**Planning and Development**

PO Box 28, Birmingham B1 1TU

**DECISION DOCUMENT**

# APPLICATION NUMBER: 2020/08270/PA TOWN AND COUNTRY PLANNING ACT 1990

BIRMINGHAM CITY COUNCIL GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS FOR THE FOLLOWING DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND APPLICATION AS NUMBERED ABOVE:

Outline application for residential development of up to 150 dwellings (C3), open space, creation of three new accesses off Shannon Road, new access arrangements via Hillmeads Road, and associated landscaping attenuation, infrastructure and ancillary development.

at

Land at Shannon Road and Hillmeads Road, Pool Farm, Kings Norton, Birmingham

**Conditions that affect this development or use**

| 1 | Requires the scheme to be in accordance with the listed approved plansThe development hereby approved shall be implemented in accordance with the details submitted with the application and shown on the following drawings:Site Location PLan 41077-WOOD-XX-XX-FG-T-0001\_S0\_P03.141077-WOOD-XX-HR-DR-OT-0001\_S0\_P01 Access and Road Layout Hillmeads Rd 1 41077-WOOD-XX-HR-DR-OT-0003\_S0\_P01 Access and Road Layout Hillmeads Rd 2 41077-WOOD-XX-SR-DR-OT-0001\_S0\_P01 Access and Road Layout Shannon Rd 1 41077-WOOD-XX-SR-DR-OT-0002\_S0\_P01 Access and Road Layout Shannon Rd 2('the approved plans').Reason: In order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |
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| 2 | Restricts implementation of the permission to Birmingham City CouncilThe planning permission hereby granted shall only be implemented by Birmingham City Council or its appointed contractor.Reason: In order to secure the satisfactory development of the application site and satisfactory provision of affordable homes in accordance with TP31 of the Birmingham Development Plan 2017. |
| 3 | Requires the submission of reserved matter details following an outline approvalDetails of the appearance, landscaping, layout and scale, (hereinafter called the reserved matters) for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins on a particular phase of the development and the development shall be carried out as approved.Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework. |

| 4 | Implement within 3 years (outline)Application(s) for approval of any reserved matter(s) for each phase of the development must be made before the expiration of three years from the date of this permission. The development for which permission is granted must be begun before the expiration of two years from the final approval of the reserved matter(s) for that phase of development or, in the case of approval on different dates, the final approval of the last matter to be approved.Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework. |
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| 5 | Limits the maximum number of dwellings to 150The number of dwellings erected on the site shall not exceed 150 and shall include a mix of dwelling types and sizes.Reason: In order to define the permission in accordance with Policies PG3 and TP30 of the Birmingham Development Plan 2017, Places for Living SPG and the National Planning Policy Framework. |
| 6 | Requires the submission of details of the residential mix and internal layoutsDetails of the residential mix (type and size of units) together with internal layouts for all housetypes for any particular phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that phase of the development. The development shall be carried out in accordance with the approved details.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure a suitable mix of dwellings in accordance with Policies PG3, TP27 and TP30 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |
| 7 | Requires 46 dwellings to be for Social Rent46 of the dwellings hereby approved shall be used only for the purpose of providing accommodation for Social Rent and shall be retained as Social Rented dwellings in perpetuity. The affordable housing shall be provided in accordance with the locations shown on the submitted plans hereby approved. No more than 50% of the market dwellings on a particular phase of development to be provided shall be first occupied until the affordable homes have been provided and made ready for occupation unless an alternative timetable has been agreed in writing by the Local Planning Authority.Reason: In order to secure the satisfactory provision of affordable housing on the application site inaccordance with Policy TP31 of the Birmingham Development Plan 2017, the Council's Affordable Housing SPG and the National Planning Policy Framework. |
| 8 | Requires the prior submission of a phasing planNo development shall take place (excluding demolition) until a phasing plan for the construction and implementation of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved phasing plan unless an alternative phasing plan has been agreed in writing by the Local Planning Authority.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and theNational Planning Policy Framework. |



| 9 | Requires the prior submission of contamination remediation scheme on a phased basisNo development shall take place until the following components of a remediation scheme to deal with the risks associated with contamination of each phase for the intended use have been submitted to and approved, in writing, by the Local Planning Authority:1. A preliminary risk assessment, which has identified:

o all previous useso potential contaminants associated with those useso a conceptual model of the site indicating sources, pathways and receptorso potentially unacceptable risks arising from contamination at the site.1. A site investigation scheme, based on (1) to provide information for a detailed risk assessment of the risk to all receptors that may be affected, including those off site.
2. An options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken, timetable of works and site management procedures.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved and must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (and subsequent legislation) in relation to the intended use of the land after remediation.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of theapplication site in accordance with Policy PG3 of the Birmingham Development Pla |
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| 10 | Requires the submission of a contaminated land verification reportPrior to occupation of any particular phase of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy for that phase and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.Reason: In order to secure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework |
| 11 | Requires the prior submission of a drainage schemeNo development shall take place on a particular phase of the development until such time as a scheme for drainage of that phase of development and based on sustainable drainage principles and an assessment of the hydrological and hydro geological 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 and thereafter maintained.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of theapplication site in accordance with Policy TP6 of the Birmingham Development Plan 2017, Sustainable Management of Urban Rivers and Floodplains SPD and the National Planning Policy Framework. |



| 12 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance PlanNo building or use hereby permitted on a particular phase of development shall be occupied or the use commenced until the sustainable drainage for that phase of the development has been completed in accordance with the approved Sustainable Drainage Assessment. The approved drainage system shall be operated and maintained thereafter in accordance with the approved agreement with the adopting party and the approved Sustainable Drainage Operation and Maintenance Plan.Reason: To ensure there is no increase in risk of flooding, improve and protect water quality, improve habitat and amenity, ensure that sustainable drainage principles are upheld in the design and implementation of the strategy and ensure the future operation and maintenance of the drainage system will be in accordance with the National Planning Policy Framework (including ministerial statement 18th December 2014), Policy TP6 of the Birmingham Development Plan 2017, Sustainable Drainage - Birmingham City Council Guide to Design, Adoption and Maintenance and SustainableManagement of Urban Rivers and Floodplains SPD. |
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| 13 | Requires the prior submission of a construction method statement/management planNo development shall take place on a particular phase of the development until a Construction Method Statement for that phase of the development has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.The method statement shall provide details of the following:* the parking of vehicles of site operatives and visitors;
* location of loading and unloading of plant and materials;
* hours of demolition, construction and delivery;
* storage of plant and materials used in constructing the development;
* noise control devices;
* delivery routeing;
* the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
* wheel washing facilities;

\*measures to control the emission of dust and dirt during construction; and* a scheme for the recycling/disposing of waste resulting from demolition and construction works. The development shall be implemented in accordance with the approved details.

Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Policy PG3 of the Birmingham Development Plan2017 and the National Planning Policy Framework. |
| 14 | Requires the prior submission of a construction ecological mitigation plan on a phased basisNo development shall take place on a particular phase of the development until an Ecological Mitigation Plan for Construction for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall include:* An appropriate scale plan showing "Wildlife Protection Zones" where construction activities are restricted and where protective measures will b installed or implemented.
* Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction.
* A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed.

The development shall be implemented in accordance with the approveetails.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in the interests of nature conservation in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning Policy Framework and theNature Conservation Strategy for Birmingham SPG. |



| 15 | Requires the submission of a scheme for ecological/biodiversity/enhancement measures on a phased basisAn Ecological Enhancement Strategy, based on the recommendations contained in the Preliminary Ecological Appraisal dated October 2020, for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of that phase of the development. The development shall thereafter be implemented in accordance with the approved details.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to safeguard the nature conservation value of the site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National PlanningPolicy Framework and the Nature Conservation Strategy for Birmingham SPG. |
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| 16 | Requires the prior submission of details of bird/bat boxesNo development shall take place (excluding demolition) on any particular phase of the development until details of the number, design, location and post-development monitoring arrangements of (bird nesting boxes/bat boxes/bricks/tubes) to be provided within that phase of the development, has been submitted to and approved in writing by the Local Planning Authority. The bird/bat boxes shall be installed in accordance with the approved details and thereafter maintained.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing to enhance the nature conservation interest of the site in accordance with Policy TP8 of the Birmingham Development Plan 2017, the National Planning PolicyFramework and the Nature Conservation Strategy for Birmingham SPG. |
| 17 | Secures noise and vibration levels for habitable roomsThe layout of the proposed development shall be designed to ensure that noise and vibration levels for facades containing habitable rooms and for outdoor living spaces do not exceed the criteria provided in the current EPU Planning Consultation Guidance Note 1 (Noise and Vibration) and the NPPF. No development shall take place on a particular phase of development (excluding demolition) until a noise assessment has been undertaken to demonstrate that that phase of the development meets the requirements. The assessment shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved details (if any of the properties fall within 30 metres of a rail line, a rail traffic vibration assessment shall be undertaken to ascertain the peak particle velocity from train pass bys).Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity inaccordance with Policy PG3 of the Birmingham Development Plan 2017 and the NPPF. |
| 18 | Requires the prior submission of earthworks details in a phased mannerNo development shall take place (excluding demolition) until details of earthworks for each phase of development have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the finished levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be implemented in accordance with the approved details and thereafter maintained. The works shall be implemented prior to occupation of any part of the development. Any amendments to the approved details shall be approved in writing by the Local Planning Authority.Reason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of the application site in accordance with Policies PG3 and TP7 of the Birmingham Development Plan 2017and the National Planning Policy Framework. |



| 19 | No commencement until pre-commencement tree meeting heldNo development shall take place on any particular phase of development until a pre-commencement site meeting to discuss the approved details of working procedures and tree protection for that phase of the development has been held and attended by the persons listed in this condition and until agreement has been provided, in writing by the local authority arboricultural officer, that all tree protection measures have been installed in accordance with the approved tree protection plan.List of persons:Site foreman/manager or their representative The developer's arboricultural consultantThe Local Authority Arboricultural OfficerReason: This is required as a pre-commencement condition in accordance with the SI 2018 566 The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 as the information is required prior to development commencing in order to secure the satisfactory development of the application site in accordance with Policies PG3 and TP7 of the Birmingham Development Plan 2017and the National Planning Policy Framework. |
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| 20 | Requires the submission of hard and/or soft landscape detailsDetails of hard and/or soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of each phase of development and these works shall be carried out as approved.These details shall include:* A scaled plan 1:100 showing all existing vegetation and landscape features to be retained and where used, locations of individually planted trees, areas of woodland, shrubs, hedges, bulbs, and areas of grass.

Within ornamental planting areas, plans should be sufficiently detailed to show the locations on different single species groups in relation to one another, and the locations of any individual specimen shrubs.Other information shall include planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed planting implementation programme.* Location, type and materials to be used for hard landscaping including specifications, where applicable for:
1. permeable paving
2. tree pit design - indicating root available soil volumes and matched to species demands at mature size.
3. underground modular systems
4. Sustainable urban drainage integration
5. use within tree Root Protection Areas (RPAs)
* Specifications for operations associated with plant establishment and maintenance that are compliant with best practise.
* Types and dimensions of all boundary treatments " proposed finished levels or contours,
* minor artefacts and structures,
* proposed and existing functional services above and below ground.

All hard and/or soft landscape works shall be implemented in accordance with the approved details. The works shall be implemented prior to the occupation of that phase of the development or in accordance with a programme agreed with the Local Planning Authority and thereafter maintained.Any trees or shrubs which, within a period of two years from the completion of the development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.Reason: In order to secure the satisfactory development of the application site, ensure a high quality of external environment and reinforce local landscape character in accordance with Policies PG3, TP3 and TP7 of theBirmingham Development Plan 2017 and saved Paragraph 3.14 of the Birmingham UDP 2005. |
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| 21 | Requires the submission of hard surfacing materialsDetails of the materials to be used for hard and paved surfacing for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be implemented in accordance with the approved details and thereafter maintained. Reason: In order to secure the satisfactory development of the application site in accordance withPolicy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |



| 22 | Requires the submission of boundary treatment details in a phased mannerDetails of the proposed boundary treatment of the site for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of proposed new boundary treatments. The approved scheme shall be implemented before occupation of the building(s)/use/dwelling(s) hereby permitted and shall be retained thereafter.Reason: In order to secure the satisfactory development of the application site in accordance with Policies PG3 and TP7 of the Birmingham Development Plan 2017 and the National Planning PolicyFramework. |
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| 23 | Requires the submission of a landscape management planA landscape management and maintenance plan, including a survey of the existing landscape and its condition, long term design objectives, management responsibilities and maintenance operations for all landscape areas, other than domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be implemented in accordance with the approved details and thereafter maintained.Reason: To protect the landscape character and amenity of the development site over the long term in accordance with Policies PG3 and TP7 of the Birmingham Development Plan 2017, saved Paragraph3.14 of the Birmingham UDP 2005 and the National Planning Policy Framework. |
| 24 | Arboricultural Method Statement and Tree Protection Plan - ImplementationThe development shall be undertaken and maintained in accordance with the submitted Arboricultural Method Statement and Appendix 1 - Tree Protection Plans produced by Amenity Tree Care Ltd, dated 29.01.2021 ref. 9175 AMS Wood Kings Norton.Reason: In order to secure the satisfactory development of the application site in accordance withPolicies PG3 and TP7 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |
| 25 | Requires tree pruning protectionAll tree work shall be carried out in accordance with British Standard BS3998 'Recommendations for Tree Work' (2010 and any subsequent edition).Reason: In order to secure the satisfactory development of the application site in accordance withPolicies PG3 and TP7 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |
| 26 | Requires the submission of a lighting scheme in a phased mannerThe development hereby approved shall not be occupied until a detailed lighting scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate, site plans showing horizontal and vertical overspill to include light trespass and source intensity, affecting surrounding residential premises and details of the lighting fittings including: colour, watts and periods of illumination. All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the occupation of any part of the development and thereafter maintained.Reason: To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character in accordance with Policy PG3 of the Birmingham Development Plan 2017, saved Paragraph 3.14 of the Birmingham UDP 2005, Places for All SPG,Lighting Places SPD and the National Planning Policy Framework. |
| 27 | Requires the submission of sample materials in a phased mannerSamples of the materials to be used in the construction of the external surfaces of the development hereby permitted for each phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be implemented in accordance with the approved details.Reason: In order to secure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |



| 28 | Non-standard - secure Low/Zero Carbon Energy GenerationA scheme for achieving low/zero carbon energy generation within the development as considered in the Energy Statement (dated September 2020, ref. 41077-WOOD-XX-XX-TN-OS\_001\_S3\_P01) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The development shall be implemented in accordance with the approved details and thereafter maintained. Reason: To ensure compliance with Policy TP4 Low and Zero Carbon Energy Generation of the Birmingham Development Plan 2017 and in accordance with the National Planning Policy Guidance |
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| 29 | Limits the layout plans to being indicative onlyThe plan(s) submitted has/have not been considered as part of the application approved by this permission, except insofar as it/they define(s) the application site boundary. No permission is given to any layout or other details of the proposed development shown on the plan(s).Reason: In order to define the permission in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |
| 30 | Removes PD rights for extensionsNotwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order amending, revoking and/or re-enacting that order, with or without modification), no enlargement, improvement or other alteration of any dwellinghouse or its roof shall be carried out without further subsequent planning approval of the Local Planning Authority.Reason: In order to maintain an adequate area for amenity space at the rear of the dwellings and to safeguard the amenities of the occupiers of premises/dwellings in the vicinity in accordance with PolicyPG3 of the Birmingham Development Plan 2017, Places for Living SPG and the National Planning Policy Framework. |
| 31 | Requires pedestrian visibility splays to be providedA pedestrian visibility splay of 3.3 metres by 3.3 metres by 0.6 metres shall be incorporated at each access point before the access points are first used and thereafter maintained.Reason: In order to ensure the safe movement of pedestrians using the adjacent highway inaccordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework. |

Date: Thursday 4th March 2021

*Ian J. MacLeod*

Ian MacLeod, Director – Inclusive Growth (Acting)

P.O. BOX 28, Birmingham B1 1TU

# Please note

**This is not a building regulation approval**

| INFORMATIVE NOTE(S) (if any) |
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| In arriving at this decision, Birmingham City Council has endeavoured to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38. |
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| Water supplies for fire fighting should be in accordance with the "National Guidance Document on the Provision for Fire Fighting" published by Local Government Association and WaterUKPlease ensure that you visit the following link before commencing any development: <http://www.water.org.uk/home/policy/publications/archive/industry-guidance/national-guidance-> document/national-guidance-document-on-water-for-ffg-final.pdfFor further information please contact the West Midlands Fire Service Water Office at water.officer@wmfs.net |
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| If you want to appeal this decision and to use the inquiry procedure, you now need to tell us, and the Planning Inspectorate, at least 10 working days in advance of appeal submission by emailing inquiryappeals@planninginspectorate.gov.uk and planning.appeals@birmingham.gov.uk of yourintention. More information on this and a template to attach to your email can be found at https://[www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal](http://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal) |

