39 Snow Hill Queensway, (‘The Strip’), Birmingham, B4 6EP

Demolition of existing building and construction of 15 storey office building (Use Class B1) with basement parking and associated public realm works

Applicant: Prudential Assurance Company Limited
c/o Agent
Agent: GW Planning Limited
21 Norfolk Road, Sutton Coldfield, Birmingham, B75 6SQ

Recommendation
Approve Subject To A Section 106 Legal Agreement

1. Proposal

Scale of Development

1.1. This is a detailed planning application to construct a 15 storey office building with basement parking and associated public realm works. In total 21,507 sqm GIA of Grade A office accommodation would be provided with typical office floor plates of circa 1,115 sqm net organised around a central core. It is envisaged that upto 1,600 people could work in the building.

1.2. The building would have a footprint of 49 metres by 30 metres and follow the building line along Snow Hill Queensway established by Lloyd House. The proposed line of the building is then set back from Holiday Inn (Kennedy Tower) by 4.5 metres creating “breathing space” and a pedestrian route linking Snow Hill Queensway with Weaman Street. The building is also set back from Lloyd House at the upper levels by 4 metres, allowing the potential redevelopment of this building in the future. The new building would be sited at the back of pavement on Weaman Street to give an appropriate urban edge to the street.

1.3. The proposed building would comprise 12 open plan office floors above Lower Ground, Upper Ground and Mezzanine levels – 15 storeys overall with 1 level of basement parking. Above the office accommodation is a 5 metre high plant enclosure that would be inset nearly 3 metres in from the edge of the building. The height of the building would be 65 metres, which would be equivalent to 189.7 metres Above Ordnance Datum (AOD).

Appearance
1.4. The main pedestrian entrance to the lower ground floor of the building is located centrally and at grade to Snow Hill Queensway. It is set within a new 3 storey high 2 metre deep colonnade to reflect the appearance of the new office buildings opposite. Above the base levels there would be a “tripartite horizontal division” achieved by insetsing the façade of two floors. In terms of materials the intent is to achieve a predominantly glass appearance (with some use of opaque and solid panels to achieve Building Regulation requirements). Above this the inset plant room would be wrapped with a glass screen and illuminated.

1.5. The orientation of the building and shading from adjoining properties are such that slender fins can control solar gain on the facades. Fins are envisaged for all elevations providing a consistent appearance with some variations in detailing to provide additional shading to elevations where necessary. The proposed façade uses a unitised system. This allows pre-fabrication of the glazed units, which are typically 1500mm module width and one storey high. The vertical fins would be continuous 3 storey elements and are to be anodised a light bronze colour. Detailed studies have been taken to ensure the optimum balance of glass to solid within the building to achieve adequate daylight whilst achieving BREEAM excellent.

Vehicular Access and Parking

1.6. Vehicle servicing and basement car parking would be accessed from Weaman Street at the upper ground floor level where 3 car parking spaces are indicated. Two car lifts would then give access to the basement where 43 car parking spaces, including 3 wider spaces for people with disabilities are provided. In addition the proposals include 16 motor cycle and 80 secure cycle spaces within the upper ground level along with associated lockers and showers.

1.7. To gain vehicle access to the site the existing access on Weaman Street would be adjusted. Build outs are also proposed to define parking bays. These modifications would result in the loss of one on-street metered parking bay. Along Snow Hill Queensway it is also proposed to re-position a bus shelter from in front of the proposed entrance to the southern end of the building next to Lloyd House.

Landscaping

1.8. A new 4.5 metre wide pedestrian route would be created between the proposed office building and Holiday Inn, linking Snow Hill Queensway and Weaman Street. Along this route there is a change in level of over 4 metres, steps, as well as a glass lift are therefore incorporated allowing access for people with disabilities.

1.9. High quality paving similar to other new paving along Snow Hill Queensway is proposed in front of, along the pedestrian route and on Weaman Street. New street trees are indicated for Snow Hill Queensway and Weaman Street, with exact positions to be agreed after detailed investigation of underground services.

1.10. A green wall is proposed along the new pedestrian link as a visual and ecological feature encouraging people to use this route. This would project forward so as to be highly visible from either direction on Snow Hill Queensway and act as a marker for the route. Additionally, a green roof is proposed to the low roof that abuts Lloyd House.

Supporting Information and Planning Obligation
1.11. In support of the planning application is a statement covering Planning, Design, Access and Transport. In addition the application covering letter sets out the costs of the proposed public realm works and suggested Planning Obligation Heads of Terms.

1.12. The applicant has costed the proposed public realm works around the building at £356,200. This figure excludes the cost payable to BCC Transportation for loss of a metered parking bay (circa £18,000) and relocation of the bus stop, but includes high quality paving, laying out the new pedestrian link with its associated ‘green wall’, stairs and disabled lift, and street tree planting. In addition to these public realm works the applicant is offering a public transport sum of £225,000 and £40,000 (originally £25,000) toward local employment and training. The sum of the external public realm works and planning obligation offer would therefore be £621,200.

Proposed North East and South West Elevations

Landscape Plan

2. Site & Surroundings

2.1. The application site is in the “City Centre Core”, which lies within the area bounded by the Queensway and contains the bulk of the regions business and shopping centres. It has road frontages to Snow Hill Queensway and Weaman Street and lies between Kennedy Tower to the north and Lloyd House to the south.

2.2. The site covers 0.24 hectares and is occupied by a 1960s low rise 2 storey poor quality vacant building, known locally as “The Strip”. To the rear of the site is a hard surfaced car park for about 30 cars, whilst on the roof of the building, accessed via Lloyd House, are a further 50 car parking spaces. Along Snow Hill Queensway is a development hoarding. The site levels slope along Snow Hill Queensway by nearly 3 metres and from Weaman Street down to Snow Hill Queensway by between about 3 and 4 metres.

2.3. A range of uses surround the site. To the north is Kennedy Tower and the Thistle Hotel, with the Grade II* listed St Chad’s Cathedral on the opposite side of St Chad’s Queensway. To the east on the opposite side of Weaman Street are a multi storey car park and the former Post and Mail printing works, which is currently being redeveloped to provide basement parking with a mixed use building above. Beyond these is the Children’s Hospital, which falls within the Steelhouse Lane Conservation Area. To the south is Lloyd House, a 12 storey office building, which is used as the headquarters for the West Midlands Police and, on the opposite side of Colmore Circus Queensway, the Wesleyan office building. To the west on the opposite side of Snow Hill Queensway is the partly completed Snow Hill office development, with Snow Hill Station beyond.

Location Plan

Street View

3. Planning History

3.1. There have been previous proposals for development of the “Snow Hill Plaza” site with planning consent granted in 2007 (now expired) for a 29 storey tower at Plot 1 (Kennedy Tower) and a 13 storey office building at Plot 2 (39 Snow Hill).
3.2. In December 2008, a separate planning consent (application 2008/04888/PA) was granted for demolition of the existing building and construction of a mixed-use multi-storey building including office uses, ancillary retail / leisure uses parking and landscaping at 39 Snow Hill Queensway. This consent (now expired) was subject to a S106 agreement to secure £450,000 toward public transport improvements, £10,000 towards shopmobility, an extensive workplace travel plan and to engage in a local employment and training initiative.

3.3. More recently in 2011, planning consent was granted in accordance with application 2010/06991/PA to convert Kennedy Tower to a hotel. The conversion work is now complete and the hotel is open. There have also been recent planning consents for replacement of the Weaman Street NCP car park, redevelopment of the former Post and Mail Printing Works and outline consent for an office building on the opposite site of Snow Hill Queensway.

3.4. Additionally, on the 12th February 2014, a planning application (reference 2014/00989/PA) was received for part change of use of the ground floor of Lloyd House from offices to a Local Police Unit and external alterations including alterations to the ground and lower ground floors, 2 new entrances, new windows throughout and installation of a new roof-top plant room and associated screening. This application is currently awaiting determination.

4. Consultation/PP Responses

4.1 Adjoining occupiers, residents associations, Colmore Business Improvement District and local ward councillors notified. Site and press notices displayed. No comments received.

4.2 BCC Transportation Development - no objections subject to minor amendments, conditions, s106 contribution toward public transport and highway agreements. Suggested conditions include securing a package of measures of highways works; a car park management plan; parking, servicing and circulation areas to remain clear for such purposes only; a construction Travel Plan; applicants to affiliate to Travelwise; and cycle parking and motor cycle parking prior to occupation. Amendments include:

- the plans show various minor alterations to the public highway fronting the site and aspects of this need revising or removing;

- trees are shown in the footways along Weaman Street and Snow Hill Queensway. However, given the services located in these footways tree planting may not be possible and could interfere with street signage and lighting;

- a bus shelter on Snow Hill Queensway is sought to be repositioned. This has only recently been located here and whilst this may be possible Centro need to be consulted and any costs paid for by the developer;

- alterations are shown to Weaman Street to provide extensions to the footway around the on-street car parking bays and vehicle entrance to the site. This would reduce the on-street parking provision by one space and would need compensation paid for by the applicants along with the necessary Traffic Regulation Order changes;
• whilst there is provision of showers and storage/locker facilities for cyclists/motorcyclists using the site, secure cycle parking should be included near the entrance of the building on Snow Hill Queensway; and

• there are three parking spaces on the upper ground floor that partly obstruct the car park access and should be modified to keep the entry radii clear

4.3 BCC Regulatory Services – no objections subject to a condition to limit noise from any plant.

4.4 Centro - the application site is located in a highly sustainable location with direct access to rail, bus and metro services. A high number of visitors should be accessing the site via sustainable means of transport and this should be promoted and supported. In particular a travel plan should be developed to encourage staff to travel sustainably. This could include an electronic wayfinding strategy that provides up to date information or a real time information panel displaying public transport information within the development.

4.5 West Midlands Fire Service - no objections.

4.6 Severn Trent Water – no objection subject to a condition to secure a drainage plan for the disposal of foul and surface waters (a drainage plan has been submitted and this condition is not therefore necessary).

4.7 West Midlands Police – the development is considered to be of a high quality design that will enhance this part of the city centre and there are no objections in terms of height, scale, massing and highways and the scheme would not affect their telecommunications equipment. However, several detailed points are made:-

• there is a risk of overlooking from the office windows in the south east elevation and vertical fins, rather than the proposed horizontal fins, may provide greater privacy;
• the north west corner of Lloyd House is recessed and could become an attractive location for people loitering. The new development should have glazing to overlook this recess;
• the proposed location of the bus stop on Snow Hill Queensway should be sited further away from Lloyd House;
• 24 hour CCTV and appropriate lighting should be provided, especially along the new walkway between Snow Hill Queensway and Weaman Street;
• the lift within the new walkway should be repositioned to avoid a recess where people could loiter;
• it is not clear where the disabled parking spaces are and the design of the car park should be to the standards laid out in the Safer Car Parking scheme;
• vehicle access barriers to the car park should be incorporated and consideration given to Hostile Mitigation Measures around the building;
• laminated glass should used for the large areas of glazing proposed; and,
• access into and through the building should be controlled.

* Revised plans have been submitted to address these concerns and the Police have no objections to the amended plans.

5. Policy Context
5.1. Birmingham Unitary Development Plan 2005; Draft Birmingham Development Plan; Places for All SPG; Car Parking Guidelines SPD; Lighting Places SPD; National Planning Policy Framework. Additionally, the application site is part of the City Centre Enterprise Zone.

6. Planning Considerations

Land Use Policy

6.1 The UDP supports and welcomes office activity and growth. To realise this growth potential it seeks to ensure a portfolio of development opportunities is maintained capable of satisfying a range of office user requirements. It adds that offices are one of the core activities that make up the city centre and the future prosperity of the centre is dependent on the continued growth of office and service sector employment. It then goes onto state that the core of Birmingham's office centre is characterised by a concentration of higher order financial services and that these have considerable scope for expansion which must be accommodated.

6.2 The Big City Plan also envisages growth in the provision of high quality office space within the city centre and identifies the Snow Hill District as the natural extension to the Business District. Moreover, the Policy GA1 of the emerging development plan advises that the role of the City Centre as a major hub for financial, professional and business services will continue to be supported and the primary focus for additional office development will remain within and around the City Centre, including Snow Hill. In principle I therefore welcome demolition of the existing outdated building and construction of a new office building.

Scale and Design

6.3 This proposed office building would be 15 storeys high with rooftop plant. High Places SPG advises that it is helpful to consider buildings over 15 storeys as tall, but it is important to consider its context. The building is within the central business area and there are other buildings of a similar height nearby. I do not consider therefore consider that High Places, is applicable in this instance. Nevertheless the building is located within the Central Ridge Zone where tall buildings are considered appropriate in principle.

6.4 The overall height of the building, including the roof top plant would be 189.7m AOD, this is similar in height to the new office building on the opposite side of Snow Hill Queensway. The building would be lower than Kennedy Tower (AOD 193.59) and higher than Lloyd House (AOD 180.548). The height of the building therefore fits well in the street scene and is less than the previous consent on this site, which was for a 15 storey office building at AOD 200m. Additionally, the walkway between Kennedy Tower and setting in the upper levels next to Lloyd House provides “breathing space” between these.

6.5 The 3 storey colonnade to the Snow Hill Queensway frontage strongly expresses the base of the building and is similar to the colonnade to the front of the new office buildings on the opposite side of Snow Hill Queensway. Above this is a repetitive largely glazed middle with a “tripartite horizontal division” achieved by insetting the façade of two floors. This façade treatment is complimented by fins on all elevations but with some variation to provide additional shading where necessary. Above this the plant room would be wrapped with a glass screen and illuminated, to create a clean translucent glazed box, which would be illuminated to create a positive feature in the skyline.
6.6 Between the proposed building and Kennedy Tower, a new walkway is proposed linking Snow Hill Queensway with Weaman Street. This is consistent with the Big City Plan, which identifies this as a local walking route. It is unfortunate that the change in levels here is over 4 meters but in addition to steps, a lift is provided so that the route is accessible for people with disabilities. High quality surface materials are proposed, together with a green wall that would help to soften its appearance and act as a marker along Snow Hill Queensway. There would be overlooking of the route, which together with CCTV and lighting would ensure that the route is safe. This route together with the other public realm works proposed along Snow Hill Queensway and Weaman Street, would improve accessibly and enhance the setting of the building.

6.7 Overall, I consider that the building and its setting are well design, consistent with the design principles set out in Places for All and would enhance this part of the City Centre. Additionally, I do not consider that the proposed building would have an adverse impact on the setting of either the nearby Grade II* listed St Chad's Cathedral or Steelhouse Lane Conservation.

Vehicle Access and Parking

6.8 BCC Transportation Development have commented that the agreed results of the Transport Assessment process demonstrate the proposals accord with the relevant national and local policy framework, and with the surrounding Snow Hill Queensway improvements the site would have excellent pedestrian connections to the City Centre. Combined with the excellent level of public transport facilities in the vicinity of the site this achieves a highly sustainable development in transport terms. The previous assessment (for a larger building with more car parking) noted that the traffic impact of the scheme on the adjacent highway network would be minimal impact, with suitable provision made for service vehicles to access the site, and pedestrian improvements around the areas where vehicles access the site. As recommended by BCC Transportation Development and Centro a condition is attached to ensure that the occupiers of the building sign up to “Company Travelwise” to promote sustainable modes of transport.

6.9 The Draft Car Parking Guidelines advises that for office use within the City Centre, the maximum number of parking spaces should be 1 space per 60 sqm, which for the proposed building would be 358 spaces. The proposal provides for 46 parking spaces (including 3 wider spaces for people with disabilities), which is well below this maximum figure. Given that the site is highly accessible by public transport, I consider that the amount of car parking is appropriate. Conditions are attached as recommended by BCC Transportation to secure a car park management plan and to ensure that the parking, servicing and manoeuvring spaces are proposed and only used for such purposes.

6.10 Additionally, 16 motorcycle spaces and 80 cycle spaces are proposed, which is greater than the minimum recommended. I therefore consider the amount of motorcycle and cycle parking appropriate. I note that BCC Transportation have requested some cycle stands for visitors near the entrance to the building on Snow Hill Queensway and attach a condition to secure this.

Impact on Adjoining Occupiers

6.11 The West Midlands Police, who occupy the adjacent Lloyd House, consider that the development to be of a high quality design that will enhance this part of the city
centre and there are no objections in terms of height, scale, massing, highways and
the scheme would not affect their telecommunications equipment. In response to the
detailed points raised:-

- amended plans have been submitted with vertical fins on the south east elevation
to provide greater privacy;
- the recess referred to is within the demise of Lloyd House and could be
addressed as part of their current planning application for refurbishment works;
- the proposed location of the bus stop on Snow Hill Queensway has been moved
further away from Lloyd House;
- conditions are attached to secure CCTV and appropriate lighting;
- the lift within the new walkway has been repositioned to avoid a recess where
people could loiter;
- amended plans have been submitted showing the location of the 3 disabled
parking spaces;
- whilst a condition is attached to secure a vehicle access barrier to the car park, I
do not consider it necessary to require “Hostile Mitigation Measures” such as
bollards around the building;
- the applicant will consider the use of laminated glass and controlling access into
and through the building.

6.12 The police have commented that the revised plans address their original planning
concerns. In addition, it is inevitable that demolition of the existing building and
construction of a new 15 storey building would cause some disruption. A condition is
therefore attached as recommended by BCC Transportation Development to secure
a construction management plan in order to minimise disruption to nearby occupiers
and road users.

Planning Obligations

6.13 The Birmingham UDP at paragraphs 8.50-8.54 advises that the City Council will take
all appropriate opportunities to negotiate planning obligations to enable development
to proceed, and to secure the proper planning of the area. Subsequently, new
Community Infrastructure Levy Regulations have been introduced, which set out
tests that planning obligations must meet. These tests are that they are necessary,
directly related to the development and reasonably related in scale and kind to the
development.

6.14 Based on experience from recently completed office developments it is likely that the
proposed development would generate 300 peak hour arrivals. As the application site
is highly accessible by public transport it is reasonable to assume that a significant
proportion of arrivals would be by public transport. The applicant has therefore
offered £225,000 toward public transport improvements in the vicinity. Whilst this is
less than the £450,000 contribution toward public transport improvements secured
under the 2008 planning consent, it compares favorably with other nearby recent
planning consents for offices, such as 2 Cornwall, which secured £100,000.

6.15 In addition, the applicant initially offered £25,000 toward local employment and
training. This contribution would be in lieu of a commitment for the developer to
engage in local employment and training. In principle, the Employment Access Team
have no objections to payment of a sum of monies but asked for additional monies.
Accordingly, the applicant has increased their offer to £40,000. These monies would
be used by the City Council towards employment initiatives linked to construction and
end user occupation associated with the development. This would include working
closely with the building contractor and end user occupiers of the building to encourage the employment of local people in the construction and use phases.

6.16 The overall S106 Contribution would therefore be £265,000. Taking into account that the applicant intends to expend £356,200, the public realm costs and S106 offer would total £621,200. In the context of the current market, I consider that this is an acceptable offer.

7. Conclusion

7.1. The proposed development would provide much needed high quality office floor space within the city centre. The location of the building within the central ridge zone is in principle a suitable location for a building of the scale proposed. Moreover, the building is well design and fits in with the street scene. Additionally, the building is in a highly sustainable location with excellent public transport facilities nearby.

7.2. Subject to conditions and completion of an appropriate legal agreement to secure financial contributions toward public transport and local employment and training, I consider that the application is acceptable and consistent with national and local planning policy. The applicant has requested a longer consent than the normal 3 years. Given the nature of the commercial market, scale of development and that this is an Enterprise Zone site, I consider that an additional year is reasonable and recommend approval for 4 years.

8. Recommendation

8.1. That consideration of application 2013/09446/PA be deferred pending the completion of a planning obligation under Section 106 of the Town and Country Planning Act to secure the following;

   i) a financial contribution of £225,000 toward public transport improvements to be index linked from the date of this committee resolution and paid prior to first occupation of the development;

   ii) a financial contribution of £40,000 toward local employment and training to be index linked from the date of this committee resolution and paid prior to commencement of development; and

   iii) a financial contribution of £9,275 for administration and monitoring to be paid upon completion of the legal agreement.

8.2 In the absence of the planning obligation being completed to the satisfaction of the Local Planning Authority by the 24th March 2014, planning permission be refused for the following reasons:-

   i) In the absence of a legal agreement to secure financial contributions to public transport improvements and local employment and training, the proposal conflicts with Policies 8.50-8.54 of the adopted Unitary Development Plan.

8.3 That the Director of Legal and Democratic Services be authorised to prepare, complete and seal the appropriate planning obligation via a unilateral undertaking or an agreement under section 106 of the Town and Country Planning Act.
8.4 That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority by the 24th March 2014, favourable consideration be given to this application, subject to the conditions listed below:

1. Requires the prior submission of a contamination remediation scheme
2. Limits the noise levels for Plant and Machinery
3. Requires the prior submission of hard surfacing materials
4. Requires the prior submission of a lighting scheme
5. Requires the prior submission of a construction method statement/management plan
6. Requires the prior submission of sample materials
7. Requires the scheme to be in accordance with the listed approved plans
8. Requires the prior submission of a CCTV scheme
9. Requires the prior submission of details of the green wall and first floor green roof
10. Removes PD rights for telecom equipment
11. Requires the parking area to be laid out prior to use
12. Requires the prior submission of cycle storage details
13. Requires the applicants to join Travelwise
14. Requires the prior submission and completion of works for the S278/TRO Agreement
15. Requires the prior submission of a parking management strategy
16. Limits the approval to 4 years

Case Officer: David Wells
View from opposite side of Snowhill Queensway
View along Snowhill Queensway
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