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Committee Date:	18/04/2013	Application Number:	2013/01053/PA
Accepted:	15/02/2013	Application Type:	Minor Material Amendment
Target Date:	17/05/2013		
Ward:	Ladywood		

The National Indoor Arena, King Edwards Road, Birmingham, B1 2AA

Minor Material Amendment attached to planning approval 2012/04742/PA for an amended facade design, amended landscaping & public realm works and associated internal reconfiguration

Applicant: The National Exhibition Centre Ltd  
c/o Agent  
Agent: Deloitte LLP  
Four Brindleyplace, Birmingham, B1 2HZ

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Recommendation

**Approve Subject To A Section 106 Legal Agreement**

1. Proposal

- 1.1. Planning permission is sought for a minor material amendment attached to previous planning approval 2012/04742/PA for an amended facade design, amended landscaping & public realm works and associated internal reconfiguration.
- 1.2. Planning permission was originally granted in October 2012 for an extension and refurbishment scheme to include enhanced retail areas (use classes A1, A3, A4 and A5) external façade works, erection of 3 'sky needles', signage, landscaping and public realm works.
- 1.3. Since planning permission was granted, extensive detailed design work has continued on the scheme focusing on the choice of materials and the interaction of the façade with the interior. Further consideration has also been given to the internal layout of the building to ensure that it is more efficient in terms of solar gain and to ensure the design for the scheme provides the most satisfactory means of mitigation of fire risk for maximum safety. As a result of this work, changes to the scheme have become necessary and are broken down in more detail as follows:
  - Main Façade - The application still proposes a four storey glazed façade on the south east end of the arena. However, the approved curved façade has been replaced with a straight glazing system that would be regularly broken with columns subtly tilted towards the canalside. These columns would be clad with a reflective, sheet metal cladding system.
  - Façade on King Edwards Road - The previously approved translucent façade would be replaced by a perforated metal screen with a matrix of coloured LED lights behind, which could provide images through the colour changing lights of events at the arena. This system would add a contrast to the band of clear glazing below to the major public access points.

- Public Realm - The approved cascade of steps on either side of the canal bridge on the south east corner has been modified to retain and enhance a larger element of landscaping on the south side of the canal bridge.
  - Internal Reconfigurations – There have been a number of minor changes to the internal elements of the building such as reconfiguration of dressing rooms and stairwells.
- 1.4. The external visual markers in the form of three ‘sky needles’ are still proposed. However, it is now proposed that the lights would not be colour changing but maintained in a clear white light. This element has been reconsidered due to the colour fade that would be experienced along the needle when using colours other than white. The needles would be lit by a series of perforations along the length of the extrusion formed from a slightly domed clear luminaire.
- 1.5. The disabled access and cycle parking provision remains as that approved under application 2012/04742/PA
- 1.6. The increased maximum capacity of 14,950 remains the same as that approved under application 2012/04742/PA.
- 1.7. There have been no changes to the food and beverage proposed, the seating area floorspace proposed and no overall increase in floorspace.
- 1.8. A revised screening opinion was submitted to the authority prior to the submission of a formal application. It was concluded that the development does not require an Environmental Impact Assessment due to the size and nature of the proposal.
2. Site & Surroundings
- 2.1. The site extends to 3.6 hectares which includes four associated car parks providing approximately 2,600 parking spaces. Scattered trees and other vegetation can be found around the perimeter of the site.
- 2.2. The application site sits within the outskirts of Birmingham’s city centre, in the ‘Westside’ quarter of Birmingham’s ‘Big City Plan’. The site is bound by Birmingham Canal to the south, King Edwards Road to the Northwest, St Vincent Street to the North East and Sheepcote Street to the South East.
- 2.3. Symphony Court, a residential development of approximately 140 units, is located to the south of the site. A number of relatively modern residential developments are also located to the west of Sheepcote Street, including Liberty Place and King Edwards Wharf.
- 2.4. The mixed use development of Bindleyplace dominates the area to the south east of the site, with the Sea Life Centre located directly opposite the NIA building on the opposite side of the canal. Broad Street, The ICC and Symphony Hall border the greater area to the south/south-east.
3. Planning History
- 3.1. 3<sup>rd</sup> October 2012 – 2012/4742/PA – Extension and refurbishment scheme to include enhanced retail areas (use classes A1, A3, A4 and A5) external façade works,

erection of 3 'sky needles', signage, landscaping and public realm works – approved - conditions

3.2. 1987-64990017 – Construction of National Indoor Arena including access roads, parking, servicing, bridge link and landscaping – approved-conditions

3.3. 1989 -64990024 –coach and car parking and hard and soft landscaping associated with National Indoor Sports Arena – approved - conditions

#### 4. Consultation/PP Responses

4.1. The application has been publicised by site and press notice. Local councillors, residents associations, the Broad Street business improvement district and local occupiers have been consulted. No objections have been received.

4.2. Canal and River Trust – No objections

4.3. Inland Waterways Association – No comment

4.4. Network Rail – No objections

4.5. Regulatory Services – No objections subject to same conditions being imposed

4.6. Transportation – No objections subject to same conditions being imposed

4.7. Severn Trent – No objections

4.8. Leisure Services – No objections

#### 5. Policy Context

5.1. UDP (2005), Draft Core Strategy, Big City Plan, Places for All SPD, Convention Centre Quarter Planning and Urban Design Framework, NPPF.

#### 6. Planning Considerations

6.1. Principle

6.2. This application seeks to vary the condition detailing the plans approved attached to planning permission 2012/04742/PA to allow minor material changes to the scheme to be made through the submission of a revised set of plans. In determining Section 73 applications DCLG advises Local Planning Authorities to focus on national or local policies or other material considerations which may have changed since the original grant of permission, as well as the changes sought. Since the original application was approved in January 2012, there have been no significant policy changes. As such I see no reason to reach a different decision to the approval granted for 2012/04742/PA

6.3. Design and Appearance

6.4. The application proposes a more simplified façade design than that proposed within application 2012/04742/PA. While the simplification of the structure is regrettable, the proposal still delivers a vast improvement in both appearance and facilities to the existing building. In addition, the translucent façade approved on the entrance to King Edwards Road is proposed to be replaced by a perforated screen with a matrix

of LED lights. This wall would be a welcome design change as it would act as an integrated architectural feature at the entrance to the NIA. Whilst details of materials have been discussed within the planning statement and design and access statement I consider it appropriate to retain the materials condition to see specific samples of the materials before development commences.

6.5. Landscaping

6.6. The amended application retains the principles of the approved application including the introduction of a new urban space of steps and seating area at the canal bridge linking the NIA with the Sea Life Centre and Brindleyplace. However, the amended proposal has omitted the steps and seating area to the south of the canal bridge and has retained the soft landscaping currently in existence. The application proposes to enhance this area of soft landscaping, the details of which can be controlled by condition. The proposed steps and seating area to the north of the canal bridge would be retained.

7. Conclusion

7.1. I consider the proposals are still acceptable and in line with the existing UDP, the Draft Birmingham Development Plan and the principles laid out within the NPPF. The proposal will greatly enhance this area, improve pedestrian linkages in and around the site and create a better interface with the canal.

7.2. Any approval would need to be subject to a Deed of Variation to secure the £30,000 contribution to Birmingham's 'Interconnect' project around the site as per the previous approval.

8. Recommendation

8.1 Deferral

8.2 That consideration of application reference 2013/01053/PA be deferred pending the completion of a Deed of Variation to the Section 106 agreement relating to planning permission reference 2012/04742/PA to secure the obligations in relation to application reference 2013/01053/PA.

8.3 A financial contribution of £1,500 for planning administration and monitoring of the legal agreement to be paid upon completion of the Deed of Variation.

8.4 In the absence of the Deed of Variation being completed to the satisfaction of the Local Planning Authority by 15th May 2013 planning permission be refused for the following reason:-

- i) In the absence of a suitable Deed of Variation to the original Section 106 Agreement completed under application 2012/04742/PA to secure a financial contribution towards way finding/ Birmingham 'Interconnect' project within the vicinity of the site the proposal conflicts with Policy 3.57 and Policies 8.50-8.54 of the Birmingham Unitary Development Plan 2005.

8.5 That the Director of Legal Services be authorised to prepare, seal and complete the Deed of Variation.

8.6 That in the event of the Deed of Variation being completed to the satisfaction of the Local Planning Authority by 15th May 2013, favourable consideration be given to application 2013/01053/PA subject to the following conditions:-

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- 1 Requires the scheme to be in accordance with the listed approved plans
  - 2 Requires further details of the Sky Needles
  - 3 Requires the prior submission of sample materials
  - 4 Requires the prior submission of hard and/or soft landscape details
  - 5 Requires the implementation of the submitted mitigation/enhancement plan
  - 6 Requires the prior submission of a lighting scheme
  - 7 Requires the applicants to join Travelwise
  - 8 Requires the prior submission of a commercial travel plan
  - 9 Requires further details of external technical store
  - 10 Shop Front Design
  - 11 Limits delivery time of goods to or from the independent retail units
  - 12 Limits the background noise levels
  - 13 Limits the noise levels for new Plant and Machinery
  - 14 Restricts the use class of units 3 - 5 to not include A4
  - 15 Limits the approval to 3 years (Full)
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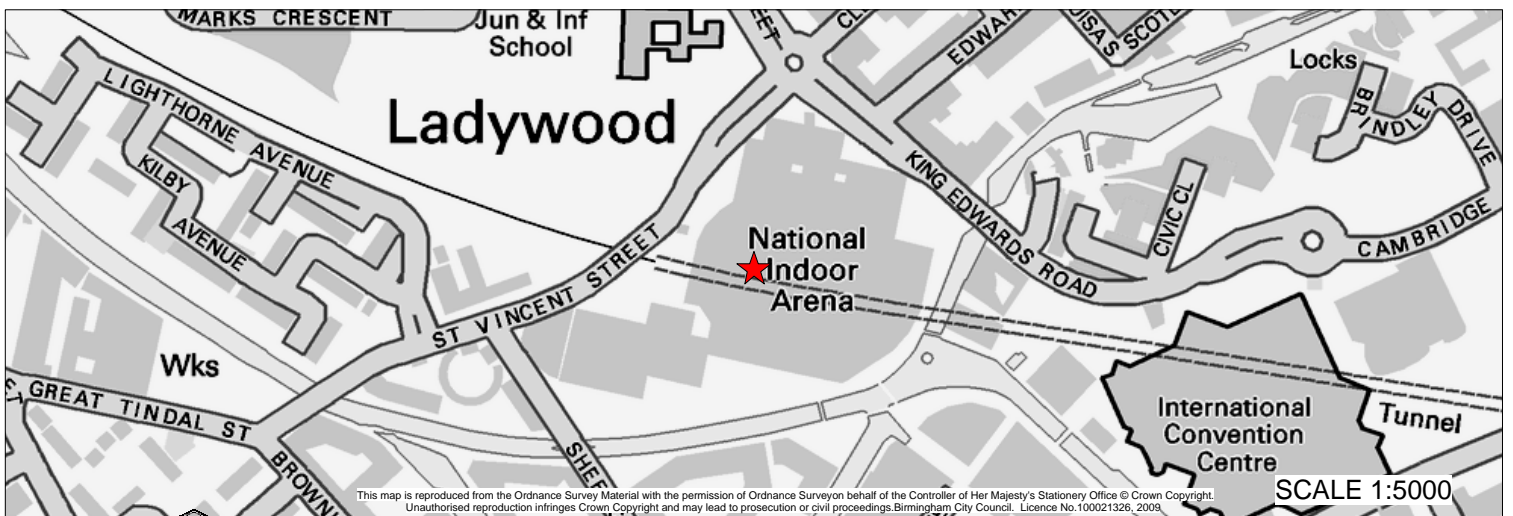
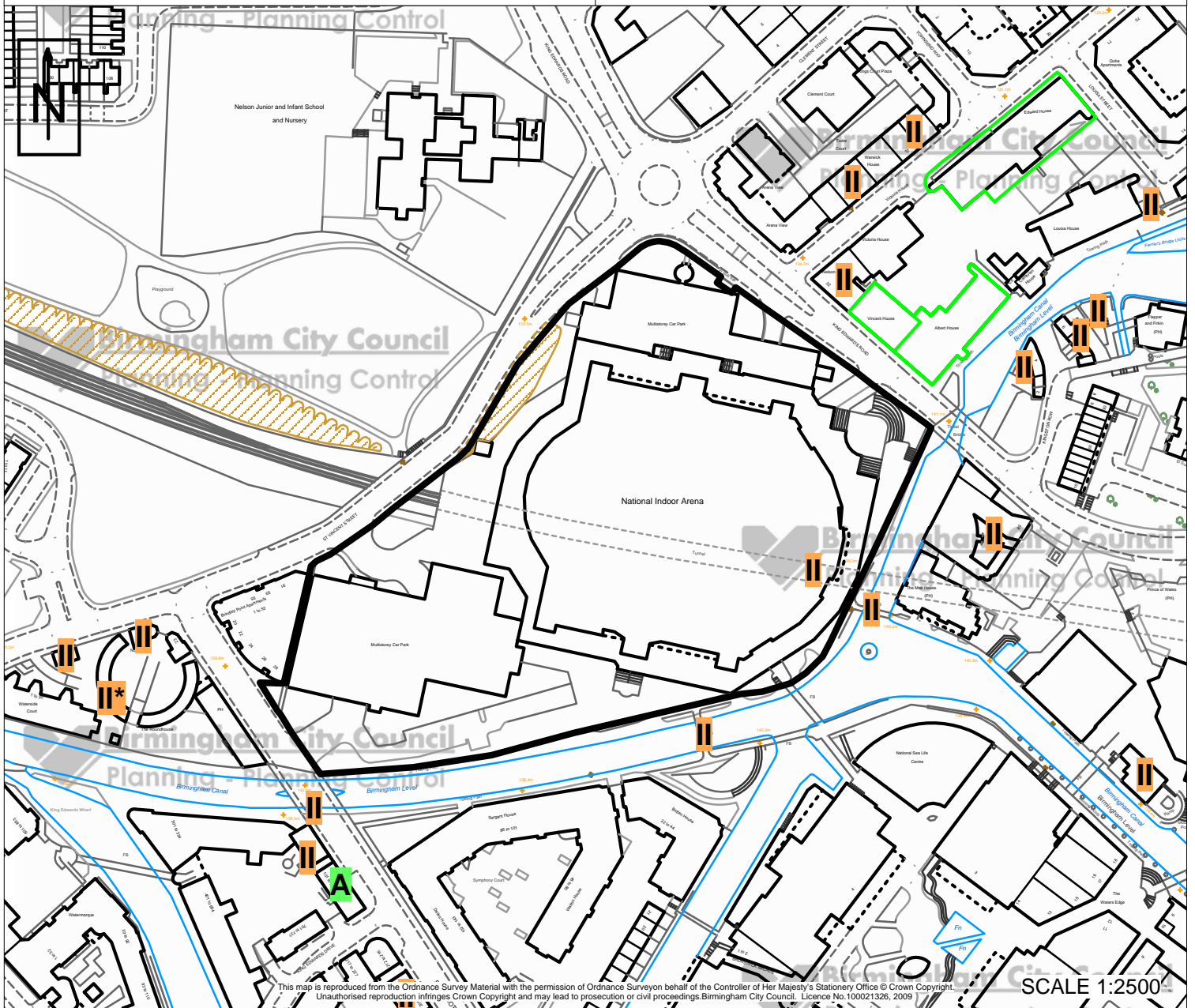
Reason for Approval

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- 1 Birmingham City Council grants Planning Permission subject to the condition(s) listed below (if appropriate). The reason for granting permission is because the development is in accordance with:  
Policies 3.8, 3.10 and 3.14 of the Birmingham Unitary Development Plan 2005; Places for All (2001); and the National Planning Policy Framework.
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Case Officer: Eiryl McCook













The National Indoor Arena  
King Edwards Road  
Birmingham  
B1 2AA

2013/01053/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

