

---

Committee Date:	19/09/2013	Application Number:	2013/04016/PA
Accepted:	07/08/2013	Application Type:	Full Planning
Target Date:	02/10/2013		
Ward:	Edgbaston		

125 Portland Road, Edgbaston, Birmingham, B16 9QX

Erection of 2 no. semi detached dwelling houses

Applicant: Tindlesouth Limited  
56 Charlemont Road, Walsall, West Midlands, WS5 3NQ  
Agent: Phoenix Design  
18 Powke Lane Ind Estate, Powke Lane, Black Heath, B65 0AH

---

Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. This application is for the erection of a 2 four bedroom semi detached dwellings with associated access and landscaping at 125 Portland Road, Edgbaston.
- 1.2. Vehicle access would be from Portland Road, with parking space provided to the front for two vehicles per property.
- 1.3. Each property would comprise a lounge; kitchen/dining room, conservatory, hall, WC and lobby and cloak room on the ground floor; with three bedrooms (one with en-suite) and bathroom at first floor and a further bedroom with en-suite would be provided in the roofspace.
- 1.4. The proposed dwellings would be set back 7m from the back edge of the footpath and sited to broadly form a continuation of the building line along this side of Portland Road. The properties would be two storeys in appearance albeit with three floors of accommodation. They would be approximately 8.7m in height and each would be 6.2m wide with a depth of 8.2m. The properties would have a simple design, with a pitched roof, with double height windows with gable features to the front. They would be constructed with brick and have slate tiles.
- 1.5. Private garden areas are provided to the rear.
- 1.6. Site area is 0.04 hectares, density 50 dwelling/hectare

[Floor Plans and Elevations](#)

[Streetscene Plan](#)

2. Site & Surroundings

- 2.1. The application site relates to the site of 125 Portland Road, the site is currently vacant however it originally contained a two-storey building, which was destroyed by fire and has now been cleared from the site.
- 2.2. The front of the site mostly consists of tarmac with some overgrown area and some frontage conifer trees. To the rear, there are some mature trees and shrubs on the side and rear boundaries. The site slopes up from the front to back, and from right to left (south-east to north-west) by approximately 1m following the general slope on Portland Road.
- 2.3. The wider area is residential, with late Victorian semi-detached two-storey houses opposite the site, and detached mid 20th Century Houses to the south-east on Portland Road. Larger Victorian semi-detached properties lie to the west on Gillott Road. The application site was formerly part of the hotel site at the adjacent 127 Portland Road. The vacant hotel sits above the application site level by approximately 2m, and has side facing windows looking south-east across the application site. To the south east is the site of 123 Portland Road, where the construction of 2 semi detached dwellings approved in 2008 is underway.

[Location Map](#)

[Streetview](#)

### 3. Planning History

#### 3.1. *Application site and Adjacent site*

15/11/2007 – 2007/05806/PA Demolition of dwelling house, erection of 2 three storey blocks to provide eight flats. Refused on the following issues site layout deficiencies; little external amenity offered from flats' habitable room windows; building scale and position and relative ground level, harm amenity of 127 Portland Road and 121 Portland Road. Aspects of design were poor.

- 3.2. 11/12/2008 – 2008/05276/PA Erection of two storey forward extension to 125 Portland Road, demolition of eastern elements of 125 Portland Road, and erection of 2 no. semi detached dwellings on adjacent land and associated works. Approved subject to conditions.

### 4. Consultation/PP Responses

- 4.1. Transportation Development – No objection subject to a condition for pedestrian visibility splays.
- 4.2. Regulatory Services – No objection subject to a condition to provide adequate glazing.
- 4.3. West Midlands Fire Service – No objection.
- 4.4. West Midlands Police - Subject to planning approval, recommends proposal is built to enhanced security standards.
- 4.5. Severn Trent – No objection subject to an appropriate drainage condition.

- 4.6. Letters of notification have been sent to surrounding occupiers; local residents associations; Edgbaston Ward Councillors; Planning Committee members from the Edgbaston Constituency and the MP for Edgbaston.
- 4.7. Nine letters of objection (including one duplicate) have been received from surrounding occupiers objecting to the proposal on the following grounds.
- Land within the red line site plan is within 378 Gillott Road, permission is not given for this from the owner of this site.
  - The privacy of occupiers in the area would be affected by overlooking existing gardens.
  - There would be noise pollution from the new dwellings
  - Daylight into existing properties would be lost.
  - We will lose the enjoyment of home and the peace and tranquillity of our mature garden.
- 4.8. The red line boundary was amended during the consideration of the application and further letters of notification were sent to surrounding occupiers. As a result of this one further letter of comment was received from one of the objectors above; stating that the moving the main body of the houses 10 metres away from the boundary with 378 Gillott Road has alleviated my concerns regarding noise and privacy, and also that of being overshadowed. However, questions are raised about the accuracy of the plans ie. Relative sizes of buildings on plans and elevations. In addition this proposal would be a vast improvement to what the site is at present.

## 5. Policy Context

5.1. The following local planning policies are applicable.

- Birmingham Unitary Development Plan (2005)
- Draft Birmingham Development Plan (2010)
- SPG: Places for Living (2001)
- SPD: Car Parking Guidelines (2012)

5.2. The following national planning policy is applicable.

- The National Planning Policy Framework (2012)

## 6. Planning Considerations

6.1. The site is classed as previously developed land in an urban area; however there is no presumption that land that is previously developed is necessary suitable for housing development. The over-riding consideration is that any proposal should be considered on its merits against the policies of the Unitary Development Plan and development plan documents including Places for Living SPG. If a proposal is deemed to be in accordance with the development plan, there is a presumption in favour of development irrespective of whether it is previously developed land or not. On this basis I shall set out the assessment of this proposal in the context of policies in the Birmingham Unitary Development Plan and Places for Living SPG especially.

6.2. The proposed dwellings would be sited adjacent to the existing approved properties to the south east and the existing hotel to the North West on Portland Road close to the junction with Gillott Road. Having assessed the approved plans for the adjacent development; the two properties proposed on this site would sit in line with these

and the hotel maintaining the building line that exists along this side of the road. In light of this, I do not consider the proposed dwellings would impact unduly on the characteristic pattern of development in the surrounding area and would not appear out of context.

- 6.3. The plans indicate that two semi detached properties would be provided of an appropriate scale and design that reflects the character of properties along Portland Road at this location. The properties would be brick built with slate roofs of a pitched design with double height bay windows and gable features to the front. This is reflective of many properties in the area including the adjacent development and the streetscene drawing provided indicates that the properties would sit comfortably within their plots and within the wider streetscene along this side of Portland Road.
- 6.4. The layout shows that the rear garden areas would provide 71.9sqm and 67.7sqm of private amenity area respectively, which is for one plot below the minimum guideline of 70sqm as advocated in "Places for Living". It is noted that the constraints of the site are such that it would result in poor and less satisfactory design and layout if rearranged to gain the required amount and given the shortfall is just 2.3sqm; I do not consider this a matter significant to warrant concern in this particular instance. I would however recommend the permitted development rights for extension are removed. All other separation distances and guidelines advocated are met and the gardens would have no noticeable effect on the character of the area when viewed from the public realm. It is therefore considered that the siting and design of the proposed dwelling would not be out of character or context with the existing street scene. This proposal would follow the broad pattern of development in this area and, as such, addresses the design principles in policies 3.14A-E of the UDP and within Places for Living SPG.
- 6.5. The bedrooms provided within the proposed dwelling would fully comply with the guidelines in "Places for Living". The largest bedroom provides over 15sqm of space.
- 6.6. The main windows are located to the front and rear of the property, with secondary windows serving the stairs at both ground and first floor on the side elevations. Given that these are secondary windows and there would be boundary treatment between the two adjacent neighbouring properties, I do not consider there would be any significant impact on amenity in this particular instance in respect of overlooking or loss of privacy. This is also the case to the rear where the first floor windows are set back 10m from the rear boundary to prevent overlooking in accordance with the guidance contained within "Places for Living". Windows to the side of 127 Portland Road would look onto the side elevation of the new properties, however given the commercial nature of 127 Portland Road and its use as a hotel, I do not consider this a matter of sufficient importance to withhold consent. No objection has been received from these neighbours.
- 6.7. It is noted that the approved houses on the adjacent site, would be 6m deeper than the ones proposed in this application. This would result in the adjacent property breaking the 45degree code to this new development. Whilst it is considered unfortunate that this would happen, the orientation of the site; the layout and that this is new development lead me to consider that on balance, that this issue would not be a sufficient reason to warrant the refusal of the application, furthermore the constraints of the site, would not allow for this to be amended without significantly impacting on the site layout as a whole and comprising the best design solution of this site.

- 6.8. My Transportation Development Officer raises no objection to the proposal. The site fronts onto Portland Road and is close to the junction with Gilliot Road. Parking for 2 vehicles would be provided to the front of each property with new dropped kerbs required. It is considered that there would be no unacceptable impacts on the surrounding road network. Conditions are recommended to reflect the requirements of Transportation in respect of the provision of pedestrian visibility splays.
- 6.9. Severn Trent have been consulted and raise no objection to the proposal subject to a condition requiring details of drainage being provided before the development commences.
- 6.10. Concerns raised by one objector relate to the accuracies of the plans. I have studied the plans provided and compared them to Council held plans and I am satisfied that the plans are reflective of the true nature of the site.

7. Conclusion

- 7.1. The redevelopment of the site for housing accords with both national and local policy. The development would provide sustainable properties development and the layout and design are appropriate for the area and can be accommodated without any significant adverse impact on existing residents or the local highway network. The proposals would provide a good quality development, which I consider would make a positive contribution to the area.

1. Recommendation

- 1.1. Approve subject to condition.

- 
- 1 Requires the scheme to be in accordance with the listed approved plans
  - 2 Requires the prior submission of level details
  - 3 Requires the prior submission of hard and/or soft landscape details
  - 4 Requires the prior submission of boundary treatment details
  - 5 Requires the prior submission of sample materials
  - 6 Requires the prior submission of drainage plans
  - 7 Requires the prior submission a noise study to establish residential acoustic protection
  - 8 Removes PD rights for extensions
  - 9 Requires pedestrian visibility splays to be provided
  - 10 Limits the approval to 3 years (Full)
- 

Reason for Approval

- 
- 1 Birmingham City Council grants Planning Permission subject to the condition(s) listed below (if appropriate). The reason for granting permission is because the development is in accordance with:
-

---

Policies 5.7 - 5.40 of the Birmingham Unitary Development Plan 2005; Places for Living (2001), which has been adopted as Supplementary Planning Guidance; and the National Planning Policy Framework.

---

Case Officer: James Mead

**Photo(s)**

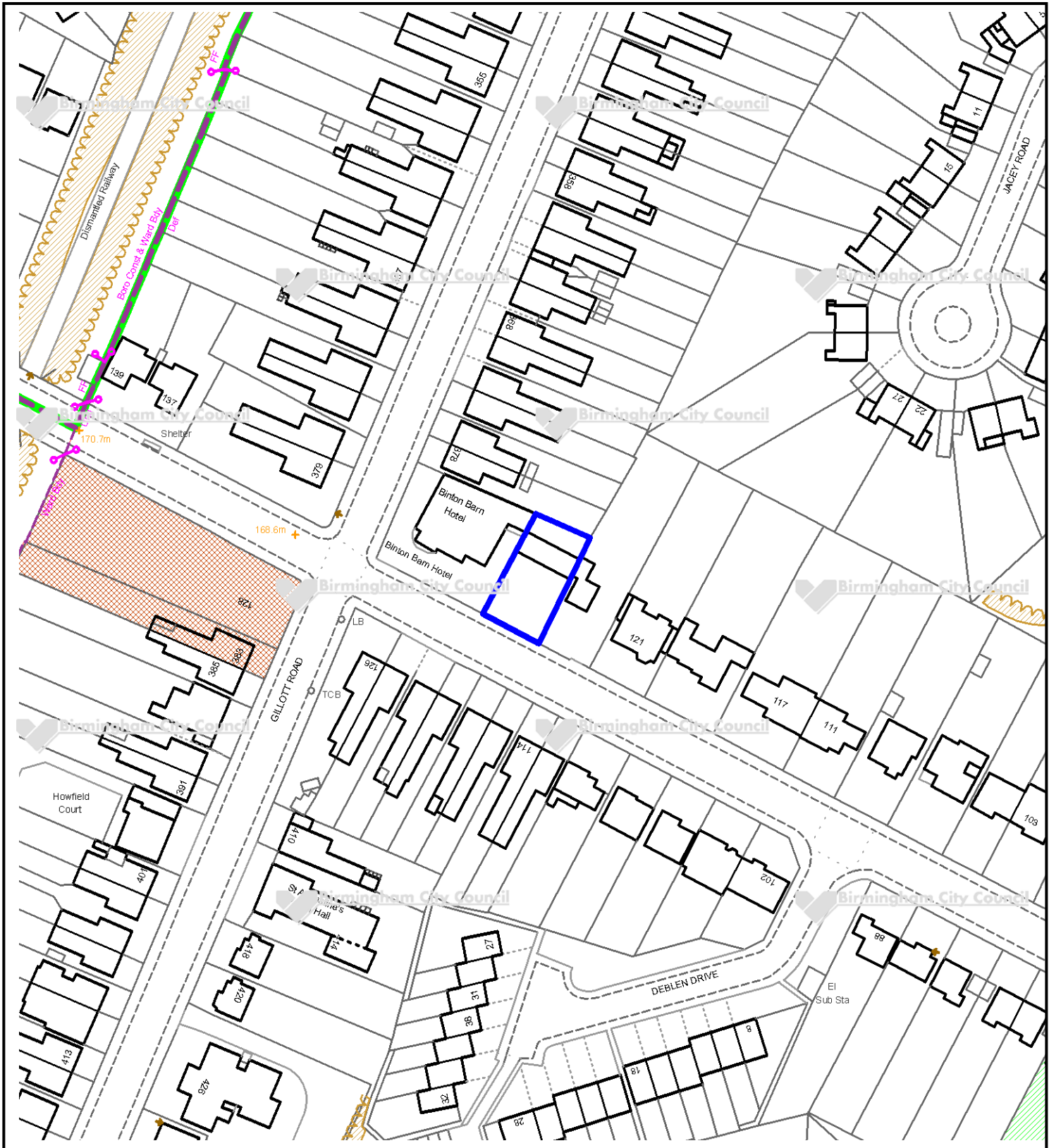


**Figure 1: View of application site.**



**Figure 2: View of application site (left-hand side) and adjacent site to east: (right-hand side)**

# Location Plan



This map is reproduced from the Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Birmingham City Council. Licence No.100021326, 2010