
Committee Date: 30/05/2013 Application Number: 2013/01627/PA
Accepted: 06/03/2013 Application Type: Full Planning
Target Date: 05/06/2013
Ward: Ladywood

Land at The Quarter, Warstone Lane, Jewellery Quarter, Hockley,
Birmingham, B18 6NG

Erection of 105 apartments above existing basement car park in three
blocks, with associated landscape and parking

Applicant: Morris Homes
Morland House, Altrincham Road, Wilmslow, Cheshire, SK9 5NW
Agent: I D P Midlands
27 Spon Street, Coventry, CV1 3BA

Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Application is for the erection of 105 apartments within a three and four storey building on Warstone Lane, Jewellery Quarter.
- 1.2. The proposed building would comprise of a frontage block at the back of pavement to Warstone Lane. A rear wing would extend off the frontage building into the site with two further blocks then projecting off this wing. The frontage building would be three and four storeys high and of a traditional, and simple, flat roof 'warehouse' design with a vertical emphasis achieved through the use of fenestration and distinct blocks of different materials. The buildings to the rear would follow the design themes of the frontage building but in a slightly simpler form with a greater horizontal emphasis. The rear wing and block D would be flat roofed and four storeys whilst block B would be three storey with accommodation in the roof.
- 1.3. Materials proposed include red and brown bricks, blue brick, reconstituted stone banding and coping, aluminium cladding, grey slate tiles and render, black rain water goods and grey metal guarding. Windows would be timber and painted grey. Specific details of which would be conditioned.
- 1.4. The building would accommodate 2 one bed and 103 two bed apartments comprising of an open plan living/kitchen/dining area, bedroom(s) and a bathroom. The one bed apartments would be 45 sqm each and the two bed apartments would be between 51-88 sqm.
- 1.3. The vehicular access would be situated at the end of the building, to the far east of the site. A total of 91 car parking spaces would be provided at basement level (accessed via block A) with 17 of the spaces being provided at ground floor. Cycle parking would also be accommodated within the basement.

1.4 Amended plans have been submitted to remove windows, amend the frontage dormer design and amend materials.

1.5 A design and access statement, planning and heritage statement, noise survey and traffic technical note have been submitted in support of the application.

2. Site & Surroundings

2.1. The application site is located to the east of the Red Lion Pub on Warstone Lane in the Jewellery Quarter. Planning permission for residential accommodation has previously been granted on it for 98 one and two bed apartments as part of a larger site which also included the corner site to the west of the Red Lion Pub (block A). Whilst block A has been built out with a three and four storey building comprising a primary care centre and pharmacy and 51 one and two bed apartments, the current application site (block B, C and D) has been cleared and the basement parking provided only.

2.2. The immediate area generally contains a variety of residential and commercial buildings including offices, industrial units and workshops. The eastern boundary of the site adjoins the Toye, Kenning and Spencer business premises and the western boundary adjoins the Bakkavor which was formerly in industrial use. This latter site is however the subject of planning permission which proposes a mixed use redevelopment scheme. On the opposite side of the Warstone Lane frontage lies part of The Mint which has been developed as a mix of commercial and residential units.

3. Planning History

3.1. 08/04/2005 – 2004/05035/PA Demolition of unlisted buildings within the Conservation Area to allow mixed use development. Approved subject to conditions.

3.2. 26/10/2005 - 2004/04357/PA Demolition of buildings for mixed use development comprising of 147 apartments, primary care centre and pharmacy and associated car parking on land at the junction of Carver Street and Warstone Lane – Approved with conditions and S106 Agreement.

3.3. 2005/07105/PA Variation of Condition C14 of planning permission 2004/04357/PA to allow erection of mixed use development of 147 apartments, primary care centre and pharmacy with new access and associated basement/surface level parking without restriction on times when demolition, site preparation and pile driving can take place. Approved with conditions and S106 Agreement.

4. Consultation/PP Responses

4.1. Local residents' associations, neighbours and Ward Councillors notified. A site and press notice also displayed. Comments received from Birmingham Civic Society who are concerned over the increased massing and the design quality of the elevations.

4.2. Centro – site well located, developer should ensure residential development plan and secure cycle parking.

4.3. Environment Agency – no objections.

- 4.4. English Heritage – local advice should be taken.
- 4.5. Education – a contribution may be required see paragraph 6.10.
- 4.6. Regulatory Services – noise survey required see paragraph 6.13.
- 4.7. Severn Trent – no objection subject to drainage condition.
- 4.8. Transportation – no objection subject to conditions
- 4.9. West Midlands Police – development should be built to Secure by Design.
- 4.10. West Midlands Fire – Vehicle access for pump within 45m or internal sprinkler required see paragraph 6.16.
- 4.11. Birmingham Wildlife Trust – Jewellery Quarter important for Black Redstarts and Bats and an ecological survey and assessment required prior to development.

5. Policy Context

- 5.1. Saved policies of Birmingham Unitary Development Plan (2005), draft Birmingham Development Plan, Jewellery Quarter Conservation Area Appraisal and Management Plan, Jewellery Quarter Urban Village Framework Plan, Jewellery Quarter Conservation Area Design Guide, Places for All, Places for Living, NPPF.

6. Planning Considerations

Principle

- 6.1 As noted above, development of this site was previously approved as part of a wider site under 2005/07105/PA. However, the developers were only able to fund the building of block A (to the west of the Red Lion Pub) and the basement works for the blocks B, C and D (to the east of the Red Lion Pub). Therefore whilst block B, C and D could be built out in accordance with 2005/07105/PA the scheme is not considered financially viable. Consequently a new planning permission is therefore sought, albeit on the same footprint as that previously approved but increasing the number of units from 98 to 105 and to include a significantly higher percentage of 2 bed units.
- 6.2 Since the previous permission was granted there have been a number of policy changes, including the issuing of the NPPF. However, I do not consider any of the policy changes fundamentally alter the aims of the relevant policies and I therefore raise no objection in principle to the residential redevelopment of this site. In particular I would welcome the regeneration benefits that the sites development would bring to this part of the Jewellery Quarter. Therefore, the principle issues for consideration include the detailed design, scale and mass, amenity, S106 contributions and transportation matters.

Design, scale and mass

- 6.3 The proposal would follow the building footprint as previously approved. The siting of the building has therefore previously been accepted.
- 6.4 Changes to the frontage block (block c) are minimal and include the removal of individual front doors, slight alteration to four of the ground floor windows on one of the blocks and a redesign of the previously approved aluminium clad roof dormer.

- 6.5 Front doors would normally be required at the back of pavement, however due to land level issues between the floor plate and the pavement level and issues of anti-social behaviour experienced in relation to block A, independent flat doors have been removed from the frontage. However a communal entrance remains and the level and design of fenestration ensures that an active frontage is retained to Warstone Lane. Furthermore the previously approved pitched roofed, aluminium clad, roof dormer has been redesigned to a flat roofed brick clad (to the front) extension which is more in keeping with the overall design of the proposed development.
- 6.6 Consequently, the main changes occur to the rear wing and block B increasing from three storeys to four and block D accommodating 3 flats within the roof as apposed to 3 bedrooms.
- 6.7 Whilst the current proposal would result in an additional storey across the site, the previous 3 storeys were designed with a pitched roof and therefore had a max roof ridge of 143.8 (wing of C and block D) and 144.4 (block B). The current proposal would be four storeys with a flat roof with exactly the same max roof height. Furthermore, I note that the revised proposal would remain below the max height of the frontage building to Warstone Lane at 145.35, would only be fractionally taller than the existing rear wing of the adjacent Toye, Kennings building at 143.1m and substantially lower than 4 storey apartments approved to the south east of the site which would have a max height of 157.7m.
- 6.8 Block B would remain three storeys with a pitched roof with a max roof ridge of 144.4 with the additional accommodation supported, primarily, by virtue of dormers which look into the site.
- 6.8 I therefore concur with my Conservation Officer and City Design Officer who note that the elevations to Warstone Lane remain largely unchanged, that the scales and other elements of the design are similar to the consented and implemented scheme, and that the flat roofs to the rear will not be conspicuous to the public realm. Consequently I consider the proposal would not adversely affect the visual amenity of the street scene, the Jewellery Quarter Conservation Area or listed buildings within the vicinity sufficient to warrant refusal.
- 6.9 Amended plans have now been submitted removing render from the frontage elevation and increasing the extent of brickwork on the rear blocks which, subject to conditions to control the specific details, are now acceptable. I also note that in contrast to the previous approval the lift overruns are detailed. These, on plan, look unsightly and bulky however they were previously approved and would not be visible from the street I do not therefore consider it would be reasonable to remove these from the scheme.

Amenity

- 6.7 The proposed flats would comprise of an open plan kitchen/dining/living area, one or two bedrooms and a bathroom. Internally, the one bed apartments would be 45 sqm each and the two bed apartments would be between 51-88 sqm and the bedrooms would comply with guidance within Places for Living. I therefore consider satisfactory internal accommodation would be provided. Externally, some of the proposed apartments would benefit from small private amenity areas in addition to the communal courtyards within the site. Although amenity provision would be below that required by Places for Living given the sites constraints, its location within the

Jewellery Quarter and its proximity to public open spaces I do not consider future occupiers amenity would be adversely affected sufficient to warrant refusal.

- 6.8 There are windowed elevations to all boundaries, including those along the west and south where the proposed building is adjacent to the site boundary. However, the windows along the western boundary (to the Bakkavor site) are as previously approved with the exception of the roof lights which would have a negligible impact as they would provide little or no overlooking opportunities. In addition, whilst the proposal would result in additional windows along the southern boundary (as a result of the removal of enclosed staircases, internal reorganisation and the additional floor) I do not consider this increase in windows would fundamentally worsen the previously approved situation. Finally, given the relationship with adjoining sites and their uses I do not consider the additional storey would adversely affect the amenities of existing occupiers.

S106 Contributions

- 6.9 The original planning application (2004/04357/PA) secured contributions towards public open space and affordable housing for the entire site – blocks A-D – to include £185,000 public open space contribution and 10 affordable housing units. Subsequently the developer commenced works but due to the schemes financial viability a deed of variation was agreed requiring the public open space contribution only in 2009. Consequently, £185,000 has been paid in full.
- 6.10 However, only block A was completed and as detailed elsewhere in this report, a new consent for the remaining part of the site is now sought. Given the sites history I do not consider it would be appropriate to require a contribution in relation to all 105 apartments but that a pro-rata contribution in relation to the net increase of 7 units could be requested. I also note that the scheme now primarily comprises of 2 bedroom apartments and an Education contribution might be considered if this site had no previous consent or Section 106.
- 6.11 A financial appraisal has been submitted to demonstrate that the development is already financially unviable. I also note that the developer is benefitting from ‘Get Britain Building’ funding from the Government. I am therefore satisfied that the schemes viability is such that no additional financial contributions are required.

Transportation

- 6.12 The current proposal would result in a net increase of 7 flats whilst the parking provision would remain as previously resulting in a parking provision of 87%. The site is well located in terms of public transport links and I cycle parking, in accordance with policy, can be secured by condition. Consequently I concur with Transportation Development that, subject to conditions, there are no objections to the proposal on the basis of free flow traffic or highway safety grounds.

Regulatory Services

- 6.13 Regulatory Services consider the noise survey fails to consider surrounding industrial noise adequately. However, planning permission has already been granted on this site in addition to a number of sites within the vicinity. Furthermore, since planning permission was granted for this site there has been no significant policy changes or new uncontrolled industrial uses permitted in this area. I therefore, as with the previous approval, subject to a condition requiring that the recommendations of the

noise survey are implemented there would be no reason to resist this proposal on the basis of noise and disturbance.

Other

6.14 Birmingham Wildlife Trust have requested a habitat survey. However the site has already been cleared and I do not therefore consider it appropriate to attach such a condition. I also note the ecology survey associated with 2005/07105/PA remains relevant.

6.15 Severn Trent have requested a drainage condition which I attach accordingly.

6.16 Comments from the Police and Fire Service are noted but do not materially affect the determination of this application.

7. Conclusion

7.1 The design, scale and mass of the proposal is not significantly different to the previous approval sufficient to warrant refusal. Furthermore I note the proposal would not adversely affect the amenities of existing or future occupiers. Finally I note the positive impact on regenerating the Jewellery Quarter the development of this site would have and I therefore recommend this proposal is approved.

8. Recommendation

8.1. Approved with conditions

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- 1 Requires the prior submission of hard and/or soft landscape details
 - 2 Requires the prior submission of boundary treatment details
 - 3 Requires the prior submission of sample materials
 - 4 Requires the prior submission of level details
 - 5 Requires the scheme to be in accordance with the listed approved plans
 - 6 Requires the prior submission of cycle storage details
 - 7 Detail of Window Frames
 - 8 Foul and Surface drainage details
 - 9 Glazing and ventilation details
 - 10 Requires the prior submission of details of refuse storage
 - 11 Keep terrace clear
 - 12 Limits the approval to 3 years (Full)
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Reason for Approval

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- 1 Birmingham City Council grants Planning Permission subject to the condition(s) listed
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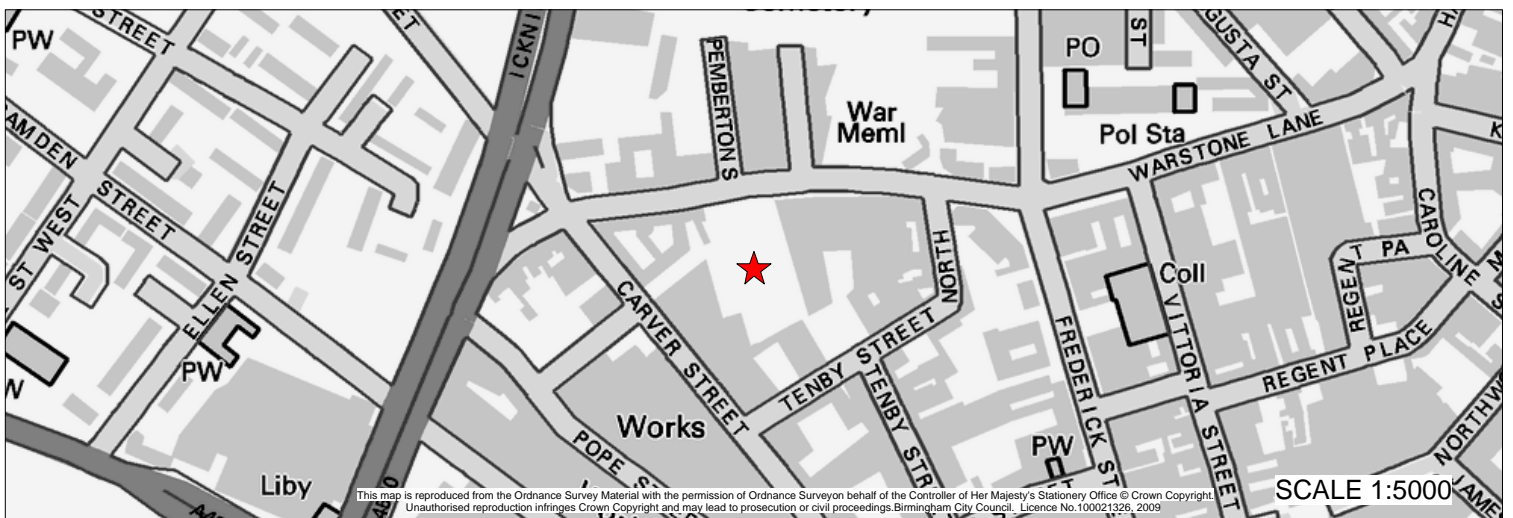
below (if appropriate). The reason for granting permission is because the development is in accordance with:
Policies 5.7 - 5.40 of the Birmingham Unitary Development Plan 2005; Places for Living (2001), which has been adopted as Supplementary Planning Guidance; and the National Planning Policy Framework.

Case Officer: Lesley Sheldrake











APPENDIX



Land at The Quarter
 Warstone Lane
 Jewellery Quarter
 Hockley
 Birmingham
 B18 6NG

2013/01627/PA

-  Statutory Listed Building
-  Locally Listed Buildings
-  Conservation Area
-  Neighbourhood Offices
-  Site Boundary
-  Site Location

Development Directorate
 1 Lancaster Circus
 Queensway
 Birmingham B2 2JE.



Date: 25/9/2007

