: Rhiannon Hill

Photo(s)





Location Plan



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