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Committee Date:	05/02/2015	Application Number:	2014/08098/PA
Accepted:	11/11/2014	Application Type:	Full Planning
Target Date:	10/02/2015		
Ward:	Selly Oak		

## The Dingle, Bristol Road, Selly Oak, Birmingham

Development of a specialist resource centre for the community and disabled people (Use Class D1) together with complementary uses falling within Use Classes D1 (non-residential institutions), A1 (shops), A3 (restaurants/cafes), B1(a) (offices) and D2 (assembly and leisure), together with vehicular access, car parking, landscaping and associated engineering works

Applicant: Sense  
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### Recommendation

#### **Approve Subject To Conditions**

#### 1. Proposal

- 1.1. This application for the development of a specialist resource centre for the community and disabled people (Use Class D1) together with complementary uses falling within Use Classes D1 (non-residential institutions), A1 (shops), A3 (restaurants/cafes), B1(a) (offices) and D2 (assembly and leisure), together with vehicular access, car parking, landscaping and associated engineering works at The Dingle, Bristol Road, Selly Oak.
- 1.2. The development is being undertaken by the deafblind charity 'Sense' and aims to provide a multi-use development incorporating service user activities alongside office functions. The approximate new floor area of the building would be 4,515sqm set within a part single-storey, part three-storey building. The floor area for each use broken down as follows;
  - A1 retail (17sqm)
  - A3 café (341sqm)
  - B1(a) offices (2,296sqm)
  - D1 and D2 community and leisure facilities (1,861sqm)
- 1.3. The new building would be positioned to the front of the site along the Bristol Road frontage and set behind a landscape boundary approximately 5m from the back edge of the pavement. From the front it would be seen as a rectangular three storey building approximately 76m in length with a depth of 16.5m and height of 11.5m, with a plant screen on the roof extending the overall height to 13.3m. A single storey wing would be to the rear with a depth of 21m and length of 60m to a height of 6m.

- 1.4. The ground floor would be occupied predominately by the community facilities, with its legibility and orientation designed with paramount importance for deafblind users. Two easily identifiable entrances (one off Bristol Road, one from the rear car park) would lead all visitors to the centre of the building where an open plan reception area overlooks a central hub. The ground floor is set out in blocks with a café, community space, bike repair shop, arts and day service spaces all positioned along the Bristol Road frontage. Administration and other 'back of house' facilities such as laundry and plant rooms would be positioned to the rear within the single storey block. A large performance space would also be provided to the north east corner.
- 1.5. The community café would be to the northern end of the building (at ground floor level), with access provided from Bristol Road. It would provide 30-40 covers for 'Sense' users and the wider community.
- 1.6. The upper floors have been designed to offer adoptable layouts both for open plan and cellular offices. The first floor would be occupied by 'Sense' in a predominately open plan office setting, with staff facilities and toilets. The second floor would be occupied by partners in a similar layout.
- 1.7. The ground floor would consist of brickwork with horizontal ribbon windows, with large areas of full height glazing, particularly around the main entrance and to the northern end of the building. The upper floors would have floor to ceiling glazing set within aluminium frames and surrounds, within an overall framework of off-white pre-cast concrete, with coloured opening ventilation panels to the side of each glazing unit.
- 1.8. The building is to be set in new hard and soft landscaped areas. A new terrace area at the north end of the building would provide opportunities for outside seating with views across the adjacent canal. A new, pedestrian ramp connecting the canal towpath to the site is shown for future provision, along with a hierarchy of garden spaces to the rear of the building (with some accessible to the public), along with a sensory garden along the eastern edge of the building. A landscaped 'buffer' zone would be provided along the site's frontage with Bristol Road with new tree planting proposed across the whole site. The landscaping includes a lawned garden area to the rear of the building which is identified as for possible future expansion of the site's built facilities (though is not part of this current application).
- 1.9. In total 28 out of 33 individual trees (Category B, C and U) and approximately 0.45ha of group canopy cover require removal to facilitate the development proposals. The landscape master plan indicates 41 new trees and a number of new hedgerows as replacement planting across the whole site.
- 1.10. A 74 space car park would be provided to the south east of the site, with vehicular access from Selly Wharf. Five large spaces for minibuses and 8 spaces directly in front of the south entrance to the building for disabled users would be provided. The car park would have a one way system with secure barrier access. Cycle parking facilities would be provided in a dedicated cycle store within the car park.
- 1.11. In addition to the employment benefits relating to the partner office space on the second floor, 'Sense' would facilitate 130.5 full time new roles and would relocate 69.5 full time employees from Sense's current Selly Oak office on Birkdale Avenue.
- 1.12. A Design and Access Statement; Ecology Assessment, Bat Survey and Invasive Species Survey; Transport Assessment and Travel Plan; Flood Risk Assessment and Drainage Strategy. Tree Survey, Landscape Strategy, Noise Impact

Assessment, Archaeological Survey and a Planning Statement have all been submitted in support of the application.

- 1.13. The proposal has been screened in accordance with EIA regulations and has been concluded not to require an Environmental Impact Assessment.

[Proposed site plan](#)

[Proposed ground floor plan](#)

[Proposed elevations](#)



3D Visual of North Elevation

## 2. Site & Surroundings

- 2.1. The site known as The Dingle is approximately 0.9 hectares. It is roughly triangular in shape and is bordered by the Worcester and Birmingham Canal to the east, the Bristol Road to the west, and The Dingle (a pedestrian route between Bristol Road and the Canal) to the south. Vehicular access to the site is from the end of Selly Wharf, which links to the Bristol Road via Elliott Road.
- 2.2. The site was previously occupied by a mix of terraced houses, small commercial units and a fire station. It has been clear of buildings since the early 1990s and is currently well vegetated, particularly along the canal boundary, with some small areas of hardstanding and low brick structures remaining.
- 2.3. The site is elevated above the level of the canal by some 5-6 metres at its highest point. There is a retaining wall along the boundary of the site, adjacent to the canal towpath. The site is level with the Bristol Road and slopes down gently towards the Dingle (to the south). There are currently a number of advertisement hoardings

along the Bristol Road frontage, which would be removed as part of the development, and the remainder of the site is surrounded by security fencing.

- 2.4. Immediately adjoining the site, to the south of The Dingle, is Lookers car dealership. This consists of a large industrial building which is used for repairs and offices. Beyond the car dealership are industrial premises on Selly Wharf and Elliott Road. Further south are established areas of traditional terraced housing and new housing. To the east of the site, beyond the canal, is Selly Oak train station. To the south west on the opposite side of the Bristol Road, is the 'Triangle site' which is currently occupied by a Sainsbury's supermarket. Directly opposite the application site to the west is the Battery Retail Park, which contains a range of large units occupied by national multiple operators including Halfords and Next.
- 2.5. To the north west is the Birmingham Battery site which has planning permission for a mixed use development comprising a supermarket and smaller retail units and restaurants, student housing and Life Sciences Campus. The site is within the Selly Oak District centre boundary with the main part of the centre to the north east of the application site.

[Site location map](#)

[Street view](#)

### 3. Planning History

- 3.1. 30/10/1997 – 1996/03724/PA Erection of building to be used as a bingo hall (Use Class D2) with ancillary car parking and landscaping. Refused.
- 3.2. 30/03/2007 – 2007/01035/PA Change of use application for the creation of a temporary car park and associated works. Approved temporary.
- 3.3. 04/07/2008 – 2008/02209/PA Creation of a temporary car park and associated works, including 5m high lighting columns, boundary fencing and security cabin. Approved temporary.
- 3.4. 29/04/2013 – 2013/02469/PA Pre application discussion for 2 or 3 storey development consisting of community use, offices and retail with associated car parking. Advised subject to satisfactory design and detailing application likely to be supported.

### 4. Consultation/PP Responses

- 4.1. Transportation Development - No objection subject to conditions to secure appropriate highway works and for the submission of a construction management plan.
- 4.2. Regulatory Services – No objection
- 4.3. West Midlands Police – No objection.
- 4.4. Severn Trent – No objection subject to a suitable drainage condition.

- 4.5. Centro – No objection. The application site is well served by public transport with the site adjacent to Selly Oak Rail station and served by a number of high volume bus services.
- 4.6. Canal and River Trust – No objection raised, however conditions are recommended with respect to details of the proposed new access ramp from the canal and the replacement retaining wall.
- 4.7. Environment Agency – No objection, neither the current site nor the proposed development is considered to pose a significant risk to ‘Controlled Waters’ receptors on and in the vicinity of the site. However, areas of unsuspected contamination may be present on site that have not been identified, as such a condition requiring contamination mitigation strategy is recommended.
- 4.8. Natural England – No objection.
- 4.9. Network Rail – No objection.
- 4.10. Fire Service – no response
- 4.11. Birmingham Public Health – no response.
- 4.12. Letters of notification have been sent to surrounding occupiers; local residents associations, Selly Oak Ward Councillors, Planning Committee members from the Selly Oak Constituency and the MP for Selly Oak. A site and press notice have also been posted.
- 4.13. Steve McCabe MP fully supports the application, stating that the development will be ‘beneficial for the local community and specifically deafblind people. I understand the plans are for a well presented frontage and I think that this will be helpful in complementing the Battery regeneration.
- 4.14. The Community Partnership for Selly Oak – Support the application, noting that the proposal creates ‘a vital resource for the charity’ and will ‘create a community resource including a canal side café, meeting spaces, recording studio and performance spaces which will be available to the community for hire or as part of joint projects’. They also welcome the development creating an active frontage on a currently inactive section of the Bristol Rd.
- 4.15. Selly Oak Ward Committee fully support the application reiterating the comments above.
- 4.16. One letter of comment has been received from a nearby occupier stating that the development is ‘a lovely, sensitive design using the available site well for its intended user base’. However suggest that a pedestrian/cycle bridge across the canal from the train station car park is developed.
- 4.17. One letter of objection has been received from a local occupier objecting to the application on the following grounds.
  - It is disappointing that this site is being developed when there is brownfield site on the old Queen Elizabeth site including buildings which could be refurbished.
  - This site is next to the canal and has a multitude of trees and wildlife on the site that would be lost.

- It would possibly ruin the importance of the heritage of the canal and the views for walkers on the canal.
- There will be an increase in traffic flow in that area where the Bristol Road and the Selly Oak bypass meet.

## 5. Policy Context

- 5.1. The following national policy is relevant.
- The National Planning Policy Framework (2012)
- 5.2. The following local policies are relevant.
- The Birmingham Unitary Development Plan (2005)
  - Draft Birmingham Development Plan (2013)
  - Selly Oak Local Action Plan (2001)
  - Draft Selly Oak SPG
  - SPG: Places for All (2001)
  - SPD: Shopping and Local Centres (2012)
  - SPD: Car Parking Guidelines (2012)
  - SPD: Access for People with Disabilities (2006)

## 6. Planning Considerations

### 6.1. Background

Sense is a national charity that supports and campaigns for children and adults who are deafblind. Deafblindness refers to a combination of sight and hearing impairment which causes difficulties in a range of areas including communication, access to information and mobility. Sense offers services across the UK, using skilled staff and a network of volunteers, with resource centres offering individually tailored programmes to deafblind people, giving them the opportunity to develop their skills and abilities. The centres also provide resources for families as well as a meeting place where service users can come together with family, friends and other members of the community.

- 6.2. Sense acquired the application site in 2013 and aim to provide an exemplar model service that incorporates service user activities alongside major office functions all under one roof. Up to 300 plus children and young adults will use the centre each year, providing vocational training in a range of different functions.

### 6.3. Principle

The NPPF confirms that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities and the LPA should aim to achieve places which promote opportunities for meeting between members of the community who might not otherwise come into contact with each other, including through mixed use development, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity. To deliver social, recreational and cultural facilities and services planning policies should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities.

- 6.4. The UDP supports the provision of a wide range of services within local centres such as Selly Oak provided these do not harm the vitality or viability of the centre. This is supported by both the existing Selly Oak Local Action Plan and Draft Selly Oak SPD which suggests that the site is suitable for mixed use development and/or

community uses while upper floors may be suitable for hotel, residential or office uses.

- 6.5. The site lies within the local centre of Selly Oak adjacent to one of the main transport routes into the City Centre. The site is previously developed and it is a long standing regeneration ambition of the Council to see it redeveloped for a use that would enhance the centre. The development would provide an active use with people coming and going for a large part of the day. Its location would be of a significant advantage to the centre's users, allowing people to get out into the community, while also making sure the centre is highly accessible. In addition, the proposed office and meeting spaces on the first and second floors would be occupied by Sense and other partner organisations and would offer further employment opportunities within the centre as well as diversifying the range of uses within it. It is considered that the proposal would make a significant contribution towards improving the physical, socio-economic and cultural vitality and viability of this part of the centre. As such, the uses proposed on the site, and the principle of its redevelopment, are fully in accordance with local and national policies.

6.6. Design

The proposed new building would be positioned to the front of the site along the Bristol Road frontage. The proposed building with maximum length of 76m and being three storey 3 storeys in height, would result in a significant mass. However it is considered it would be positioned so the development would create a strong frontage, introducing increased activity along this section of the Bristol Road. It would follow the traditional pattern of development along the back of the footway, albeit set back behind a narrow landscaped area, and its primary entrances would be from the Bristol Road. The scale and massing of the building is appropriate to the location within the local centre and would help to reinforce the status of the building as a local landmark. The well located entrances and public space with outside seating area would provide an active frontage and ensure that the building is legible and welcoming. The proposed landscaping would soften the interface between the development and the Bristol Road.

- 6.7. Furthermore, careful consideration has been paid to the design detail in respect of the use of materials, recesses, projections and triple-height effect glazed frontage entrance to break up the horizontal dominance of the building. The building would have a strong, clear and crisp theme of concrete frame with regular fenestration, and areas of coloured cladding and brickwork.

- 6.8. As such, it is considered that the building would not have any detrimental impact to the visual amenity of the area, including from the adjacent canal and would in fact improve the visual appearance of the area by removing unsightly advertisement hoarding and boundary treatments improving the overall environmental quality. I consider that the proposed building would be a high quality and interestingly designed building. When considered with the landscape setting, the proposal would result in a large but not unduly imposing building appropriate in size to its site, setting and function, which would accord with both local and national policy.

6.9. Landscaping

The proposed landscaping of the site serves to frame the proposed new building and would result in significant improvements to the existing site and its wider setting within the area, in accordance with policy. A new terrace area at the north end of the building would provide opportunities for outside seating with views across the adjacent canal, close to where a new ramp up from the canal side is shown for future provision.

6.10. In addition, a hierarchy of garden spaces to the rear of the building (with some accessible to the public), along with a sensory garden along the eastern edge of the building, would be provided. A Landscape Masterplan has been submitted and I consider that the detailed proposals can be satisfactorily dealt with by adding an appropriate condition.

6.11. Trees

There are a high number of trees across the site forming dense, continuous areas of canopy cover when viewed externally. Trees are generally denser towards the east with canopy cover more scattered in the west. The majority of the trees are self-set although planted introductions are evident along the Canal corridor. A tree survey has been submitted with the application and a tree retention plan indicates that all trees within the development boundary (equating to 28 individual trees and approximately 0.45 ha of group canopy cover) with the exception of a Goat Willow and group of Silver Birch to the very eastern corner of the site would be removed to facilitate the development proposals. The majority of these are deemed to be of low value and several trees within the groups are dead, dying or suppressed. Some have moderate value but this is primarily due to their collective function rather than individual quality or condition. All third party trees can be retained and should be given suitable protection. Given this, I do not consider that loss of these trees would be a sufficient reason to warrant the refusal of the application and they should not act as a barrier to the development, a view with the Council's Arboricultural Officer concurs, subject to replacement planting:

6.12. The landscape masterplan indicates 41 new trees and a number of new hedgerows as replacement planting and the above landscaping condition would ensure appropriate species are provided. In addition, a further condition to ensure the need for protection of retained trees is required. The landscape masterplan would help to increase other types of tree value by increasing species diversity, tree quality, visual amenity and accessibility of trees in the longer term. A high quality design could be implemented to fully mitigate the proposed impacts.

6.13. Transportation

The majority of service users are expected to arrive by car or minibus. A 74 space car park would be accessed from Selly Wharf, including 5 large spaces for minibuses and 8 spaces directly in front of the south entrance to the building for disabled users. An ambulance bay and loading/unloading bay would also be provided. The car park would implement a one-way system with secure barrier access, managed by Sense.

6.14. Current adopted car parking guidelines suggest a maximum 1 space per 45sqm of office space, which in this instance equates to 51 spaces. With 74 spaces in total it is considered that the parking provision proposed would be sufficient to meet the specific needs of all users of the building.

6.15. The site is close to public transport links, in particular Selly Oak train station with direct links to Birmingham City Centre. Cycle parking facilities would be provided in a dedicated cycle store in the main car park (details to be required by condition), and cycle stands within the landscaped buffer zone along Bristol Road. For Sense staff there will be showers, changing facilities and lockers to encourage implementation of a cycle-to-work scheme. A Travel Plan has been submitted and is considered acceptable.



- 6.16. In terms of trip generation and impact on the surrounding highway network, it has been calculated that the proposed development would generate a total of 66 two-way trips during the weekday AM peak (08:00 – 09:00) and 70 two-way trips during the PM peak (17:00 – 18:00). It is considered that this trip generation is robust, given the site's location and excellent opportunities for sustainable travel. Once traffic is dispersed across the local highway network it is unlikely that there would be any significant effects on the operation of the surrounding highway network. Given the above, the Council Transportation Development Officer raises no objection to the application, a view with which I concur.
- 6.17. In order to accommodate the required HGV movements along Selly Wharf during the construction phase, a potential TRO may need to be implemented to restrict parking along one side of the carriageway which would provide sufficient space for construction vehicles. Details of this arrangement should be provided as part of a construction management plan which can be secured through an appropriate condition. In addition, Selly Wharf is generally heavily parked and it has been noted that two way movements is at times restricted by the on street parking. It may be appropriate to implement a permanent TRO to allow safe access/exit from the application site. As with some other developments I recommended that the site is monitored for a period of time after occupation to ascertain the need for a TRO. An appropriately worded condition should be attached to any permission.
- 6.18. Ecology  
A Phase 1 Habitat Survey submitted with the application found that the site is dominated by dense scrub and scattered broad leaves trees. The habitats present within the site are of moderate ecological value within the local area and offer suitable habitat for a number of common species. The most significant ecological features for local wildlife are the trees and scrub, which offer foraging and commuting potential to local bats and birds. The site also lies alongside the Worcester to Birmingham canal SLINC and is seen as playing an important part as a stepping stone along this linear route for non-aquatic species. In addition the survey found that there was a patch of Japanese knotweed identified in the centre of site and stands of giant hogweed were found in the north and east (both of which are invasive species).
- 6.19. Opportunities for ecological enhancement are identified in the habitat survey report, which include the use of bat and bird boxes to compensate for lost habitat, the use of planting suitable for enhancing the biodiversity value of the site and the production of a lighting plan to minimise light spill on to adjacent habitats and upwards. A condition for ecological/biodiversity enhancement measures is recommended to secure further details. The appropriate long term management of the grounds is essential to ensuring that the biodiversity value of such areas and features is maintained over time.
- 6.20. Notwithstanding the above the Council's Ecologist suggests that there is a greater opportunity to enhance the biodiversity value of the site with the incorporation of green/brown roof designed for biodiversity. There is ample flat roof space in the design to incorporate and extensive naturalistic space, one designed with Black redstarts in mind would be highly beneficial. A condition to secure this is recommended.
- 6.21. Land Contamination  
The site has been the subject of a Geo-environmental site appraisal, which consisted of an initial Phase I desk study followed by a Phase II intrusive investigation. The ground investigation demonstrated that the Made Ground is

chemically suitable for on-site retention, however identified a former concrete slab in the southeast of the site and this, along with any others, would need to be further investigated and removed. In addition limited ground gas monitoring has been completed at the site and it is likely that further ground gas monitoring will be required. A condition is therefore recommended requiring a site assessment and, if required, a remediation scheme to deal with the risks associated with contamination.

6.22. Flood Risk

A flood risk assessment has been submitted with the application. The Environment Agency has raised no objection to the proposal subject to the imposition of conditions. I note the need to control surface water drainage and discharge to the adjacent lower-lying canal and appropriate conditions are therefore recommended.

7. Conclusion

7.1. The proposed development would result in the provision of a new purpose built mixed use community facility with office provision within a significant landscape setting, of an appropriate design that would not have any undue impact on the visual or residential amenities of the surrounding area. The building would provide excellent links to the local centre of Selly Oak adding to its vitality and viability and would be in a highly sustainable location. The proposal would therefore accord with policies within the Birmingham Unitary Development and those set out within the National Planning Policy Framework.

8. Recommendation

8.1. Approve subject to conditions.

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- 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 a sustainable drainage scheme
  - 4 Requires the prior submission of a contamination remediation scheme
  - 5 Requires the prior submission of a contaminated land verification report
  - 6 Requires the prior submission of extraction and odour control details
  - 7 Requires the prior submission of hard and/or soft landscape details
  - 8 Requires the prior submission of hard surfacing materials
  - 9 Requires the prior submission of earthworks details
  - 10 Requires the prior submission of boundary treatment details
  - 11 Requires details of the proposed retaining wall to the canal.
  - 12 Requires the prior submission of a landscape management plan
  - 13 Requires the prior submission of sample materials
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- 14 Requires the prior submission of a construction method statement/management plan
  - 15 Requires the prior submission and completion of works for the S278/TRO Agreement
  - 16 Requires the prior submission of cycle storage details
  - 17 Protects retained trees from removal
  - 18 Requires the implementation of tree protection
  - 19 Requires the prior submission of a method statement for the removal of invasive weeds
  - 20 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures
  - 21 Requires the prior submission of details of green/brown roofs
  - 22 Removal of advert hoardings
  - 23 Limits the approval to 3 years (Full)
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Case Officer: James Mead



**Photo(s)**



**Photograph 1: View of north eastern boundary along Birmingham and Worcester Canal.**



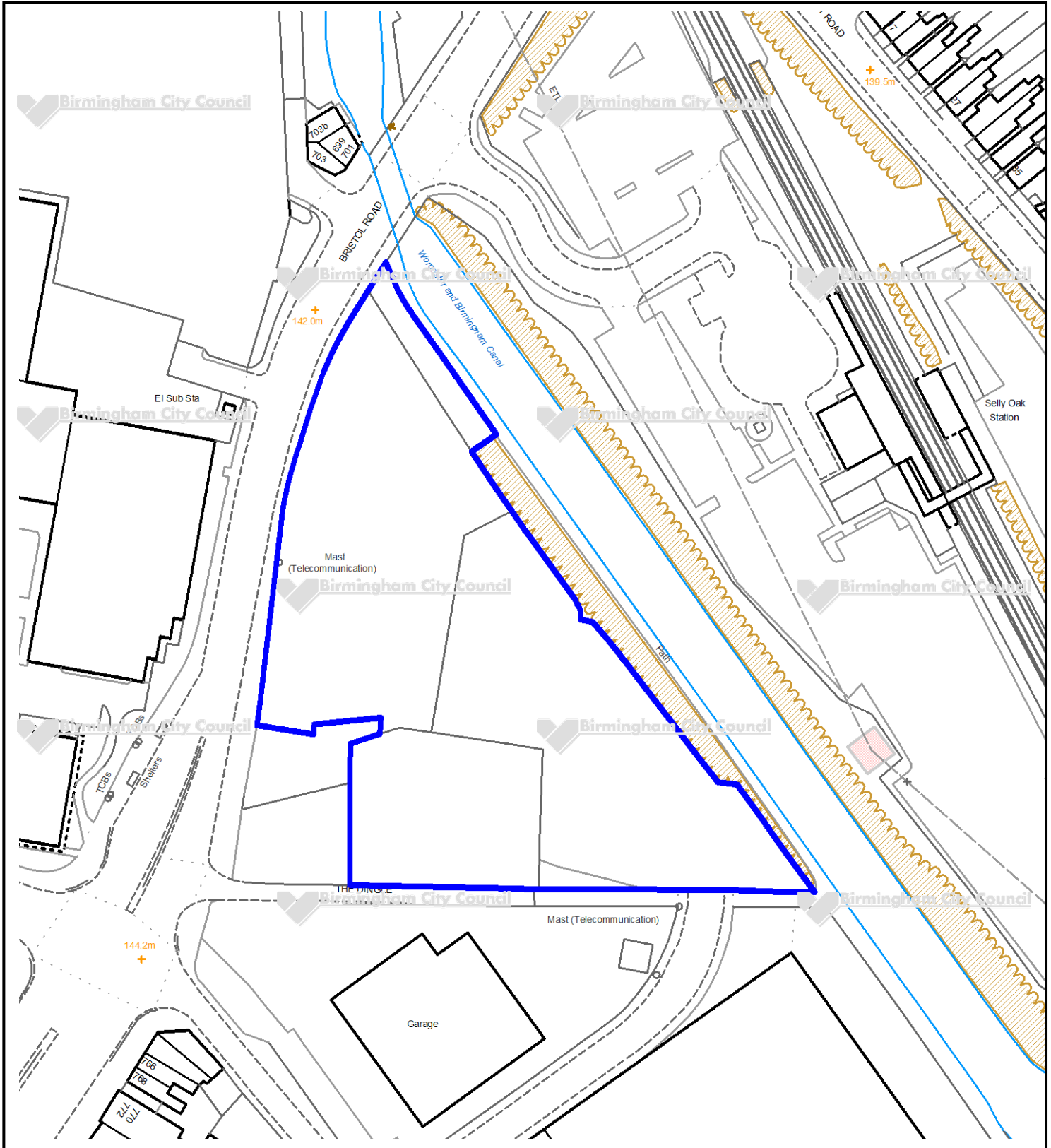
**Photograph 2: Site frontage along Bristol Road.**





**Photograph 3: Existing condition of site**

# Location Plan



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