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Committee Date:	03/04/2014	Application Number:	2014/00026/PA
Accepted:	06/01/2014	Application Type:	Full Planning
Target Date:	07/04/2014		
Ward:	Brandwood		

The Mountaineer PH, Ashburton Road, Kings Heath, Birmingham, B14 6JA

Demolition of existing Public House and erection of 14 no. dwellings comprising 4 no. x 3 bed houses, 6 no. x 2 bed apartments and 4 no. x 1 bed apartments with associated car parking and landscaping

Applicant: Symphony Investments Ltd  
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Agent: PJ Planning  
5 St Paul's Terrace, 82 Northwood Street, Birmingham, B3 1TH

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Recommendation

**Approve Subject To Conditions**

1. Proposal

- 1.1. The application is for the demolition of an existing vacant public house and the erection of 4 houses and 10 apartments with associated car parking and landscaping.

The arrangement of proposed dwellings is as follows:-

- Four, 3 bedroom houses built as two pairs of semi-detached houses fronting Ashburton Road; and
- Six, 2 bedroom and four, 1 bedroom apartments contained within a single block on the corner of Ashburton Road and Listowel Road.

- 1.2. Externally, the semi-detached houses proposed would follow the building line of the existing three storey houses (formerly shops with flats above) on Ashburton Road. The proposed apartment block would continue this line and turn onto Listowel Road, with its main face being 3.8m from back of footway on Listowel Road and a new vehicular access proposed for a parking court to the rear between the block and 111 Listowel Road. This would leave a distance between 9.9m and 11.9m from the 2 storey side elevation of the apartment block and the 2 storey 111 Listowel Road, which has its frontage splayed away at an angle from the application site. In terms of heights, the proposed semi-detached houses would be 2 storey and would include an attic room, with the apartments 2.5 storeys in height on the corner of Ashburton Road and Listowel Road, dropping to 2 storeys as the site heads down Listowel Road to the north.

- 1.3. The semi-detached houses proposed would be similar in appearance to the existing 2 storey houses in the area, with render at first floor level and large front canopies over ground floor windows and doors. The apartments would continue with the theme of brick and render proposed by the semi-detached houses and prevalent on

the wider estate, but would also introduce elements of timber cladding between fenestration, taking cues from hanging tiles and timber boarding also present on houses in the area. Access into the houses would be via individual front doors, with the apartments accessed by two communal entrances on the frontage. These entrances run through the building allowing access to the rear car parking area and communal amenity space.

- 1.4. Internally, the proposed houses would have a kitchen, WC and combined living/ dining room at ground floor level, two bedrooms and a family bathroom at first floor level and a master bedroom with en suite within the attic room. The attic room would be fenestrated by two rooflights on the front elevation. A 2.5 sq m rear balcony would serve the rear second bedroom at first floor level, which would be set upon projecting French doors at ground floor level. Apartment layouts for both 1 bed and 2 beds would have a combined living/ dining and kitchen area facing the rear amenity area, with bedrooms and bathrooms fronting the street. First and second floor apartments would have rear balconies with ground floor apartments having external terrace space.
- 1.5. Separation distances and internal bedroom sizes for both apartments and houses would be in excess of guidelines within Places for Living. There are side windows on the two adjoining houses at 17 Ashburton Road and 111 Listowel Road, but these serve stair/ landing windows only. Rear garden sizes for the houses would be between 75 sq m and 80 sq m, in excess of guidelines with access via secure side gates. Usable communal rear amenity space for the apartments is approximately 100 sq m (10 sq m per apartment), which is under guidelines of 30 sq m per flat within Places for Living. However, there are private external balconies and terraces for each apartment on the rear and a further 185 sq m of amenity space on the frontage, set behind 1m high railings. Unit sizes range from 48 sq m to 68 sq m for the 1 and 2 bed apartments and 98 sq m for 3 bed houses.
- 1.6. 8 in curtilage car parking spaces would be provided on the front gardens of the 4 proposed houses, with a further 10 car parking spaces provided in a gated rear courtyard area for the 10 flats. This would give a total car parking provision of 129%, with communal cycle storage facilities proposed for the flats and individual cycle stores shown in the rear gardens of the houses.
- 1.7. Following discussions with the agent amended plans have been provided. These have lowered the roof height of the corner element of the apartments from 3 storey to 2.5 storeys and the roof height of the entrance area on the 2.5 storey element has been lowered to break up the overall mass of the building on the corner. The proposed site layout has been amended so that a shared rear access point for the apartments and end house is now solely for the use of the house, with details of railings and hedge planting included on the frontage amenity space for the apartments and the rear car parking area reorganised.
- 1.8. In support of the application the agent has provided a detailed design and access statement which includes a justification for the loss of the public house. This includes a supporting letter from an estate agent stating that they have actively marketed the site as a public house on behalf of the applicant since October 2012, after the previous tenant vacated the site in 2011 due to poor trading conditions. The applicant has also provided a statement from a local Police Constable who highlights that the public house when open had a history of crime and anti-social behaviour associated with it and that the Constable would be unlikely to support a premises licence for the Mountaineer if it were to be reopened as a public house.

- 1.9. Site area: 0.18 hectares  
Density: 78 dwellings per hectare

[Proposed site plan](#)

[Proposed street scene \(Ashburton Road\)](#)

[Proposed street scene \(Listowel Road\)](#)

## 2. Site & Surroundings

- 2.1. The Mountaineer is a two storey 1960s public house on the corner of Ashburton Road and Listowel Road and is currently vacant. The site has a large frontage car park to Listowel Road and has a small landscaped area to the rear (north). There were previously a number of large oak trees on the site, they were removed/significantly cut-back prior to application submission.
- 2.2. Surrounding properties are from the same era as the public house, with three storey, flat roof houses, which were formerly shops with flats above, to the west. The remainder of properties to the north, east and south are two storey semi-detached houses, characterised by render at first floor level and canopies or projecting porch/bay windows on frontages.
- 2.3. The nearest public houses from the application site are The Crown on Alcester Road South, 680m to the east, The Red Lion on Vicarage Road, 730m to the north and The Hazelwell on Pineapple Road 800m to the North West.

[Site location](#)

[Street view](#)

## 3. Planning History

- 3.1. None relevant

## 4. Consultation/PP Responses

- 4.1. Transportation Development- No objections subject to footway crossings to be constructed to BCC specification at applicants expense, pedestrian visibility splays and cycle storage details.
- 4.2. Regulatory Services- No objections subject to a contaminated land study and potential remediation and verification works if necessary.
- 4.3. Severn Trent Water- No objections subject to foul and surface water drainage details.
- 4.4. WM Police- No objections, suggest boundary treatments are minimum 1.8m with trellis on top, defensive planting and low level railings to the apartment frontages, details of access control for the rear gates, self-closing locks for gates on the alleys between plots 2 and 3 and plot 4 and the apartments and the scheme achieve Secured by Design accreditation.
- 4.5. WM Fire Service- No objections.

4.6. Two statutory site notices posted, application advertised in the press, Ward Councillors, MP and residents associations notified- No comments received.

5. Policy Context

5.1. Adopted UDP (2005), draft Birmingham Development Plan, Places for Living SPG (2001), Development involving Former Public Houses SPG, NPPF.

6. Planning Considerations

6.1. Policy  
National

Within the National Planning Policy Framework (NPPF) paragraph 17 supports sustainable economic development to deliver new homes and encourages the use of brownfield land. Paragraph 19 states that significant weight is placed on economic growth within the planning system, with paragraph 50 highlighting that residential development should reflect local demand and create mixed and balanced communities.

6.2. On community facilities, the NPPF paragraph 70 states that planning decisions should guard against unnecessary loss of valued community facilities such as public houses where this would reduce the community's ability to meet its day-to-day needs. The NPPF is unequivocal in its view that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the proposed use (paragraph 122).

6.3. Local

The adopted UDP states that that new housing developments should provide an appropriate environment (paragraphs 5.20-5.20A) and a suitable housing density and mix (paragraph 5.40). Paragraphs 3.14D and 3.14E of the UDP require new housing development to be designed in accordance with good urban design principles. Within the emerging Birmingham Development Plan policy TP27 notes that new housing should not conflict with other specific BDP policies and should be accessible to jobs shops and services by different modes of transport.

6.4. Places for Living supports the creation of safe places, with clear definition between public and private spaces, active frontages, convenient routes, balance the needs of cars and pedestrians and provide schemes which reflect local context. The Development involving Former Public Houses SPG states that particular consideration must be given towards the availability of alternative public houses to serve the needs of the local community, the nature of the proposed new use (in particular whether or not the proposal provides for retention of a leisure/community use), the nature of adjacent land uses, highway considerations and the impact on the amenity of neighbouring residents.

6.5. Principle

The main issues centre on the loss of the public house as a community facility and the principle of residential use for the land. When assessed on the basis of the Development involving Former Public Houses SPG, it is evident, firstly in the vacancy of the public house since 2011, the previous issues generated by the A4 use on the area as reported by a local Police Constable and as no local objections have been received, that in this instance, The Mountaineer does/did not provide an important community function in terms of space for meetings and events. As such, I do not consider its loss would have an adverse impact on the amenity of the surrounding area. The nearest alternative public houses on Alcester Road South, Vicarage Road

and Pineapple Road are all considered to be suitable and open alternative venues within walking distance for residents in the area. The local area also has a number of other buildings which could provide community facilities, such as nearby Woodthorpe and Allens Croft Primary Schools and a Territorial Army Centre 100m to the south on Dawberry Fields Road. Therefore the loss of the public house is seen as acceptable in this instance.

- 6.6. In terms of the use of the site for residential purposes, as surrounding buildings are wholly in residential use, the use of the site for 14 dwellings is considered appropriate. The proposed scheme would achieve a satisfactory density and mix of both flats and houses, whilst following your Committee's separation distance guidelines and following predominant building lines.
- 6.7. **Layout, design and impact on surrounding properties**  
The layout of the proposed scheme addresses each street frontage, providing a development which would be well overlooked and in keeping with its surroundings. The location of windows and entrances would provide good natural surveillance and the corner turning apartment block would successfully front both Ashburton Road and Listowel Road, acting as a focal building when entering the estate off Granton Road to the east. Rear garden and communal amenity space would be separated from frontage areas, creating distinct private spaces for residents. Where new built form meets existing houses it has been positioned as such to be well in excess of separation distances within Places for Living, with plot 1 in line with the side elevation and secondary landing/hall windows of 17 Ashburton Road. Plus, the side elevation of the apartments on Listowel Road is between 9.9m and 11.9m away from the side elevation and secondary landing window of 111 Listowel Road. No.111 is also positioned on a diagonal with its frontage facing north east, away from the apartment block and its rear elevation facing towards the proposed rear parking area for the flats.
- 6.8. Proposed semi-detached houses would be constructed in brick and render with tiled roofs and would draw upon design characteristics of existing houses in the area, including the use of render and long canopies over ground floor windows and doors. The apartment designs further draw upon these characteristics, albeit with some projecting gables and dormers which are considered to successfully break up the overall mass of the block and help the building turn the corner from Ashburton Road to Listowel Road. Separation distances, rear gardens and bedroom sizes proposed would all comply with guidelines stipulated in Places for Living and suitable internal layouts have been provided for both apartments and houses. Communal amenity space for the flats on the rear, at circa 100 sq m is under your Committee's guidelines. However, private rear terraces and balconies have been provided for each apartment, along with a semi-private landscaped frontage area, both of which, combined with the rear amenity space and the relatively short (400m) distance to Dawberry Fields Neighbourhood Park is considered to provide an adequate level of amenity space for potential residents.
- 6.9. Following amendments to the height of the apartment block and amendments to the site layout, both my City Design and Landscape Officers support the scheme subject to conditions regarding materials, levels, hard and soft landscaping and boundary treatments. All conditions are considered to be reasonable, relevant and necessary to ensure an appropriate finished appearance to the scheme. My Tree Officer has requested that suitable new trees should be incorporated into the site on the corner frontage and at the access to the rear parking area to replace the mature oaks felled/cut-back by the applicant prior to this application. Although these were not subject to a Tree Preservation Order, the loss of these oaks has had a considerable

impact on the visual amenity of the surrounding area, therefore incorporation of new trees of a suitable girth and species into the landscape condition is considered necessary in this instance for the long-term benefit of local residents.

6.10. Transportation

Transportation Development have raised no objections subject to footway crossings to be constructed to BCC specification at applicants expense, pedestrian visibility splays and cycle storage. All conditions are considered relevant and necessary to the development, which is considered to be in a sustainable location, close to two bus routes (18 and 69) off Brandwood Road to the east. The level of off-street parking proposed is deemed acceptable, with all units having at least one off-street space and larger three bedroom houses having two spaces each.

6.11. Other comments

Both Regulatory Services and Severn Trent Water have raised no objections subject to a contaminated land assessment and potential remediation works and drainage details respectively. Both sets of conditions are considered relevant for new housing development. WM Police have raised no objections and have suggested sizes for boundary treatments, defensive planting, self-closing locks on rear gates with access control details for the parking area and Secured by Design accreditation. Planting and boundary treatment details will be secured by suitable conditions. Details of the access gate control, along with self-closing gates although sensible, is not considered reasonable or necessary to apply given that the site and the gated area is well overlooked and the gates would have good natural surveillance from the proposed houses and apartments. Secure by Design accreditation is a voluntary scheme and given the level of houses proposed, is seen as unreasonable in this instance.

7. Conclusion

7.1. The four houses and ten apartments are considered to be appropriately designed and sited. The proposal would be an efficient use of a vacant public house surrounded by residential properties and would not have an adverse impact on community access to facilities in the area. Therefore the scheme is not considered to have an adverse impact on the amenity of surrounding residential properties and the area in general, adding to the City's housing stock in a sustainable manner. With all of the above considered the application is recommended for approval.

8. Recommendation

8.1. Approve subject to conditions

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- 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 sample materials
  - 5 Requires the prior submission of level details
  - 6 Requires the prior submission of hard and soft landscape details
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- 7 Requires the prior submission of hard surfacing materials
  - 8 Requires the prior submission of boundary treatment details
  - 9 Requires the provision of cycle parking prior to occupation
  - 10 Requires pedestrian visibility splays to be provided
  - 11 Requires the prior submission and completion of works for the S278/TRO Agreement
  - 12 Requires the scheme to be in accordance with the listed approved plans
  - 13 Limits the approval to 3 years (Full)
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Case Officer: Neal Allcock



**Photo(s)**



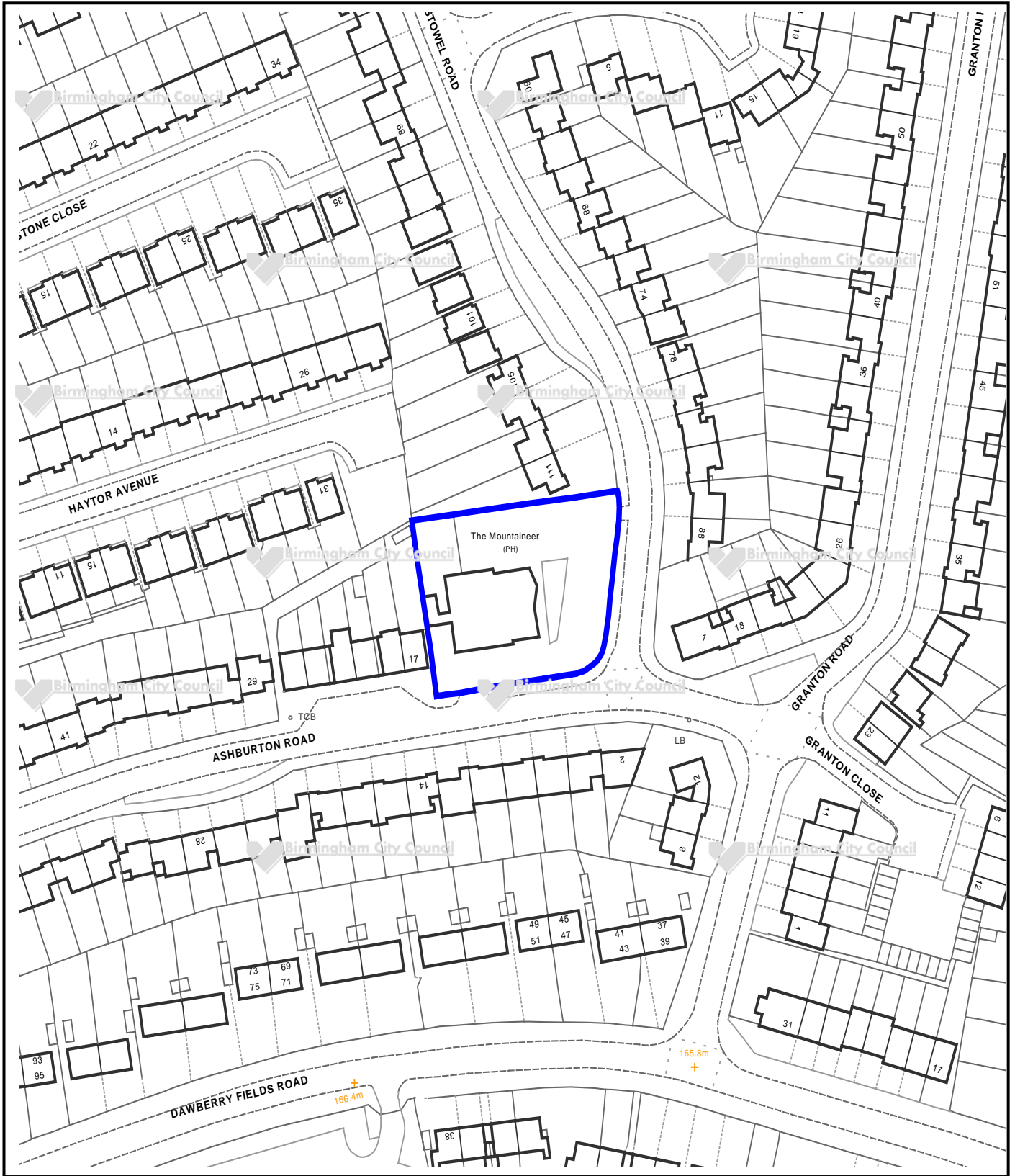
Figure 1: Ashburton Road elevation



Figure 2: Listowel Road elevation



# Location Plan



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