

## The Planning Inspectorate

### QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/P4605/W/23/3336011

Appeal By

MIDLAND PROPERTIES AND FINANCE (BIRMINGHAM) LTD

Site Address

334-340 High Street  
Harborne  
Birmingham  
West Midlands  
B17 9PU

#### PART 1

- 1.a. Do you consider the written representation procedure to be suitable?      Yes     No
- Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*
- 2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?      Yes     No
- 2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal?      Yes     No
- 2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?      Yes     No
- 3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?      Yes     No
- 3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?      Yes     No

#### PART 2

4. Does the appeal relate to an application for approval of reserved matters?      Yes     No
5. Was a site ownership certificate submitted with the application?      Yes     No
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?      Yes     No
- 6.a. If a press advert notice was published, please upload a copy

see 'Questionnaire Documents' section

7. Does the appeal relate to a county matter? Yes  No

8. **Please indicate the development type for the application to which the appeal relates.**

Major Developments

Minor Developments

Other Developments

**8.a. Major Developments**

Dwellings

Offices/R and D/light industry

General industry/storage/warehousing

Retail and services

Traveller caravan pitches

All other major developments

**Is the appeal site within:**

9.a. A Green Belt? Yes  No

9.b. An Area of Outstanding Natural Beauty? Yes  No

10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? Yes  No

**PART 3**

11. Would the development require the stopping up or diverting of a public right of way? Yes  No

12.a. Is the site in a Conservation Area? Yes  No

12.b. Is the site adjacent to a Conservation Area? Yes  No

12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area? Yes  No

13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building? Yes  No

13.b. Would the proposed development affect the setting of a listed building? Yes  No

14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? Yes  No

15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? Yes  No

16. Is any part of the site subject to a Tree Preservation Order? Yes  No

17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site? Yes  No

18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? Yes  No

19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an  No

internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?

19.b. Are any protected species likely to be affected by the proposals? Yes  No

**PART 4**

**Environmental Impact Assessment - Schedule 1**

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes  No

**Environmental Impact Assessment - Schedule 2**

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011? Yes  No

20.c.i. Have you issued a screening opinion (SO) Yes  No

**Environmental Impact Assessment - Environmental Statement (ES)**

20.d. Has the appellant supplied an environmental statement? Yes  No

**Environmental Impact Assessment - Publicity**

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development. Applies  N/A

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Yes  No

Please attach copies of any comments that you have received in response.  
 see 'Questionnaire Documents' section

**PART 5**

22. Do you wish to attach your statement of case? Yes  No

**For appeals dealt with by written representations only**

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal? Yes  No

**Copies of the following documents must, if appropriate, be attached to this questionnaire**

24.a. a copy of the letter with which you notified people about the appeal;   
 see 'Questionnaire Documents' section

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;   
 see 'Questionnaire Documents' section

Deadline

24.c. all representations received from interested parties about the original application;

[see 'Questionnaire Documents' section](#)

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;

[see 'Questionnaire Documents' section](#)

24.e. any representations received as a result of a service of a site ownership notification;

24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

*You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.*

[see 'Questionnaire Documents' section](#)

[see 'Questionnaire Documents' section](#)

List of policies

Adopted BDP 2031 Policy PG3 Place Making, TP1-4 Environment & Sustainability, TP6 Management of Flood Risk and Water Resources, TP21 The network and hierarchy of centres, TP24 Promotion of diversity of uses within centre, TP27 Sustainable neighbourhoods, TP28 The location of new housing, TP30 The type, size and density of new housing, TP31 Affordable Housing, TP44 Traffic & congestion management, TP45 Accessibility standards for new development, TP47 Developer Contributions

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;

24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

[see 'Questionnaire Documents' section](#)

24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;

*In the case of emerging documents, please state what stage they have reached.*

[see 'Questionnaire Documents' section](#)

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;

*Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.*

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

[see 'Questionnaire Documents' section](#)

Date the DPD/Neighbourhood Plan is likely to be adopted:

07/12/2021

24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

24.m. your Authority's CIL charging schedule is being/has been examined;

24.n. your Authority's CIL charging schedule has been/is likely to be adopted;

Please provide the date of adoption:

04/01/2016

24.o. any other relevant information or correspondence you consider we should know about.

**For the Mayor of London cases only**

25.a. Was it necessary to notify the Mayor of London about the application? Yes  No

25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes  No

**LPA Details**

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.

LPA's reference

2022/06737/PA

Completed by

Afzal Hussain

On behalf of

Birmingham City Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Phone no (including dialling code)

Email

**Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.**

## QUESTIONNAIRE DOCUMENTS

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Appeal By

MIDLAND PROPERTIES AND FINANCE (BIRMINGHAM) LTD

Site Address

334-340 High Street  
Harborne  
Birmingham  
West Midlands  
B17 9PU

### The documents listed below were uploaded with this form:

**Relates to Section:** PART 2

**Document Description:** 6.a. A copy of the notice published.

**File name:** Press Notice.pdf

**Relates to Section:** PART 4

**Document Description:** 21. Copies of any comments that you have received in response.

**File name:** Harborne Planning Watch.pdf

**File name:** Planning Policy Manager2.pdf

**File name:** Member of Parliament for Birmingham Edgbaston.pdf

**File name:** Severn Trent Water.pdf

**File name:** West MIDlands Fire Service2.pdf

**File name:** Arboriculturist Principal Ecologist.pdf

**File name:** West Midlands Fire Service3.pdf

**File name:** West Midlands Police1.pdf

**File name:** Section 106 Team.pdf

**File name:** Ecology.pdf

**File name:** City Design and Landscape.pdf

**File name:** -Conservation Consultation.pdf

**File name:** Employment Access Team3.pdf

**File name:** Trans, Strategy, Env, Drainage, City Design and Leisure Services comments.pdf

**File name:** Employment Access team2.pdf

**File name:** Employment Access team1.pdf

**File name:** City Design Comment3.pdf

**File name:** City Design Comments1.pdf

**File name:** West Midlands Police2.pdf

**File name:** Planning Policy Manager1.pdf

**File name:** City Design Comment2.pdf

**File name:** West MIDlands Fire Service1.pdf

**File name:** Transport & Connectivity.pdf

**Relates to Section:** PART 5

**Document Description:** 24.a. A copy of the letter with which you notified people about the appeal.

**File name:** Appeal Notification Letter and List.pdf

**Relates to Section:** PART 5

**Document Description:** 24.b. A document containing a list of the people you notified of the appeal.

**File name:** Appeal Notification Letter and List.pdf

**Relates to Section:** PART 5

**Document Description:** 24.c. Copies of all representations received from interested parties about the original application.

**File name:** PP Comment 81.pdf

**File name:** PP Comment 21.pdf

**File name:** PP Comment 19.pdf

**File name:** PP Comment 36.pdf

**File name:** PP Comment 33.pdf

**File name:** PP Comment 39.pdf

**File name:** PP Comment 20.pdf

**File name:** PP Comment 38.pdf

**File name:** PP Comment 44.pdf

**File name:** PP Comment 7.pdf

**File name:** PP Comment 85.pdf

**File name:** PP Comment 69.pdf

**File name:** PP Comment 65.pdf

**File name:** PP Comment 62.pdf

**File name:** PP Comment 63.pdf

**File name:** PP Comment 66.pdf

**File name:** PP Comment 34.pdf

**File name:** PP Comment 72.pdf

**File name:** PP Comment 71.pdf

**File name:** PP Comment 73.pdf

**File name:** PP Comment 57.pdf

**File name:** PP Comment 54.pdf

**File name:** PP Comment 18.pdf

**File name:** PP Comment 16.pdf

**File name:** PP Comment 74.pdf

**File name:** PP Comment 15.pdf

**File name:** PP Comment 14.pdf

**File name:** PP Comment 55.pdf

**File name:** PP Comment 64.pdf

**File name:** PP Comment 60.pdf

**File name:** PP Comment 49.pdf

**File name:** PP Comment 17.pdf

**File name:** PP Comment 1.pdf

**File name:** PP Comment 2.pdf

**File name:** PP Comment 29.pdf

**File name:** PP Comment 35.pdf

**File name:** PP Comment 22.pdf

**File name:** PP Comment 87.pdf

**File name:** PP Comment 9.pdf

**File name:** PP Comment 45.pdf

**File name:** PP Comment 75.pdf

**File name:** PP Comment 42.pdf

**File name:** PP Comment 13.pdf

**File name:** PP Comment 8.pdf

**File name:** PP Comment 86.pdf

**File name:** PP Comment 76.pdf

**File name:** PP Comment 46.pdf

**File name:** PP Comment 48.pdf

**File name:** PP Comment 68.pdf

**File name:** PP Comment 82.pdf

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<b>File name:</b>	PP Comment 23.pdf
<b>File name:</b>	PP Comment 78.pdf
<b>File name:</b>	PP Comment 77.pdf
<b>File name:</b>	PP Comment 67.pdf
<b>File name:</b>	PP Comment 70.pdf
<b>File name:</b>	PP Comment 83.pdf
<b>File name:</b>	PP Comment 32.pdf
<b>File name:</b>	PP Comment 3.pdf
<b>File name:</b>	PP Comment 12.pdf
<b>File name:</b>	PP Comment 6.pdf
<b>File name:</b>	PP Comment 25.pdf
<b>File name:</b>	PP Comment 11.pdf
<b>File name:</b>	PP Comment 43.pdf
<b>File name:</b>	PP Comment 4.pdf
<b>File name:</b>	PP Comment 5.pdf
<b>File name:</b>	PP Comment 10.pdf
<b>File name:</b>	PP Comment 59.pdf
<b>File name:</b>	PP Comment 31.pdf
<b>File name:</b>	PP Comment 24.pdf
<b>File name:</b>	PP Comment 41.pdf
<b>File name:</b>	PP Comment 61.pdf
<b>File name:</b>	PP Comment 27.pdf
<b>File name:</b>	PP Comment 40.pdf
<b>File name:</b>	PP Comment 37.pdf
<b>File name:</b>	PP Comment 26.pdf
<b>File name:</b>	PP Comment 80.pdf
<b>File name:</b>	PP Comment 47.pdf
<b>File name:</b>	PP Comment 56.pdf
<b>File name:</b>	PP Comment 28.pdf
<b>File name:</b>	PP Comment 53.pdf
<b>File name:</b>	PP Comment 84.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
<b>File name:</b>	Officers Report.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.f. Copies of extracts from any relevant statutory development plan policies.
<b>File name:</b>	Adopted BDP 2031 Cover Sheet and Introduction.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.f. Copies of extracts from any relevant statutory development plan policies.
<b>File name:</b>	Adopted BDP 2031 Final Adoption Statement 10 January 2017.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP1-4 Environment & Sustainability.pdf
<b>File name:</b>	Adopted BDP 2031 Policy PG3 Place Making.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP6 Management of Flood Risk and Water Resources.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP24 Promotion of diversity of uses within centres.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP21 The network and hierarchy of centres.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP28 The location of new housing.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP27 Sustainable neighbourhoods.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP30 The type, size and density of new housing.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP45 Accessibility standards for new development.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP47 Developer Contributions.pdf



<b>File name:</b>	Adopted BDP 2031 Policy TP31 Affordable Housing.pdf
<b>File name:</b>	Adopted BDP 2031 Policy TP44 Traffic & congestion management.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.h. Copies of extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when.
<b>File name:</b>	45 Degree Code SPG March 2006.pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.i. Copies of extracts from any supplementary planning document, together with the date of its adoption.
<b>File name:</b>	Birmingham Parking SPD - November 2021.pdf
<b>File name:</b>	Birmingham Design Guide - Streets and Spaces Manual - Sept'22 - FINAL.pdf
<b>File name:</b>	Birmingham Design Guide - Healthy Living and Working Manual - Sept'22 - FINAL (ex note).pdf
<b>File name:</b>	Birmingham Design Guide - Principles Document - Sept'22 - FINAL.pdf
<b>File name:</b>	Public Open Space in New Residential Development SPD.pdf
<b>File name:</b>	Housing and Economic Development Needs - HEDNA.pdf
<b>File name:</b>	Shopping & Local Centres Adoption Statement[1].pdf
<b>File name:</b>	Shopping & Local Centres SPD (Part 4 of 4)[1].pdf
<b>File name:</b>	Shopping & Local Centres SPD (Part 1 of 4)[1].pdf
<b>File name:</b>	Shopping & Local Centres SPD (Part 3 of 4)[1].pdf
<b>File name:</b>	Shopping & Local Centres SPD (Part 2 of 4)[1].pdf
<b>Relates to Section:</b>	PART 5
<b>Document Description:</b>	24.k. An explanation of the Council's policy position in respect of this appeal upon its adoption if any Development Plan Document (DPD) or Neighbourhood Plan is relevant to this appeal.
<b>File name:</b>	Development Management in Birmingham DPD Adoption Statement - Adopted 7th December 2021.pdf
<b>File name:</b>	Development Management in Birmingham DPD.pdf
<b>Completed by</b>	Not Set
<b>Date</b>	29/01/2024 15:01:17
<b>LPA</b>	Birmingham City Council