
Committee Date:	09/01/2014	Application Number:	2013/07860/PA
Accepted:	18/10/2013	Application Type:	Full Planning
Target Date:	17/01/2014		
Ward:	Weoley		

Land at Shenley Lane, Weoley Castle, Birmingham, B29 4HQ

Erection of 22 no. residential units comprising mix of apartments, houses and dormer bungalows with associated access, landscaping and works

Applicant: Birmingham City Council
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Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. The application is for the erection of 22 no. residential units on a cleared site previously occupied by residential flats. The land is owned by the City Council and it is proposed to develop the site as part of the Council's Stock Replacement Programme, on behalf of Birmingham Municipal Housing Trust (BMHT).
- 1.2. The development would comprise of 22 no. affordable dwellings for rent, with the mix as follows:
 - 2 no. four bedroom houses
 - 2 no. three bedroom houses
 - 4 no. two bedroom houses
 - 5 no. two bedroom dormer bungalows
 - 9 no. two bedroom apartments
- 1.3. The site would be laid out around an extended cul de sac off Shenley Lane with the five dormer bungalows forming a frontage to the south of the site facing north to the new road; the eight no. two-storey houses would be situated to the northern side of the site facing south-west and the nine apartments would be located within a central position set out over three storeys. An existing vehicular access would be used and new pedestrian routes into the site would be formed along the Shenley Lane frontage.
- 1.4. The houses would have generously sized gardens (in accordance with 'Places for Living') and the flats would be provided with over 500sqm of communal outside amenity space.
- 1.5. All houses would have in-curtilage parking provision – 100% for the 2 and 3 beds units and 200% for the 4 bed units. A further 19 spaces would be laid out within the site for use by the existing residents of 178-194 Shenley Lane (9 houses) and the occupiers of the new apartments (9 units).

- 1.6. There would be a variety of different house-types across the development, but the bungalows would generally comprise: – kitchen, dining room, living room, WC at ground floor, with a further bedroom and bathroom within the roofspace. The houses would comprise kitchen/dining room, living room and WC on the ground floor with bedrooms and bathroom at first floor. All flats would be provided with kitchen/dining room, living room, bathroom and two bedrooms.
- 1.7. The properties would be of a relatively straightforward design, within the ‘family’ design of other BMHT sites elsewhere in the city. They would be constructed in brick (with limited areas of render on the flats) with tiled roofs and incorporating features characteristic of properties in the surrounding area, including pitched gables and asymmetrical porch canopies.
- 1.8. The development would necessitate the removal of 1no. tree, a Category C Silver Birch at Plot 15. Some 18 new trees for planting are shown across the site, and all other existing trees would be retained. The Landscaping Plan/Strategy also incorporates a hedgerow at the back of pavement, set behind a powder coated metal highway and estate railings.
- 1.9. Site area 0.66 hectares. Density 33 dwellings per hectare.
- 1.10. The following information has been submitted in support of the application: Planning Statement, Design and Access Statement, Transport Assessment with Travel Plan, Ground Investigation Reports, Ecological Surveys, Tree Survey, Financial Appraisal.
- 1.11. An Environmental Impact Assessment (EIA) Screening Opinion has been issued which determined that the proposal would not have a significant impact on the environment; therefore an EIA would not be required.

[Site Layout Plan](#)

[Street scene 1](#)

[Street scene 2](#)

2. Site & Surroundings

- 2.1. This is a cleared site, formerly occupied by three-storey flatted development which was demolished in early 2013. Vehicular access to the site is currently from Shenley Lane. To the north, east and south of the site are residential properties, with Shenley Academy to the west on the opposite side of Shenley Lane. The houses in the area are mixed in age and design – predominantly traditional inter-war semis and 1950’s and 1960’s local authority housing.
- 2.2. The site is irregular in shape and faces onto Shenley Lane to the west and bounds with residential properties of Green Meadow Road, Court Farm Way and Shenley Fields Road along its eastern boundaries. The site has a gentle slope down from south to north, with the southern end of the site set approximately 3m higher than the northern end.
- 2.3. There are a large number of existing trees on the site, mainly along the western boundary along Shenley Lane and to the south-western and north-eastern corners of the site. All bar one of the twenty-two trees would be retained.

[Location Map](#)

[Street View](#)

3. Planning History

- 3.1. 28/11/2012 - 2012/07402/PA Prior notification of proposed demolition of 3no. 3 storey traditional constructed bedsit blocks. Prior approval required and approved subject to conditions.

4. Consultation/PP Responses

- 4.1. Regulatory Services (EPU) –No objection subject to a condition in respect of noise.
- 4.2. Regulatory Services (Contamination) – No objection subject to a condition requiring contaminated land verification report.
- 4.3. Transportation – No objection subject to conditions in respect of highway works to be carried out under a suitable highway agreement), provision of vehicular/pedestrian visibility, and submission/approval of a construction management plan.
- 4.4. Local Services – No objections in principle. Anticipates, because of the nature of the submission, that affordable housing requirements are likely to take precedence over public open space/children’s play requirements. However, if secured, a contribution of £38,400 should be spent on the provision, improvement and maintenance of public open space and children’s play facilities in the Weoley Ward.
- 4.5. Severn Trent – No objection, subject to a condition in respect of drainage details.
- 4.6. Natural England – No objection.
- 4.7. West Midlands Fire Service – No adverse comments.
- 4.8. West Midlands Police – No objection. Recommend the development be built to enhanced security standards as advised by Police crime reduction initiative 'Secured by Design'
- 4.9. Letters of notification have been sent to surrounding occupiers, local residents associations, Ward Councillors for Weoley, Planning Committee members from the Northfield Constituency and the MP for Northfield. A site and press notice have also been posted.
- 4.10. Councillor Delaney objects to the application stating it is unacceptable. It is requested that only bungalows are built on this site which would be far more in keeping with surrounding properties on this highly visual corner plot. Bungalows would complement existing dwellings and would ensure this location became a very desirable location to live for the elderly population.
- 4.11. Councillor Freeman also objects to the application stating that the site should be developed for two bedroom bungalows only as there is a shortage of such accommodation for the elderly.
- 4.12. Two further letters of objection have been received from surrounding residents objecting to the proposal on the following grounds

- New development should be in keeping with and sympathetic to the existing bungalows.
- Strongly oppose any proposal to build flats or maisonettes.
- The surrounding area has no flats or maisonettes, so proposals are out of keeping.
- Flats will bring in the same old problems that were present on the old site
- The existing residents have only just got back their view, daylight and peace.
- No provision has been made for children to play.

5. Policy Context

5.1. The following local policies are relevant.

- The Birmingham Unitary Development Plan (2005)
- Draft Birmingham Development Plan (2013);
- Places for Living SPG (2001);
- Mature Suburbs SPD (2008)
- 'Public Open Spaces in New Residential Development' SPD (2007).

5.2. The following national policy is relevant.

- The National Planning Policy Framework (2012)

6. Planning Considerations

6.1. Background

The proposal is for 22 new residential units to be developed for Birmingham Municipal Housing Trust (BMHT), in partnership with a private house-builder. The scheme is part of the Council's ongoing initiative to provide new high quality affordable housing development in the City through BMHT.

6.2. The initiative would result in the Council receiving 22 new Council homes for rent (100% of total units). All the dwellings would be built to Code for Sustainable Homes Level 4, as part of the Government agenda to reduce carbon emissions in new housing.

6.3. Policy

The NPPF seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. The NPPF promotes high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It encourages the effective use of land by utilising brown-field sites and focusing development in locations that are sustainable and can make the fullest use of public transport, walking and cycling. The NPPF seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

6.4. The UDP similarly supports a more sustainable pattern of development by re-using brownfield sites in suitable locations with good access to jobs, shops and services by modes other than the car.

6.5. The UDP emphasises the importance of the City's housing policies in contributing to the strategy for urban regeneration and economic revitalisation, and states that one

of the ways this will be achieved is through a variety of housing to meet the full range of needs throughout the City.

- 6.6. The UDP requires that new housing developments should provide an appropriate environment (paragraphs 5.20-5.20A), a suitable housing density and mix (paragraph 5.40) and encourages a full range of housing types and sizes including those for people with disabilities and other specific needs (5.35 and 5.37). Paragraph 5.38 identifies that densities of at least 50 dwellings per hectare will be expected in local centres and corridors well served by public transport, with 40 dwellings per hectare elsewhere.
- 6.7. Paragraphs 5.37 (A-G) relate to the requirement for the provision of affordable housing on schemes of 15 units or more, and this policy is reflected/expanded upon in the adopted City's Affordable Housing SPG.
- 6.8. The UDP (at paragraphs 3.53B and 5.20B-5.20E) outlines the requirement for the provision of public open space generated by new residential development. It encourages provision within site boundaries but recognises that there may be circumstances where off-site provision or improvements to existing local facilities may be appropriate. Paragraph 3.61 requires the provision of children's play facilities within 400m safe walking distance of all dwellings, stating that children's play areas will normally be required in all new residential developments of 20 houses or more. This advice is reflected in 'Public Open Spaces in New Residential Development' (adopted as SPD in 2007).
- 6.9. Paragraphs 3.14D and 3.14E of the UDP identify that new housing development should be designed in accordance with good urban design principles, with the key principles.
- 6.10. In addition, 'Places for Living' SPG encourages good quality accommodation in attractive environments. It contains a series of urban design principles and makes reference to minimum design and amenity guidance. Particular emphasis is given to assessing context and responding positively to local character.
- 6.11. Within the Draft Birmingham Development Plan, Policies TP26 and TP27 state that the location of new housing should be on previously developed land, be accessible to jobs, shops and services by other modes of transport, be sympathetic to natural assets and not conflict with other policies in relation to employment land, green belt and open space. It also states new housing should offer a choice of type, size and tenure to create more balanced and sustainable communities.

6.12. Housing

The principle of redeveloping this site for residential purposes would be a positive step in line with national and local policy. The site is within an established, predominantly residential area, close to public transport links and with easy access to local services. The proposed development would deliver a choice of homes through the effective re-use of this brownfield site.

- 6.13. The proposed density of 33 units per hectare is below the normal policy guidance but would reflect the character of this location and allow for the provision of a wider mix of house-types, including larger family units, to meet the needs of different groups in the community.

- 6.14. The proposed development incorporates 100% on-site affordable housing provision, well in excess of the policy requirement of 35%. No financial contribution towards public open space is proposed. Local Services have stated that a contribution of £38,400 towards public open space and children's play facilities in the Weoley Ward would normally be required in line with UDP policies. However, they recognise the established approach of BMHT applications, which is normally that a high level of affordable housing is given instead of other planning obligations. Children, Young People & Families have also requested a contribution towards both Primary and Secondary education, with no details of figures provided.
- 6.15. A financial appraisal has been submitted which shows that borrowing repayments would take 52 years for this particular site. With 100% Affordable provision, the applicants advise that it is not possible for further funding to be obtained for off site open space or any other planning obligation. In addition BMHT homes are built to exacting standards including Code for Sustainable Homes Level 4, Secured by Design accreditation, Building for Life and the HCA's own Design and Quality Standards. This increases the scheme costs by approximately £6,500 per unit and further affects the viability of the development.
- 6.16. Given the above, it is accepted that the development cannot afford to provide any financial contributions as well as all the units as affordable. The City Council is the applicant in this instance and, consequently, a S106 agreement mechanism cannot be used. It is therefore recommended planning conditions be used to ensure the affordable units are provided, including a personal condition so that the planning permission can only be implemented by the City Council. This would mean that if the development did not proceed for any reason and the site was sold, any other developer would need to obtain their own planning consent and a planning obligation to secure contributions as appropriate.
- 6.17. Layout and Design
- The design and layout of the scheme has been developed in consultation with Planning and Design Officers through a series of pre-application meetings. The layout has been shaped by a number of constraints and considerations, including the need to accommodate the existing 3m slope across the site; the desirability of retaining as many of the existing mature trees and to create an outward looking development which addresses Shenley Lane.
- 6.18. A new length of proposed highway has been designed set within the site, which the new bungalows and houses would all front onto creating a strong street presence. The flats would sit within a central grassed area set back behind a green buffer and would help provide a degree of privacy and acoustic attenuation from Shenley Lane, for the other existing and proposed properties. The nearest corner of the flats is set back only some 2m from the back of pavement on Shenley Lane, but the former three-storey block was also positioned close to the highway.
- 6.19. The houses intend to infill and establish a building line between Shenley Fields Road to the north and Shenley Lane. The two storey houses to the north of the site following the pattern of two storey properties established from Shenley Field Road, whilst the bungalows continuing the line of existing bungalows towards Shenley Lane.
- 6.20. The apartment block is designed as three separate three storey elements connected by a glazed circulation core, creating a strong feature to the front of the site along Shenley Lane.

- 6.21. The houses have been purposefully designed predominantly as semi-detached properties, to create a strong presence and to follow the existing pattern of development. One detached bungalow is provided, in the middle of the row of four other bungalows. The new dwellings fronting the road create a strong edge in this location with the properties set back behind front gardens and car parking.
- 6.22. The scale and design of the proposed 2 storey houses and bungalows reflect existing properties in the vicinity, with the flats to the front of the site providing a stronger presence to this key vista.
- 6.23. The properties in the surrounding area are varied in age and style, including 1950's and 1960's social housing, interwar semi detached properties with some more recent developments. The design of the new units is simple, the main concept being for the appearance of the proposed elevations to provide a modern property with contemporary window proportions, whilst retaining a sensitive response to the local vernacular and surrounding dwellings.
- 6.24. The existing properties have a simple palette of materials and proposed new houses would be similarly constructed in brick (with limited areas of render to the flats), with tiled roofs, and would incorporate characteristic features including pitched gables.
- 6.25. The layout has been developed to address the guidance in 'Places for Living' in respect of distance separation to the existing properties. The distance between the new flats and new houses would be a minimum of some 21m, while 'Places for Living' guidance suggests it should be some 27m. However, the guidance also notes this is less strictly applied at the front of properties and I consider all occupiers would have reasonable amenity. The properties have good-sized gardens and all bedrooms sizes accord with the guidance in 'Places for Living'.
- 6.26. In the light of the above, I consider that the design of the proposal would enable the creation of a high quality residential environment that would sit comfortably within its surroundings.
- 6.27. Transportation
- No objection has been raised by Transportation, who are satisfied that the proposed level of parking is adequate and that there would be no unacceptable impact on the surrounding road network. Conditions are recommended to reflect the requirements of Transportation in respect of highway works (to be carried out under a suitable highway agreement), provision of vehicular/pedestrian visibility, and submission/approval of a construction management plan.
- 6.28. Trees and Landscaping
- The site has a number of mature trees. There is a mix of predominantly Oak and Ash trees. There is one Category C birch tree in the centre of the site that is to be removed to facilitate development.
- 6.29. A soft landscaping strategy scheme has been prepared as part of the development proposals. A hedgerow at the back of pavement, set behind a powder coated metal highway and estate railings would provide a green and robust edge to the development. New specimen trees and large specimen shrubs along the new frontage to Shenley Lane and the small new road would provide visual interest

directly in front of the properties. The design also incorporates the retention of the existing mature trees that are along the Shenley Lane frontage.

6.30. Your Tree Officer notes that the proposed layout takes into account the best of the boundary trees and gives as much distance from them as possible and whilst the one tree loss is unfortunate, it is considered there would be sufficient mitigation by the imposition of a landscaping condition.

6.31. The landscape scheme was subject to discussion with Officers at Design Team meetings. The submitted layout reflects the landscape advice given and I consider that the proposed planting scheme will make a significant contribution in the creation of a high quality residential environment.

6.32. Ecology

A Phase 1 habitat survey and bat activity surveys have been completed and the Council's Ecologist is satisfied that there appears to be no significant ecological constraints associated with the proposed development. A number of mitigation and enhancement measures are recommended and can be secured through appropriate planning conditions.

6.33. Sustainability

The proposal would constitute sustainable development by re-using a cleared site to provide housing on a former residential site, in an area well-served by local amenities and within easy reach of Weoley Castle and Northfield local centres, and the site is served by public transport. Houses would be built to the Code for Sustainable Homes level 4, which will include super insulation, photovoltaic panels (Level 4), high efficiency boilers and ecologically approved materials and landscaping.

7. Conclusion

7.1. The redevelopment of the site for housing accords with both national and local policy. The development would constitute sustainable development, and add to the Council's stock of affordable housing for which there is a significant need. The proposed mix of dwellings, layout and design are appropriate for the area and can be accommodated without any adverse impact on existing residents or the local highway network. The proposals would provide a high quality development, which I consider would make a positive contribution to the area.

8. Recommendation

8.1. Approve subject to conditions.

1	Requires the scheme to be in accordance with the listed approved plans
2	Requires the prior submission of a drainage scheme
3	Requires the prior submission of hard and/or soft landscape details
4	Requires the prior submission of hard surfacing materials

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- 5 Requires the prior submission of level details
 - 6 Requires the prior submission a noise study to establish residential acoustic protection
 - 7 Requires the prior submission of a contamination remediation scheme
 - 8 Requires the prior submission of a contaminated land verification report
 - 9 Protects retained trees from removal
 - 10 Requires the implementation of tree protection
 - 11 Requires the prior submission of sample materials
 - 12 Requires the prior submission/completion of works under a suitable highways agreement
 - 13 Requires the prior submission of a construction method statement/management plan
 - 14 Requires pedestrian visibility splays to be provided
 - 15 Requires the prior submission of cycle storage details
 - 16 Requires the development to be impemented in accordance with Ecology Surveys
 - 17 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
 - 18 Grants a personal permission to Birmingham City Council
 - 19 Requires the provision of affordable housing
 - 20 Limits the approval to 3 years (Full)
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Case Officer: James Mead

Photo(s)



Figure 1: View of Site (Looking East from Shenley Lane)

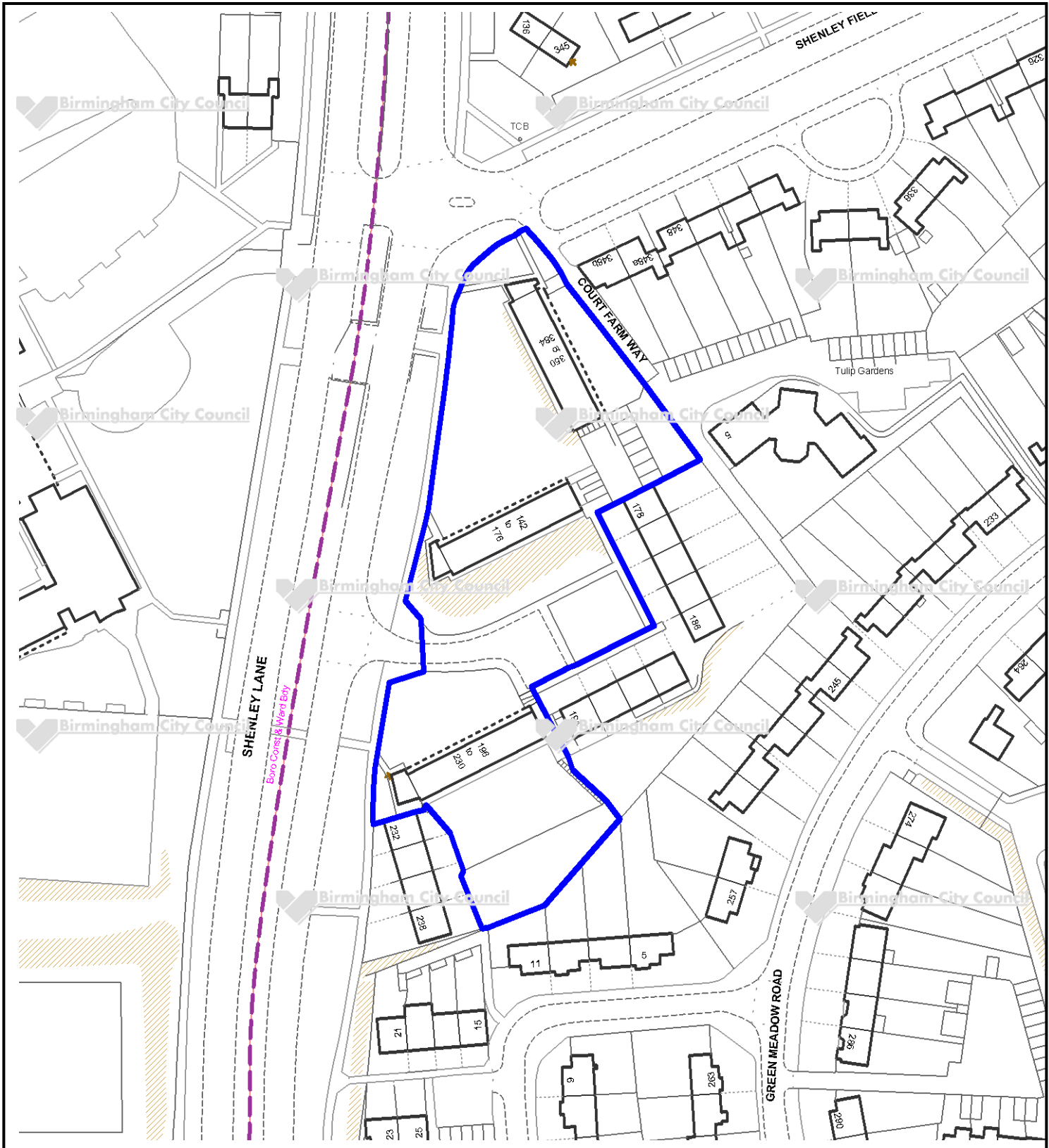


Figure 2: View of Site (Looking South from Shenley Field Road)



Figure 3: Existing access and bungalows

Location Plan



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