Land at 33-37 Wills Street, Lozells, Birmingham, B19 1QL

Erection of 3 no. dwellings with associated landscaping

Applicant: Birmingham City Council
1 Lancaster Circus, Birmingham, B2 2GL

Agent: BM3 Architecture Ltd
28 Pickford Street, Digbeth, Birmingham, B5 5QH

Recommendation

Approve Subject To Conditions

1. Proposal

1.1 The application relates to a vacant plot of City Council owned land within Lozells and Soho Hill Conservation Area which it is proposed to develop with 3 houses. The site had the benefit of planning permission for a terrace of three dwellings which was granted under reference 2009/00122/PA on 22 July 2010 which has just expired. This application seeks a further planning consent but proposes a slightly revised scheme.

1.2 It is still proposed to provide the dwellings as a terrace of two storey properties filling the site frontage to Wills Street apart from a small gap on the western boundary to allow access into the rear garden. However whereas the previously approved scheme provided 3 bedroom dwellings it is now proposed to alter the internal layouts to allow each property to have four bedrooms.

1.3 The revised design would continue to give the development a Victorian style and traditional layout to reflect the character of existing properties in the locality. The dwellings would therefore be sited at the back edge of the footway and use red bricks with an artificial slate roof as the main materials. The detailing would incorporate features such as sash style windows and stone for the cills, lintels, door surrounds and string course. The width of each dwelling and window pattern would vary slightly and the mid terraced property would also incorporate a shared pedestrian tunnel access to provide access into rear gardens areas.

1.4 No in curtilage parking would be provided and residents would need to park on street using the lay-bys previously provided in Wills Street which would be retained.

1.5 The site has an area of 0.05ha giving the development a density of 60 dwellings per hectare.

Block Plan

Street Scene
2. **Site & Surroundings**

2.1 The application site lies on the southern boundary of Lozells and Soho Hill Conservation Area and up until 2011 was occupied by Waterloo Public House and two adjoining terraced dwellings (33 and 37 Wills Street). At the time of the previous planning application in 2009 the buildings were vacant and in varying states of disrepair with the public house having been significantly fire damaged. The buildings were considered to be beyond structural and economic repair and Conservation Area Consent for their demolition was therefore granted in 2010 under reference 2009/00123/PA. The buildings were subsequently demolished in March 2011 and the site has since been cleared and fenced off.

2.2 This part of the Conservation Area comprises predominantly of traditional Victorian terraced housing two storeys in height, of brick and slate construction with pitched roofs and chimneys. The wider area is largely uniform in character; however there is a later modern infill housing development opposite the site which departs from the Victorian detailing and proportions.

[Location Plan](#)

[Street View](#)

3. **Planning History**

3.1 22/07/2010 - 2009/00122/PA – Planning permission granted for erection of 3 no. two-storey traditional style dwelling houses

3.2 22/7/2010 – 2009/00123/PA - Conservation Area consent granted for demolition of existing public house and dwellings in connection with erection of 3 no. two storey dwelling houses.

3.3 18/11/10 – 2010/005296/PA – Planning permission granted for variation of condition 1 attached to application 2009/00123/PA to allow for demolition prior to contract for the redevelopment works being in place.

4. **Consultation/PP Responses**

4.1 Transportation – No objections

4.2 Regulatory Services - No objections subject to conditions. Comment that the land may be affected by contamination and a site investigation should be undertaken with mitigation measures as necessary. They also request a noise survey as the site lies in an area that may need a specific acoustic glazing.

4.3 West Midlands Fire Service – No adverse comments but request suitable water supplies for fire fighting be provided.

4.4 West Midlands Police – Crime Reduction Team – Supports the development which has been subject to pre application discussions to achieve a Secure by Design award. Requests that consideration be given to relocating the boundary fence to the dwelling on plot 3 to bring it forward flush with the building line and that a visually porous gate be provided to the alleyway between plots 1 and 2.
4.5 Severn Trent Water – No objection subject to a drainage condition being imposed and that no development should take place on or adjacent to any public sewers that may be within the site.

4.6 Local councillors, residents associations and neighbouring occupiers notified of the application. Press and site notices displayed. One letter received from a neighbour claiming that when the site was cleared the rear access to her property was closed off and should be reinstated.

5. **Policy Context**


6.0 **Planning Considerations**

6.1 Planning permission has previously been granted for the erection of a terrace of three dwellings on this site which only expired very recently. The main issues are therefore considered to be whether the use of the site for housing is still acceptable and if so whether the new layout and design proposed is appropriate, would preserve and enhance the character of the Conservation Area and not adversely affect neighbouring properties.

6.2 **Policy**

6.3 Since planning permission was originally granted for housing on this site in 2010 the Aston, Newtown and Lozells Area Action Plan has been adopted. This shows the site as being an existing commitment with planning permission for 3 dwellings which would contribute to the 1,671 gross (783 net) new dwellings proposed to be built during the plan period 2010-2026. The AAP also provides more detailed guidance for housing development and identifies in policy H2 the need for larger family accommodation and states that new housing in Lozells should follow the character of robust grid street patterns and the architectural quality of the existing Victorian housing. There are similar policies in the Draft Birmingham Development Plan which refers to North and West Birmingham as being a major contributor to the City’s growth agenda in respect of housing. It identifies that there are key opportunities for housing in Aston, Newtown and Lozells with the main proposals being set out in the Area Action Plan (AAP).

6.4 The NPPF has also been published since 2010 and sets out a presumption in favour of sustainable development and seeks to ensure that planning applications are approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It encourages the effective use of brown field land and proposals that help support sustainable economic growth. Local Authorities are expected to plan for a mix of housing for the needs of different groups. Overall the policy changes since the previous planning permission was granted still support the development of the application site.

6.5 **Layout**

6.6 The revised layout for the site still locates the 3 dwellings at the back of the existing footway in line with adjoining terraced dwellings to the east which would follow the traditional pattern of development in the area. The main change is that the internal layouts have been redesigned to provide 4 bedrooms rather than 3 bedrooms and
ensuite bathrooms as previously agreed. This is in order to meet the needs of the area for larger family sized accommodation as identified in the AAP. The main bedroom sizes and rear garden areas would all continue to meet the guidance set out in Places for Living.

6.7 The Aston, Newtown and Lozells AAP states that all new dwellings should meet the at least the Code for Sustainable Homes Level 4 from 2013. The dwellings proposed have therefore been designed to Level 4 requirements as well as to Lifetime Homes standards and Building for Life and Secured by Design Accreditation.

6.8 As previously agreed the development would provide no on street parking for residents and occupants of the new dwellings and visitors would need to park on street as is the position with existing development in the area. Transportation raise no objections to the development and comment that there is plenty of existing on street parking available in the immediate area. They note the site was formally residential housing and a public house before demolition which also provided no off street parking facilities. The site is also located within easy walking distance to good public transport available from Lozells Road.

6.9 Impact on the Conservation Area

6.10 The site is within Lozells and Soho Hill Conservation Area and therefore development should preserve or enhance the character or appearance of the Conservation Area. The UDP and AAP also requires schemes to respect the character of the existing architecture, in scale grouping and materials and the NPPF states that local authorities should conserve heritage assets in a manner appropriate to their significance.

6.11 The applicants have submitted a heritage appraisal of the site and comment that the design has sought to follow the plain palette of materials and detailing used in the Conservation Area where the predominant material is red brick and where windows are large and have stone cills and heads. The proposed dwellings would therefore include tall window proportions with a central transom to replicate the style of a sash window, stone cills and headers to windows, fan lights and stone canopy above entrance doors, and chimneys. Materials proposed include red bricks and a grey slate roof tile similar to the surrounding terraces and a projecting stone string course.

6.12 The Conservation Officer however considers some improvements to the design of the front elevation are required with regard to the window spacings to ensure the design reflects the local vernacular. Amendments to the submitted plans have therefore been provided to resolve these concerns and also to address the boundary issues raised by the Crime Reduction team.

6.13 Impact on Neighbours

6.14 The layout for the three dwellings reflects the position of the previous scheme and is not considered to have any adverse impact on neighbouring development. The proposed terrace would abut the adjacent dwelling at 39 Wills Street which was previously within a terrace and has no windows in the gable end. A bathroom window is proposed in the side wall at the other end of the terrace but this would be glazed with obscure glass and be located over 20 metres from the rear elevation of the nearby dwelling at 41 Villa Street. Opposite the site is a detached dwelling which would be about 13 metres away which follows the existing and original front to front distances in Wills Street.
6.15 Other matters

6.16 Comments have been received from a neighbour who claims that when the site was fenced off in 2011 it prevented rear access to her property in Villa Street. Her claim is being investigated by Housing Development officers and is not considered to be material to the recommendation to grant planning permission for this development.

7.0 Conclusion

7.1 The application site is previously developed land within an existing built up area which is recognised at a development site in the Aston, Newtown and Lozells Area Plan having previously had planning permission for the erection of 3 dwellings. This application proposes a revised scheme for the site still providing 3 dwellings but with four bedrooms to help address the shortage of larger family sized accommodation in the area. The amended scheme shows a suitable development for the site which would be in keeping with its Victorian surroundings and the Conservation Area. Although no parking is proposed for the development this reflects the form of existing development in the area and the site has good access to public transport.

8. Recommendation

8.1 Approve subject to the following conditions:

1 Requires the prior submission of a contamination remediation scheme
2 Requires the prior submission of a contaminated land verification report
3 Requires the prior submission of a drainage scheme
4 Requires the prior submission of a construction method statement/management plan
5 Requires the prior submission of sample materials
6 Requires the prior approval of window, and door details
7 Requires the prior submission details obscure glazing for specific areas of the approved building
8 Requires the scheme to be in accordance with the listed approved plans
9 Requires the dwellings to be built to The Code for Sustainable Homes Level 4.
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: Lesley Sheldrake
Photo(s)

View from Wills Street

View of site looking towards rear of properties in Villa Street