

Ravenhurst Road, Land off (Site A), Moor Pool, Harborne, Birmingham

Erection of twelve, two-storey houses, and provision of replacement garaging and surface parking

Applicant: Grainger c/o agent

Agent: Savills (L & P) Ltd 23 Furzton Lake Shirwell Crescent Furzton Milton Keynes MK4 1GA

Recommendation

Defer/Inf Approval

1 DEFER. 2 ENDORSE. 3 AUTHORISE. 4 ENDORSE.

Proposal

The applicant proposes the erection of 12 dwellings on a site currently occupied by hardstanding, garages, and allotments. The site is located in the Moor Pool Conservation Area, Harborne. There are two concurrent development applications for other sites in Moor Pool, considered elsewhere on this agenda: Site C and Site E (i), ref. S/00874/08/FUL and S/00873/08/FUL. The applications are accompanied by Conservation Area Consent submissions for demolition of the garages, also elsewhere on this agenda.

The three development applications follow extensive and detailed discussions between the applicant and my officers, concerning matters including conservation area character, residential amenity, trees and landscaping, ecology, transportation, and allotments.

The development would consist of 12 no. 3-bedroomed houses, all two-storey. The site's existing vehicular access off Ravenhurst Road would be kept, with some gradient remodelling, leading down to 8 'estate' garages (i.e. for off-site residents) and 2 surface parking bays, and then the first terrace of 6 houses facing south across their front gardens to the access road and retained allotments. A second terrace of 4 houses would sit in the middle of the site facing west. The site's road would continue around to the south of the second terrace, leading to a final pair of houses facing east to the properties at 1b Margaret Grove and 2b Moor Pool Avenue.

All properties would have their own private garage and drive, with the garage either integral to the house, or to the side or detached. 16 driveway parking spaces are shown, amounting to provision of 150%. If garage spaces are also included, the figure would be 242%. The 12 houses are all of an equal external size, but those with detached or side garages would have more habitable room space at ground floor. Front gardens would be defined by new boundary hedging. Rear gardens, bedroom sizes and separation distances meet your guidance.

The site contains many trees, especially located around the site perimeter and in groups towards the Ravenhurst Road entrance, in the north-west corner and towards the south and south-east. Many of the trees and hedgerows around the periphery would be retained, and the majority of trees within the site would be removed. The applicant has indicated a programme of replacement tree and hedge planting. The retained allotment area south of the access road would be slightly reshaped towards its eastern, losing an area of 180 sqm. The replacement garages proposed would be arranged in approximately the same position

as existing garaging adjacent to the Grade II listed flats at 124-126 Ravenhurst Road.

The houses would be of traditional brick and clay tile construction, with elements of roughcast at some first floor elevations. The houses are each marked with large forward gables containing the front door and its canopy, with either an integral garage or kitchen window adjacent. The applicant proposes to provide the garages with an open grille metal door, including an integral pedestrian door. Whilst the overall design of terracing and materials and the principal design features echo that of the existing estate, there are some more modern compositional elements, for example the garage doors, the form and design of some windows, and the use of solar panels on south-facing roofs. The existing, narrow, hedged paths linking the site directly to Margaret Grove and Moor Pool Avenue would remain open. Garaging access for existing properties at the eastern end of the site would remain.

The development would require the demolition of 94 garages, many of which are apparently disused and/or damaged or derelict. The applicant's survey showed 15 in use for everyday parking by estate residents, 9 as empty, 12 used for storage, 45 vacant, and 13 where the tenant lives outside the estate. In compensation for the 15 garages in everyday use, the applicant proposes the 8 garages and 2 surface parking bays at the site entrance be kept for estate residents, and notes that on-street parking is available on Ravenhurst Road.

The development proposal would also require the loss of 12 allotment plots located along the site's northern boundary and in its south-eastern corner, all are sited behind existing garages. Most of these plots are disused and overgrown with brambles and trees. The main allotments on the south side of the proposed access road would be retained and improved (many are also overgrown and disused). The applicant proposes to compensate for the loss of the 12 plots by bringing back into use 26 other plots distributed around the estate which also are disused and overgrown. The 12 allotments to be lost amount to 1,690 sqm, the 26 to be renovated amount to 5,290 sqm. The applicant proposes to spend £5,000 on other works or facilities for the estate's existing allotments. The applicant also proposes to manage a former area of allotments, now overgrown with undergrowth and mature trees, for an informal wildlife/recreation area - this land is 'Site B', at the eastern end of Margaret Grove. Finally, wooded/overgrown land between West Pathway and Site E(i), would also be managed for wildlife. The garaging and allotment arrangements would be secured by a Planning Obligation (Section 106 legal agreement) and conditions.

The application is supported by a number of documents:

Planning Statement, Design and Access Statement, Conservation Character Appraisal and Justifying Statement, Transport Assessment, Ecological Assessment, Tree Survey, Drainage Report and Flood Risk Assessment, Sustainability Report, Statement of Community Involvement.

Development site area: 0.56 hectares.

Development density: 21.4 dwellings per hectare.

Site & Surroundings

The site slopes down gently from west to east, but has a steeper drop down at the Ravenhurst Road frontage. The valley rises up from the site bottom to the north and south in the back gardens of houses on Margaret Grove and Moor Pool Avenue. The development area is given over mostly to hardstanding and garages (62%). The remainder of the site (38%) consists of mostly overgrown and disused allotments, characterised by brambles and mostly self-seeded trees such as hawthorn, willow, sycamore, in addition to

older fruit trees. Larger, mature trees are found towards the site perimeters, especially on the northern boundary and to the western end of the site, with larger specimens including oak, beech, ash and sycamore. Mostly beech, hawthorn and privet hedges mark the site perimeter, as well as between allotments. Further allotments, also rather overgrown, lie adjacent to the application site, to the rear of 108-122 Ravenhurst Road.

Vehicular access to the site is obtained via Ravenhurst Road, whilst a number of narrow, hedged paths lead between houses on Margaret Grove and Moor Pool Avenue into the garage and allotment site. The two-storey properties fronting Ravenhurst Road are Grade II Listed flats, sited either side of the site entrance.

The site lies within the Moor Pool Conservation Area, which was laid out as a Garden Suburb a century ago. The estate was designated as a Conservation Area in 1970, in recognition its special architectural and historical interest. The area remains an attractive place, including its community facilities at the original Moor Pool opposite Site A, the bowling green, the village hall, tennis courts, allotments, etc.. The narrow roads and increasing levels of car ownership, however, have led to a rather congested character, with traffic blockages, damage to highway verges and parking difficulties in certain locations, especially at Moor Pool Avenue and Margaret Grove.

Site A lies 750m north-west of Harborne centre, where there is a wide range of shops, services, leisure uses and public transport.

Consultation/PP Responses

Transportation Development - No objections subject to conditions.

Noted that majority of existing garages are not used for the garaging of cars, and that some replacement garaging and parking is shown close to the site entrance. The site would have a low level of traffic generation and would be unlikely to have a detrimental impact on the local road network.

Noted that local discussions are to be resumed on potential one-way system near Site A.

Conditions to address - vehicular visibility splay and technical specification of site access, provision of a bin store to serve to the two easterly dwellings proposed, and a 2m service strip.

Local Services - No objections in principle. As there are only 12 houses, no need to consider any public open space or play requirements. Allotment plots are privately owned and are not covered by the Allotment Act 1925. UDP Policy requires exceptional circumstances to be proved before the loss of allotments can be allowed. Considered that the carrying out of improvements to remaining allotments will provide the necessary long-term recreational and community benefit to justify the loss of plots, and to offer the sum of £5,000 for future works or items. The Allotment Officer supports the retention and improvement of plots within the estate as proposed. The officer notes that demand for allotments in Edgbaston and Harborne exceed provision. The stated qualitative improvements are in line with those generally provided for city allotment sites.

Housing - No objections. The accommodation shows appropriately designed family housing, which is in very high local demand. No affordable housing implications arise.

Severn Trent Water - No objection subject to conditions for sustainable drainage, and no erection of buildings or trees planted within 5m of the public sewer which crosses the site. The applicant may wish to apply to Severn Trent water to divert the sewer.

Environment Agency - No objection subject to a condition to address surface water

drainage based on sustainable drainage principles.

City Drainage Section (Transportation) - verbal comment that the recommendations of the Environment Agency should be followed.

Conservation and Heritage Panel - Principle of development acceptable, garages of no architectural merit. However, concern at loss of garages on local parking. Garaging use could be increased if new, secure garages provided, with lighting. Or could provide garages in the rear gardens of properties backing onto the site. Concern at loss of allotments, particularly when demand is increasing. Proposals too intensive. A single longer terrace would be a better design solution and more in character with local vernacular. Houses should be turned around with the catslide roof at the front. Elevational design is bland with the detailing of windows and doors unclear. Gables should be rendered rather than being solid brickwork, and the metal grille garage doors should be timber.

English Heritage - No objection in principle. Would support the Council in seeking further refinement to design treatment.

Regulatory Services - No objection.

Police - No response received.

Fire Service - No objection, access suitable subject to being capable of sustaining weight of fire appliance, and subject to sufficient water supplies available for fire-fighting.

Wildlife Trust - No comments on the principle of the type of development, but comments on Ecological Appraisal: not all data supplied, context not fully examined (eg the Moor Pool opposite, an official national Toad Breeding site) , bat survey not adequate, does not deal with impacts of extra traffic and disturbance for amphibians migrating to and from the Moor Pool.

PUBLIC PARTICIPATION

Surrounding residential occupiers, residents associations, local councillors and MP notified, site notice and press notice displayed. Approximately 140 households have objected, including letters of objection from Gisela Stuart MP, Councillors Deirdre Alden, John Alden and Peter Hollingworth, Harborne Ward Committee, Moor Pool Regeneration Group, Moor Pool Residents' Association, Moor Pool Allotments Association, the Billesley Lane Allotments Association, the Birmingham and Districts Allotments Council, and Birmingham Friends of the Earth

One letter of 'no objection' from the Harborne Society.

Gisela Stuart MP raises the following points of objection:

Overwhelming opposition from local residents, need to put views of local community first.

Scale and design of new houses wholly out of keeping with estate, would detract from overall appearance. Had a long campaign to establish additional Conservation Area status.

Loss of allotments and open space a significant concern. Should not be subject to development simply because not maintained to high standard, should be retained and use actively promoted.

Impact on local ecology.

Already considerable pressure on parking and road safety, removal of garage spaces would further exacerbate already unsustainable situation.

Councillor Deirdre Alden raises the following points of objection;

Estate is historic, with charm and character and pockets of land of interest hidden away. These add to green environment and provide haven for wildlife and physical and mental well-being, should not build on.

Although most garages are dilapidated, not a reason for demolition - an old trick of deliberate negligence. If repaired and restored, and adequate safety measures such as security lighting and even CCTV installed, would be much more popular and take parked cars off the roads. Greater need for parking provision on the estate, with roads clogged with parked cars and damage to verges.

Although some allotments would be brought back into use, overall provision across estate would be reduced. Again, allowing an overgrown state should not be reason for development.

Concern that although some other sites dropped, applicant may return to them in future, seeking piecemeal development across the estate.

Site A is over-intense, overlooking of existing houses, intrusive and unacceptable. Should not build on land which is liable to flood. Original plans of 100 years ago showed a circle of houses, was it not built because of flooding and drainage problems? Photos show the low-lying area flooded, site visit strongly recommended.

Councillor John Alden - Support the numerous objections to the application. Unless officers are mindful to reject the applications, request the applications are heard by the full planning committee so that the objectors can nominate a spokesman to raise their objections in public.

Councillor Peter Hollingworth - add my support to the numerous letters of objection.

Harborne Ward Committee - Support the numerous objections by residents. Unless the Planning Committee is mindful to reject the applications, should make a site visit before determining the application.

The comments received from local residents and residents' associations are broadly summarised as following;

Character

Conservation Area with recent upgraded protection (Article 4 Direction) - area should be protected, not developed. Proposals disregard original estate design and layout, do not reflect historic character. Elevational design poor, solar panels are out of keeping. Density too high, building should be on brownfield sites. Would be ironic to resist small changes to existing houses via the Article 4 yet allow development of new housing. Loss of trees and greenery. Overlooking and loss of privacy to existing houses, new houses would increase noise locally.

Adversely affect the setting of the listed buildings fronting Ravenhurst Road by virtue of widened entrance ramp, removing the backdrop of mature trees and hedgerows, and by providing out-of-character new development.

If approved, need conditions to control drainage, hours of working and noise levels, dust, landscaping.

Transportation matters

Narrow roads already heavily congested with parked vehicles, extra houses would worsen situation. Buses, service vehicles and emergency vehicles cannot circulate or park where

they need to, causing danger to pedestrians and extensive damage to grass verges. A one-way system would help. Accidents occur in the most intensive 'passing areas'. Development would cause increase in traffic, including construction traffic. Inadequate visibility splays.

Fixed parking bays in Ravenhurst Road would help parking demand, and would also serve to narrow the road.

Development would inhibit access the site and require diversion of footpaths.

Most houses on estate do not have off-road parking, considerable demand for parking but applicant has obstructed garage rental applications over the years. Many people have to rent garages outside the estate. Although garages in disrepair, should not be demolished - should refurbish and bring back into use. Applicant's figures for garages use disputed by the residents' survey of July 2007. Non-estate residents would still need to park somewhere.

Are local examples of garages being converted to living accommodation, must be prevented in any new development.

Allotments

Allotments an important historical and community facility, vital part of urban living, needed for healthy environment and lifestyle. Provide spaces for wildlife, including endangered species. Owners have allowed deterioration of land for decades, and have been refusing requests for new lettings for some time, in spite of long waiting list. Intention to use other land for allotments is noted, but is insubstantial and further negotiations needed. Harborne is below UDP guideline for open space, very few green open spaces in the area. Loss of allotments conflicts with UDP policy, PPG17 and the Strategy for Allotment Provision in Birmingham 2001.

Residential application at Margaret Grove (Site B) was refused in 1996 due to loss of allotments and open space - still relevant to Site A now. Whilst welcoming 'replacement allotments' at Site B, merely reinstate existing allotments rather than creating new ones. There would be a net loss of allotment area. The land at Site B is already classified as allotments and so cannot be considered as replacement. The Moor Pool Allotment Association can evidence demand for allotments and currently have 29 applications on file.

Flooding

Very specific and extensive objections on the Flood Risk Assessment (FRA) have been received from the Moor Pool Regeneration Group, The Moor Pool Allotment Association, Moor Pool Resident's Association, and two individuals. The comment areas are summarised as follows:

Area prone to flooding, affects cellars of nearby houses.

Recent impermeable surfacing to many front gardens has increased run-off. More severe weather and flooding is predicted in future years.

FRA understates seriousness and frequency of flooding, question accuracy of computer modelling.

'Impermeable' areas in very poor condition so are in fact permeable to a degree.

Could be foul water flooding, a significant health hazard. Potential for pollutants associated with construction plant and operations to effect to allotment soils and elsewhere.

Soakaway - require deep excavation so destroy remaining allotments and associated hedgerows and wildlife. How to reinstate the allotments? How will allotment holders manage access and future plot use, especially if soakway maintenance needed after flood?

Who will monitor any restrictions, who will be responsible for damage? How will the planting of deep rooted crops and trees, digging of ground, and staking affect the soak away? Do not believe soakaway is in correct position. Soakaway would rapidly fill with groundwater or springwater. As infiltration values are unproven, will have to be site testing and trial pit holes to observe ground conditions.

Do not consider that all other reasonable options for disposal of the surface water have

been thoroughly investigated. Several mature trees affected by the soakaway. Drainage system would have shallow contour, encourage silt and debris build-up - who would carry out regular inspection and maintenance, and how would it be funded? Whatever work is carried out at Site A, existing culvert downstream at Site B remains a bottleneck.

Ecology

Wildlife survey not comprehensive - makes no mention of the annual frog migrations, greatly under-estimates the number of mature trees and variety of habitats, inadequate bat survey, other deficiencies for birds and other species.

Contrary to new development, the opening up of the stream would be an encouragement to wildlife and a better solution to local drainage problems. Not only should new houses be rejected, but other environmentally acceptable solutions should be proposed such as ditches, basins and balancing ponds or wetlands.

Other matters

If planning consent is given, will be more difficult to refuse further applications. Will the garages at the other, now-deleted, development sites be refurbished or allowed to deteriorate further? The original proposals also discussed improvements for the community spaces and facilities, but these have been dropped - what guarantees can be offered?

Already local pressure on dentists, doctors, nurseries, schools.

Site is not subject to problems of anti-social behaviour.

All new housing in Birmingham needs to meet highest sustainability level.

Applicant suggests applications will improve general amenity of the estate by improving the neglected areas, but it is their responsibility to maintain and manage these areas.

Sub-division of the proposals into three separate applications is a deliberate attempt to avoid requirements for social housing provision. A Master Plan for the whole estate should be required. Do not propose the type of entry-level and social housing the government seeks.

The Harborne Society: no objection. Noted that the proposals are significantly reduced from those shown in 2007. Regret loss of rest of substantial package of estate enhancements. Proposal to improve allotments across the whole estate is welcomed. Concern that not enough replacement parking spaces provided, as on-street parking problems are severe, especially at Margaret Grove.

Planning History

A number of planning applications from 1952 to 1975 for the erection of garages.

S/00869/08/CAC (Site A), S/00870/08/CAC (Site C), and S/00871/08/CAC (Site E(i)), demolition of garages, elsewhere on this agenda.

S/00874/08/FUL (Site C), Land off Ravenhurst Road, Erection of three houses and provision of garaging and parking, elsewhere on this agenda.

S/00873/08/FUL (Site E(i)), Wentworth Gate, Erection of one house, elsewhere on this agenda.

Policy Context

UDP, Places for Living, Mature Suburbs, Moor Poor Conservation Area (and Article 4(2))

Direction), PPS1, PPS3, PPS9, PPG13, PPG15, PPG17, PPS25, The Birmingham (Moor Pool, Harborne Conservation Area No.7) Tree Preservation Order 1971.

Planning Considerations

This application raises a number of issues for consideration, including the effects on Conservation Area character, the effects on residents' amenity, loss of allotments, transportation matters, ecology, and drainage.

CONSERVATION AREA CHARACTER, AND RESIDENTIAL AMENITY

The majority of Site A is given over to hardstanding and garages. The garages are utilitarian concrete or timber structures, mostly dating from the 1950s and 1960s, and many are in either a poor state of repair or are entirely dilapidated e.g. with roofs fallen in, and/or doors broken. The two areas of allotments proposed for development are mostly disused and overgrown. There are fruit trees and other self-sown trees in evidence across the site. However, it should be noted that were the allotments to be returned to cultivation, many of these trees would have to be removed. Overall, given the dilapidated nature of the garages and hardstanding, Site A makes a negative contribution to the Conservation Area's character and appearance. As such, there is no objection in principle to development, and my Conservation Officer concurs.

Having accepted the principle of development, details of development siting, scale and design should be considered, as well as tree and hedgerow loss and replacement. Importance is attached to the sense of openness and topography and how development would affect these.

Site layout underwent a number of changes during extensive pre-application discussions. The site layout now shows an access road running into the centre of the site looked over by terraces of six and four houses. This allows for natural surveillance over the road and across to the retained allotments, with secure and private back gardens to the rear. In my view, this provides for the best overall form of development for the site. The pair of houses at the eastern end of the site are more tucked away. However, the existing pair of cottages adjacent, and properties on Margaret Grove, have vehicular access to their curtilages from the eastern end of the site and so access here must be retained. Therefore, the provision of two houses would provide additional natural surveillance in this area.

The existing estate is characterised by houses ranging from pairs of semi-detached, to terraces of four or six houses - as such, the three rows of houses proposed match local character. Back garden lengths are in accordance with your Committee's guidelines, and garden widths match or exceed those of adjoining properties. Overall, private gardens are of an adequate size and I consider the pattern and layout of the site to accord reasonably with local character.

The eight replacement garages close to the site entrance are on the same site as existing garages. With passers-by on Ravenhurst Road, the new houses adjacent, and new lighting, I consider appropriate surveillance and security would be provided. This would be controlled by the Planning Obligation. The various pathway routes into the site would be retained, thereby preserving the high level of pedestrian permeability which is characteristic of the estate.

Elevational design reflects broad characteristics of the existing Conservation Area, with a mixture of brick and roughcast facings, and plain clay roof tiles. A more modern interpretation has been incorporated, with some of the window sizes and configurations, the

garages doors, the front door and canopy, and the solar panels. Apart from the garages doors, I consider these to be a reasonable contemporary approach whilst retaining the traditional suburban grain, design and materials. Each gable end facing the public realm has habitable room windows, and every property would have a grassed and hedged front garden as well as a front driveway. The rear elevations are also characterised by rear gables and long sloping roofs with dormer windows.

The larger mature trees around the site periphery would be mostly retained, but there would be trees lost within the site. However, were the allotments to be retained and re-used, many of these trees would also have to be removed, and they are all of a low category rating i.e. not worthy of retention. Some of the largest trees to be removed are in the vicinity of the site access, and two trees to the rear of the garages and House A. My Tree Officer has agreed to their removal, in part due to defects in the trees, in part due to the mitigatory presence of other large mature trees retained close by. The development proposals also include replacement tree planting. This would include, for example, a new specimen beech close to the replacement garages, field maples along the retained allotments, apple and flowering crab in domestic gardens, and silver birches to the rear of the main terrace. The silver birches and the field maples would provide new and replacement screening planting for surrounding houses. Beech and hawthorn hedgerows around the site periphery would in the main be retained, while the slight reshaping of the retained allotments would require new boundary hedgerow planting, including a new oak tree. My Tree Officer and I are satisfied that, subject to the proposed replanting scheme, the loss of trees is acceptable. The replacement specimen trees would be planted at appropriate distances from each other, unlike many of the existing self-sown examples, and would therefore grow into a much better structured landscape over the long-term.

The surrounding houses sit mostly at a higher ground level than the site and most have views over and across it. In summer, many views are screened by trees within the site or on its site boundary while in winter, views across the whole valley site are common. With the removal of some trees and the insertion of built development, it is acknowledged that residents' views would change. However, the unsightly dilapidated garages would be removed and replaced with well-designed new family housing, with structured tree planting providing character and screening for the long-term.

Existing residents' privacy would not be unduly affected, as the rear elevations of Houses A-F lie between 12.5m and 18m from the nearest point of Margaret Grove gardens, and between 31.5m and 36m away from the rear elevations of the Margaret Grove houses. The lower site level compared to existing surrounding houses also means that the effect of the built development with respect to outlook and privacy would be reduced. Apart from the new tree planting, the central and eastern parts of the northern boundary are marked by mature oak and beech trees, which would provide a good deal of screening between the new development and existing. The western part of the northern boundary is rather more open, and it is here that the applicant proposes to plant new birch trees. While the new development would introduce some night-time illumination to the area, so would a refurbished and illuminated garage development. Indeed, the existing garage site has clearly been illuminated in the past, but the lamps do not work at present.

Overall, I am satisfied that the proposals preserve or enhance the character and appearance of the Conservation Area, and that surrounding residents' amenity would not be unreasonably affected. My Conservation Officer considers that the proposal would have a neutral effect on Conservation Area character and appearance.

The western portion of the site provides the setting to the side and rear of the Grade II Listed flats fronting Ravenhurst Road. Given the poor state of the existing garage site, and

its proposed replacement with new garaging and new housing, I consider the Listed Building setting would be preserved or enhanced, and my Conservation Officer concurs.

ALLOTMENTS

The Moor Pool Allotments Association would prefer to retain the existing allotments than see planning consent granted and the proposed allotment restoration package and finance implemented.

The Estate was laid out with allotment gardens as an integral part of its overall design concept. Most plots are located to the rear of gardens in the middle of perimeter housing blocks, and are accessed from the roads and back gardens via a network of narrow, hedge-lined paths. Other plots were laid out after the Estate's construction, for example, to increase food production during the two world wars. In total, there are some 72 plots (excluding the two 'wildlife areas'), amounting to approximately 12,570 sqm. Some are well-tended, some have clearly been used in the recent past, while others are so overgrown they have little or no trace of the former allotment use. There is some variation in plot size, but the majority are of a fairly uniform size and rectangular shape.

The applicant gave notice to quit in May 2007 to the tenants of allotments at Site A, which took effect from May 2008. The Allotment Association notes that the resulting recent lack of cultivation will lead to a deterioration of the affected plots.

The development proposals require the loss of twelve allotment plots. Eight plots abut Margaret Grove gardens. The applicant states that five of these are 'unofficial', i.e. are derelict allotment/other land that has no letting number, or is an unofficial garden. The other three plots show very few signs of relatively recent cultivation and one is overgrown. Four plots abut Moor Pool Avenue gardens, all are overgrown with young trees and brambles, and are affected by some rubbish and earth spoil tipping. The twelve plots amount to 1,690 sqm.

In compensation for the loss of the twelve plots, the applicant proposes to bring back into use twenty-six allotment plots distributed around the estate which are currently uncultivated and/or overgrown. These plots amount to 5,290 sqm. The area offered, therefore, to be brought back into productive allotment use is more than three times that which would be lost. Additionally, the applicant proposes to make a financial contribution of £5,000 to be spent on other facilities or works at the estate's allotments. During pre-application discussions, the Allotment Association did not apparently wish to take up the offer of facilities, such as composting, toilets, or water supply, but these or other works or facilities may prove desirable in the future if planning consent is granted and the money is therefore actually available to the Association. The financial contribution would need to be spent within five years.

As part of the allotments compensation package, the Applicant had also proposed to reinstate the longer-disused allotments at Site B on Margaret Grove, but has withdrawn that offer on the advice of your officers, principally due to the nature conservation value of the area as existing and the pleasant aesthetic character derived from the many trees in situ. Instead, the applicant has agreed that the land may be secured in perpetuity for public benefit for nature conservation with recreational access, by way of a condition. The land's short-term and long-term amenity and nature conservation value could be improved with a suitable management regime, and access and seating provided for low-key recreational use. The same is to be achieved for a sizeable area formerly part of Site E, to the west of West Pathway - again the area is too wooded to be used for allotments, but has some ecological worth. The two wildlife areas amount to 2,700 sqm.

Some residents have expressed a concern that although earlier development proposals for Site B were withdrawn prior to the planning applications' submission, they could be submitted again in the future. The securing of the land for wildlife/low-key recreation use by condition directly addresses that concern.

The Estate's private allotments fall within the definition of 'open space' in the UDP and PPG17. The UDP states that proposals which would result in a loss of open space will only be permitted in exceptional circumstances. In determining whether exceptional circumstances exist, the Council will take account the availability of public open space nearby, its quality, and how well it meets local needs. The UDP states that it is unlikely that developers will be able to demonstrate that exceptional circumstances exist where (a) existing public open space provision is below the standard of 2.0 hectares per 1000 population, and/or (b) there would be a loss of land from the open space network.

While the larger Queen's Park and Grove Park are both 1.3km away, Harborne Walkway and North Road public open space are just 240m and 470m to the east. The Estate also benefits significantly from its own areas of privately-owned but publically-used open space, at the Moor Pool, the bowling green, and tennis courts. Notwithstanding that Harborne Ward falls below the UDP standard with 1.62 hectares per 1000 population, I consider residents of the Estate have a reasonable amount of accessible public and private open space. The actual extent of land lost to development would be limited, and it is not publically-accessible and is hidden away behind mostly dilapidated garages. Reversion of the land to allotments instead would require tree removal, as does the application proposed.

The UDP policy for allotments also seeks to avoid development leading to their loss, and requires exceptional circumstances if planning permission is to be granted, with appropriate equivalent long-term recreational community benefits provided as compensation. The policy requires that alternative recreational, nature conservation or horticultural uses of allotment land are considered if it can be demonstrated that demand for allotments has fallen. The Applicant accepts that local demand is high. The test, therefore, is whether exceptional circumstances exist.

The allotments at Site A are privately-owned, are hidden away behind mostly dilapidated garages and are mostly in an overgrown and disused state. The development proposals would bring about the re-use of more than treble the area of allotments to be lost, at various locations around the estate. The disused plots in question vary in state from brambles and rough grass, to complete thickets. The time, effort and investment for their restoration would be significant, and would be secured by a condition attached to a planning consent. Also, the sum of £5,000 would allow for the provision of other allotment facilities across the Estate, which the Council would be required to approve, having consulted the Allotment Association. Finally, the applicant proposes that two large areas of former allotments, now overgrown with vegetation and/or trees, be brought under management for nature conservation benefit. All these matters would be secured with a Planning Obligation and by condition. As such, I consider the proposals to be acceptable and compliant with policy, and your Local Services (Allotments) Officers concur.

TRANSPORTATION

The development would require the demolition of all the site's 94 garages. Many of the garages are apparently disused and/or damaged or derelict, or are leased to individuals who do not live on the Moor Pool Estate, or are used for purposes other than everyday vehicle parking. The applicant has calculated only 15 garages are used for everyday car parking, and so has proposed 8 replacement garages and 2 parallel parking spaces within

the development, to be used only by residents of the wider estate (secured by the Planning Obligation). Any other people who live near Site A and would lose their garage would be able to park on-street at Ravenhurst Road, which is a wide road with parking capacity. As such, both Transportation Development and I consider the application would result in, at worst, limited extra on-street parking on Ravenhurst Road, which has reasonable capacity around the site entrance.

In-curtilage parking for the twelve new houses would be 150%, or 242% if their garages are included. Clearly, therefore, the development would provide adequate parking for its own residents and would not affect parking pressures which exist in the surrounding roads. The heavy on-street parking on nearby roads causes traffic congestion in conjunction with the narrow carriageways. However, with only twelve new houses proposed, extra traffic generated by the development would clearly affect local circulation very little - Transportation Development concur.

ECOLOGY

The site has no ecological designation. The applicant has carried out a Desk Top Study, a Phase I habitat survey and follow-up survey, and fauna surveys for badgers, birds, bats, and reptiles. At my Planning Ecologist's request (and the Wildlife Trust's), the original Ecological Appraisal of January was updated in April 2008.

My Planning Ecologist notes that no survey for amphibians was carried out, though the site contains habitat features suitable for non-breeding amphibians and there are a number of records for these species across the estate. The Appraisal proposes a hand search of the site during site clearance, and the provision of an exit-only amphibian fence during any Spring construction period. The Appraisal also proposes the incorporation of amphibian-friendly gully traps into the surface water drainage system.

No evidence of badgers was found at the site.

Bats forage/commute across the site, but do not roost there, with the possible exception of the oak (P5) shown for felling, to the immediate west of House A. The Appraisal states the oak could be pollarded and retained, and bat boxes provided on retained trees. The possible retention of the oak would be controlled for further consideration by condition.

The loss of trees would reduce the foraging and nesting resource for birds, but I note the new tree and hedge planting would compensate. No 'Rare' birds were recorded at the site. Bird boxes would be provided on retained trees. Habitat clearance should not be carried out during Spring and Summer, unless otherwise first investigated by the Applicant's consultant Ecologist and agreed by my Planning Ecologist.

In conclusion, while habitat would be lost, the site does not have significant ecological value and my Planning Ecologist has requested a number of specific measures to mitigate for the effects of development. Apart from detailed above, new gardens should include habitat-friendly features and native planting and, in general, your Planning Ecologist requests a condition to secure implementation of a detailed ecological and mitigation enhancement strategy. Subject to these measures, ecological matters at the site are satisfactorily addressed.

FLOODING

There is some history of flooding at the valley site during high or intensive rainfall events.

The Environment Agency therefore required the applicant to carry out a Flood Risk Assessment (FRA), during the course of the application. In summary, the applicant proposes to divert the site's storm and foul water sewers, to follow the course of the new road. Everyday surface water run-off would drain to a new soakaway. Extreme weather event surface water flows (1 in 100 year event) would drain to a larger soakaway. Both soakaways would be constructed within the retained and renovated allotments south of the new access road. On the basis of the FRA and subject to condition, the Environment Agency do not object to the site's development. Severn Trent raised no objection to the original application submission.

The Moor Pool Allotments Association and the Moor Pool Regeneration Group have examined the Flood Risk Assessment and submitted extensive objection comments, as summarised in the 'Consultation/PP responses' section above. I provided these comments to the applicant and their drainage consultant has replied on all the points, to my satisfaction and to that of Local Services (allotments). Subject to a number of conditions to secure the soakaway system, including details of its detailed design with respect to allotment and tree protection and allotment restoration, site drainage and flooding matters are acceptable.

OTHER MATTERS

Some objectors consider there to be a contradiction between development proposals and the enhanced status of the Conservation Area area provided by the Article 4 Direction. There is not any contradiction - the Article 4 exists to prevent erosion of local character through unsuitable changes to existing properties, whilst the planning application proposes entirely new development. The acceptability of the proposed housing will be determined in the context of local and national planning policies. If given planning permission, the new development may also be included within the Article 4 Direction, to prevent future erosion of its quality.

Some objectors are worried that the earlier, informal proposals (now dropped to heed officer advice) on other parts of the estate might be revisited sometime in the future should planning permission be given at any of the current three application sites. Conditions and the Planning Obligation would secure allotment and wildlife areas, and garaging provision, on those other sites so they could not come forward for new development. In any event, any new development proposals are judged on their own merits.

Some objectors are concerned that the lack of a Conservation Area Appraisal carried out by the Council weakens its position in determining the current development proposals. I do not agree, as local and national planning policy for decision-making is clear and robust, and all parties can make an informed judgment on the effects of the proposals on Conservation Area character.

Sustainability

Neutral - new housing provided in the urban area, no adverse effect on local character and residential amenity, acceptable arrangements to be secured for allotments, neutral effects on parking and traffic, acceptable ecological effects, local drainage satisfactorily addressed.

Conclusion

I consider the proposed development would conserve or improve the character and appearance of the Conservation Area, through the removal of unsightly garages and their replacement with a well-designed housing development. I do not consider that surrounding residents' amenity would be unduly affected. The wider Estate's allotment provision would

be greatly improved in quality, and on-street parking would be little affected due to the low use of the existing garages,. The effects on trees, landscaping and nature conservation would be acceptable, and the Environment Agency raise no objection to flood risk subject to conditions. Therefore, and subject to carefully considered conditions and a Planning Obligation, the application may be approved.

Recommendation

Deferral

1. That determination of App. No. S/00872/08/FUL be deferred pending the completion of a Section 106 Planning Obligation to secure the following:
 - (i) a financial contribution of £5,000 to be paid upon implementation (index linked to construction costs from the date of the committee resolution to the date on which payment is made) towards the provision of allotment facilities on the existing allotments across the Moor Pool Estate, or for the provision of facilities at other allotment sites in the Harborne Ward if some or all of the £5,000 cannot be spent at Moor Pool Estate allotments;
 - (ii) eight on-site garages and two surface parking bays for the use of Moor Pool residents only, excluding the residents of the development hereby permitted at Site A.
2. In the absence of the planning obligation being completed to the satisfaction of the Local Planning Authority within a period of three months of the date of this resolution, planning permission be REFUSED for the following reasons:
 - a. In the absence of any suitable Planning Obligation to secure a financial contribution of £5,000 for the provision of allotment facilities on the existing allotments across the Moor Pool Estate, or for the provision of facilities at other allotment sites in the Harborne Ward if some or all of the £5,000 cannot be spent at Moor Pool Estate allotments, the proposed development conflicts with Policy 3.62A of the Adopted UDP 2005.
 - b. In the absence of any suitable Planning Obligation to secure eight on-site garages and two surface parking bays for the use of Moor Pool residents only, excluding the residents of the development hereby permitted at Site A, the proposed development conflicts with Policy 6.51A of the Adopted UDP 2005.
3. That the Corporate Director of Governance be authorised to prepare, seal and complete the Planning Obligation.
4. That in the event of the Planning Obligation being completed to the satisfaction of the Local Planning Authority within three months of the date of this resolution, favourable consideration would be given to this application, subject to the conditions listed below.

1	PLA102R1	Exlevels/Satisite
2	PLA404R83	Protfence/Keeptree
3	PLA405R83	Foundatn/Keeptree
4	PLA408R83	Treesurg/Keeptree
5	PLA409R20	Treeret/Safelock
6	PLA606R1	Lighting/Satisite
7	PLA999	Non-Standard

Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is

completed. The Scheme shall incorporate amphibian-friendly gully traps.

REASON:

In order to prevent the increased risk of flooding, to improve and protect water quality, to ensure future maintenance of the surface water drainage system, and in the interests of wildlife conservation.

8 PLA999 Non-Standard

In association with the condition for site-wide sustainable surface water drainage, details of the size, position and depth of the foul and surface water soakaways and associated pipework indicated on Drawing No. 260321-SK07 Rev. C, shall be submitted for the written approval of the Local Planning Authority. The submission shall also address tree, hedge and allotment protection during soakaway construction, and a programme of allotment restoration after soakaway construction. The approved scheme shall be implemented and completed prior to first occupation of the houses hereby approved.

REASON:

In order to control site drainage, and to control works to the affected allotments and nearby trees.

9 PLA999 Non-Standard

Samples of the principal external materials for the houses hereby permitted, for the written approval of the Local Planning Authority. The development must be built in accordance with the approved materials.

REASON:

In order to safeguard the character and appearance of the Conservation Area.

10 PLA999 Non-Standard

Prior to the construction of the houses hereby granted planning consent, sample panels of brickwork shall be constructed on site, illustrating brick, brick bond, pointing mix and pointing technique.

REASON:

In order to safeguard the character and appearance of the Conservation Area.

11 PLA999 Non-Standard

Details of external joinery, at a scale of no less than 1:10, including plan, section and elevation, for the written approval of the Local Planning Authority. The development must be built in accordance with the approved details.

REASON:

In order to safeguard the character and appearance of the Conservation Area.

12 PLA999 Non-Standard

Further details of the timber-edged structure at the site's sloping access, for the approval in writing of the Local Planning Authority. The structure shall be installed in accordance with the approved details.

REASON:

In order to safeguard the character and appearance of the Conservation Area.

13 PLA999 Non-Standard

A landscaping scheme for hard and soft landscape and new hedging areas, agreed with the Local Planning Authority, is to be completed within a period of 1 year from the date the development commences on site or the approval of the landscaping scheme, whichever is the later, or within a period agreed in writing with the Local Planning Authority. Any trees which are planted and die within two

years of planting shall be replaced to the satisfaction of the Local Planning Authority. The Scheme shall include details of habitat-friendly features and native planting.

REASON:

In order to safeguard the visual amenity of the area.

- 14 PLA999 Non-Standard
Vehicular visibility splays provided at the junction between the means of access and the highway: 2.4m by 33m.
REASON:
In order to ensure the safe movement of vehicular traffic on to the public highway.
- 15 PLB309R83 Treeprot/Keptree
16 PLB403R3 Plans Schedule
17 PLB999 Non-Standard
Details of a scheme of allotment renovation for those allotment plots shown on Drawing No. AW1 shall be submitted for the written approval of the Local Planning Authority. The approved scheme shall be implemented and completed prior to first occupation of the houses hereby approved.
REASON:
In order to secure the wider estate allotment renovation in compensation for the loss of allotments at Site A.
- 18 PLB999 Non-Standard
Details of a scheme of initial and future management for the 'Wildlife Areas' shown on Drawing No. AW1 shall be submitted for the written approval of the Local Planning Authority. The scheme shall also detail other improvements to the areas, including boundary treatment, pedestrian access and circulation, and seating. The approved scheme shall be implemented and completed prior to first occupation of the houses hereby approved, and maintained as approved thereafter.
REASON:
In order to secure the benefits of the 'Wildlife Areas' in compensation for the loss of allotments at Site A.
- 19 PLB999 Non-Standard
Site clearance ('clearance' includes removal of any vegetation) shall not be carried out during February to September inclusive, unless otherwise first investigated by the Applicant's consultant Ecologist and agreed by the Council's Planning Ecologist. The applicant shall carry out a hand search of the site during site clearance for the presence of amphibians. Any amphibians found shall be transported by a qualified ecologist to suitable habitat off-site, the location of which shall be agreed by the Council's Planning Ecologist. The applicant shall provide an exit-only site fence for amphibians if site clearance and construction occurs during February to September inclusive.
REASON:
In the interests of wildlife conservation.
- 20 PLB999 Non-Standard
Details of an Ecological Mitigation and Enhancement Strategy, for the written approval of the Local Planning Authority. The approved scheme shall be implemented as approved prior to first occupation of the development hereby permitted.
REASON:
In the interests of habitat and wildlife.

- 21 PLB999 Non-Standard
Details of bird boxes and bat boxes to be provided on retained trees, for the written approval of the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development hereby permitted.
REASON:
In the interests of wildlife conservation.
- 22 PLA999 Non-Standard
No consent is granted for the metal grille shown for the garage doors.
REASON:
In order to safeguard the character and appearance of the Conservation Area.
- 23 PLB999 Non-Standard
The site access shall be built to the City's specification and at the applicant's expense.
REASON:
In the interests of highway safety.
- 24 PLB999 Non-Standard
A refuse storage area shall be provided within 25m of the eastern turning head. Details of the store's siting, built form and materials shall be approved by the Local Planning Authority, and the approved scheme shall be provided before first occupation of either of the two easternmost houses in front of 1b Margaret Grove and 2b Moor Pool Avenue.
REASON:
In order to provide satisfactory refuse collection facility.

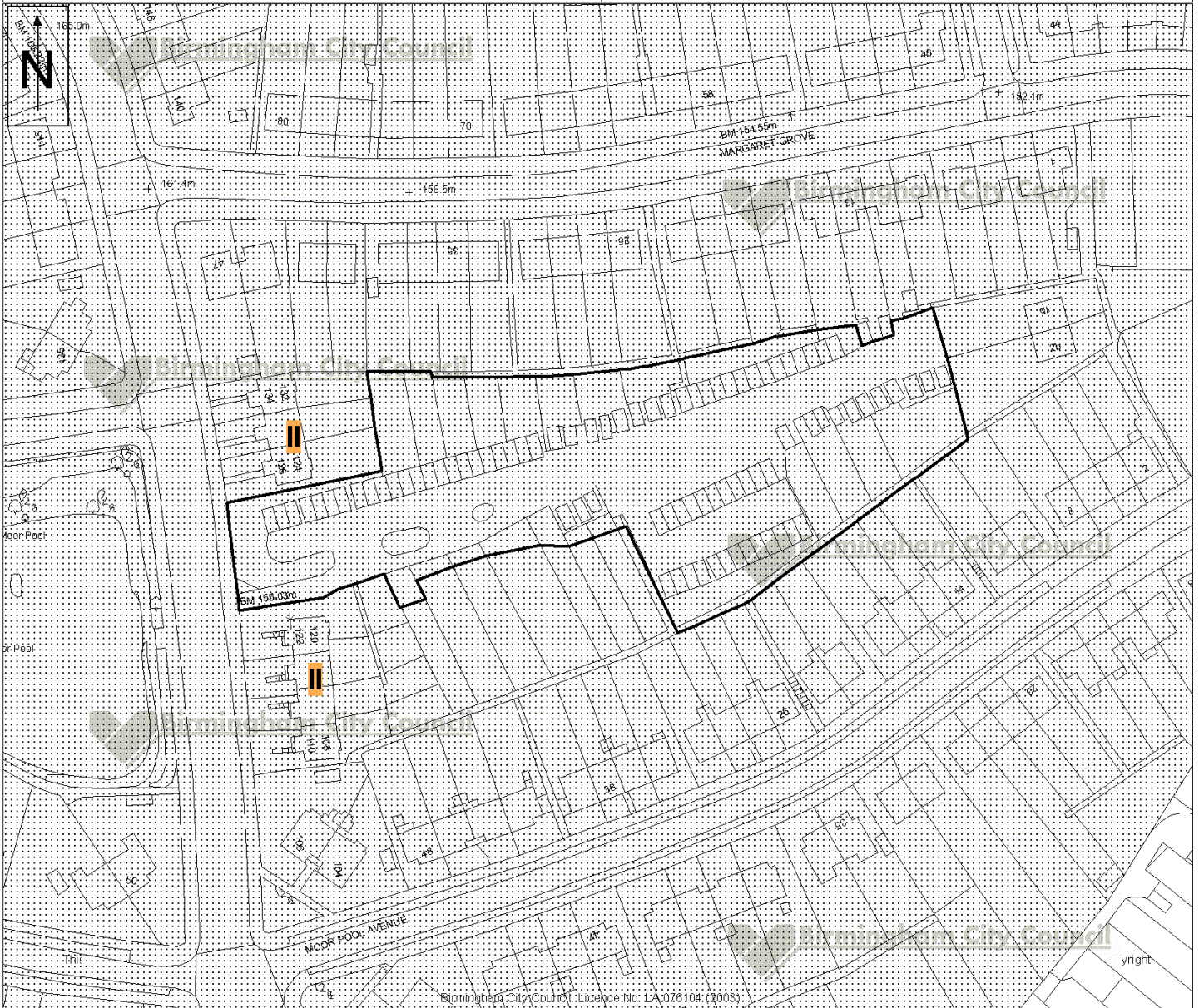
25 PLD12R54 Tlimit-3/Durat

Reason(s) for Approval

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 3.10, 3.25, 3.27, 3.38, 3.39, 3.52A, 3.62A, 3.72, 5.7 - 5.40, 6.51A, of the Birmingham Unitary Development Plan 2005; and Places for Living (2001), which has been adopted as Supplementary Planning Guidance.

Case Officer: Simon Turner



<p>S/00872/08/FUL RAVENHURST ROAD, LAND OFF (SITE A), MOOR POOL, HARBORNE, BIRMINGHAM</p>	<p>● Statutory Listed Building</p>	<p>PLANNING P. O. BOX 28 ALPHA TOWER SUFFOLK STREET Q'WAY BIRMINGHAM B1 1TU</p>
	<p>■ Locally Listed Building</p>	
	<p>⋯ Conservation Area</p>	
	<p>⌚ PA Viewing Offices</p>	
	<p>□ Site Boundary</p>	
	<p>★ Site Location</p>	