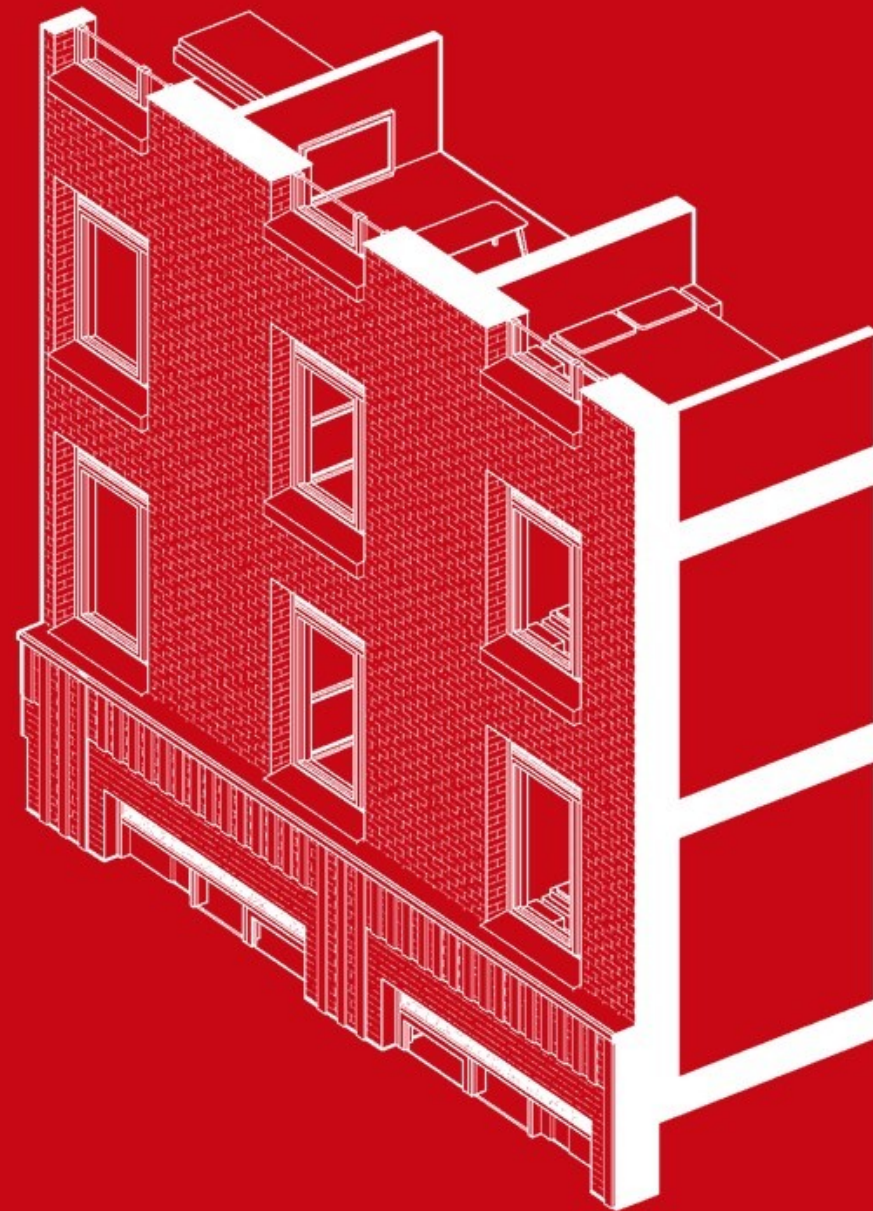


## Appellant Design Evidence

Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Ian Saunders BA(Hons), DipArch(Birm) PG Dip, ARB, RIBA

Qualified Birmingham School of Architecture 1989

Entered the Architects Register 1990

Partner at D5 Architects LLP located in Digbeth, Birmingham

Specialise in commercial residential design

Harborne resident since 1994



Appeal Ref; APP/P4605/W/23/3336011

Appellant Design Evidence

Providing evidence in response to reason for refusal;

1 - By virtue of its scale, mass and appearance the proposal constitutes a poor design that would materially harm the character and appearance of the street scene and as such would be contrary to Policy PG3 of the Birmingham Development Plan 2017, guidance in Birmingham Design Guide SPD 2022, Policy DM2 of the Development Management in Birmingham DPD 2021 and the National Planning Policy Framework.

6- By virtue of its siting, layout and levels of sunlight received the private amenity space proposed is considered to be of a poor quality that creates an unacceptable living environment for the proposed occupiers and as such development would be contrary to Policies PG3 and TP27 of the Birmingham Development Plan 2017, Birmingham Design Guide SPD 2022, Policy DM2 of the Development Management in Birmingham DPD 2021 and the National Planning Policy Framework.

Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_High Street  
Overview

3 distinct zones to High Street

Strong sense of enclosure to the  
junction with Harborne Park Road

Larger buildings along High Street

Traditional residential streets  
leading off the High Street.

Clear demarcation between the  
primary High Street and tributary  
side streets.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_Density

Apartment based development prevalent along the High Street corridor.

Very little apartment development within residential areas beyond the High Street.

Densities for consented schemes range from 780 to 188 dwellings per hectare for apartment developments.

Average density of consented schemes is 324 dwellings per hectare.

Appeal scheme density is 350 dwellings per hectare.



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Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_High Street Enclosure

View West towards the site from the junction with Station Road

Articulated rooflines with stepping forms between adjoining buildings

Roofscape variety

Broken sense of enclosure due to existing structure on appeal site



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_High Street Variety

Broad variety of forms found along the High Street.

Wide range in storey heights.

Strong language of stepping rooflines and exposed gables.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_Expressed Ground Floor

Strong horizontal datum set below first floor windows for the creation of shopfronts.

Strongly expressed base to back of pavement line.

Often different rhythm to the ground floor frontages compared to the upper floors above.





Appeal Ref; APP/P4605/W/23/3336011  
Appelant Design Evidence

Baseline Assessment\_Inhabited Roofs

Frontages extended up into roofspace.

Strongly expressed dormer windows.

Highly articulated roof and eaves line.



D5

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Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_Harborne Park Road South Side

Strong linear frontage.

Ground floor set back and above pavement levels.

Expressed bay windows provide strong vertical emphasis and subdivision of the elevation into bays.

Highly articulated roof line with strong dormer window expression.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_Harborne Park Road North Side

Fragmented edge.

Loss of enclosure approaching the junction with High Street.

Exposure of unsightly serviceyard and no. 326 High Street beyond.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Baseline Assessment\_Summary

Increased enclosure to the street to the junction between High Street, Harborne Park Road and Lordswood Road.

Highly articulated building forms.

Prominent building features include pitched roof, exposed gables, prominent dormer windows.

Wide variety of storey heights.

Strong language of stepping forms.

Highly articulated roofline.

Extensive use of roofspace for habitable rooms.

Strong horizontal expression of the ground floor to back of pavement on High Street.

Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Pre Application Advice

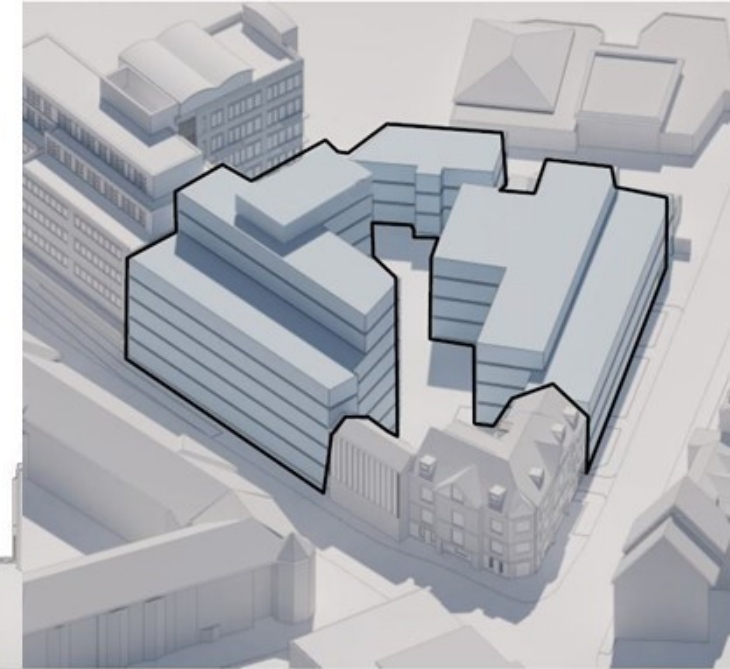
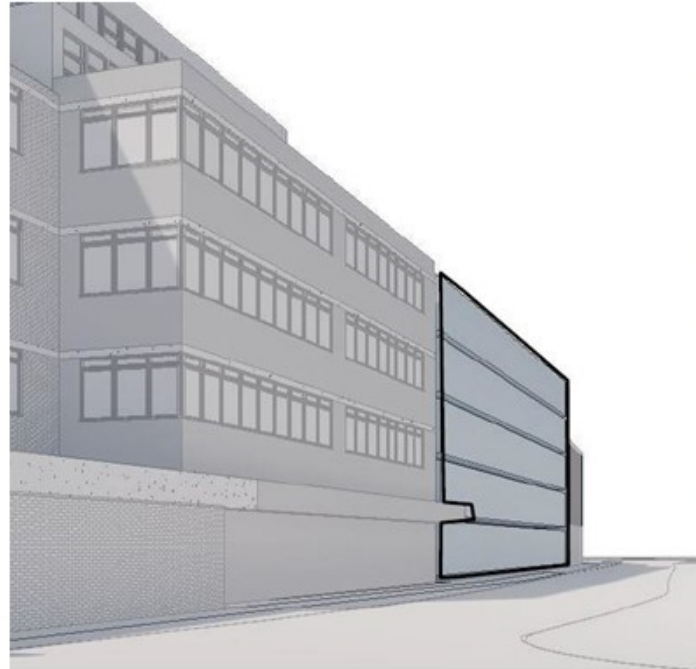
Generally supported but too 'intense' and set back top floors with terraces to the street are 'bad townscape' and will not be accepted.

Response;

Reduced height of Block A

Removed flat roofs and terraces for pitched roofs more in keeping with the location.

Reduced the scheme from 3 residential blocks to 2 residential blocks.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Following Full Submission

Following submission of the application BCC made a number of requests for design alterations;

- Revised ground floor arrangement which was incorporated.
- Reduction to overall height as illustrated below right which was incorporated
- Reduction to 4 storey on the High Street elevation which was not incorporated
- Reduction in height of the gable to Cardamon Restaurant which was incorporated
- Reduction in scale of Harborne Park Road block to align with previous consent which was incorporated.
- Inclusion of accessible parking which was incorporated
- Modification of housing mix to favour 2 bed units which was incorporated



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_High Street Elevation Height

BCC provided a datum for their preferred height of the High Street facade.

The appeal design largely matched the BCC proposal and the City Design Manager noted that the matters regarding the height of the scheme had been addressed.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_High Street Elevation Height

Illustration of the relative heights and steps to the lower Cardamon Restaurant





Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_High Street Elevation Design

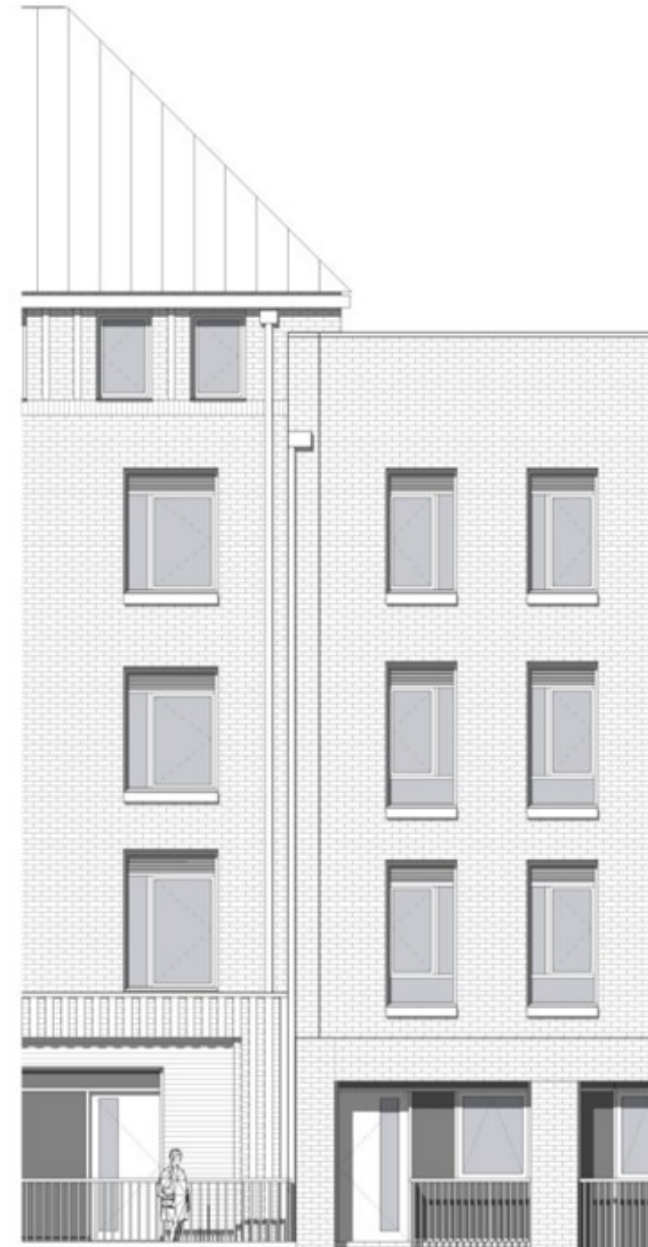
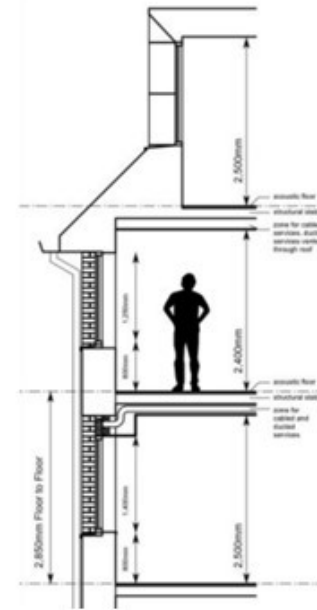
Horizontal expression to ground floor giving visual weight to the building base.

Clearly expressed bottom, middle and top to façade with diminishing heights.

Large format windows for vertical emphasis on bays creating rhythm across the façade.

Change in rhythm and opening proportions between left and right hand side bays.

Brick detailing.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_High Street Elevation

Existing and proposed illustrating the reinstatement of enclosure to the street frontage and modulation between 326 and Cardamon.



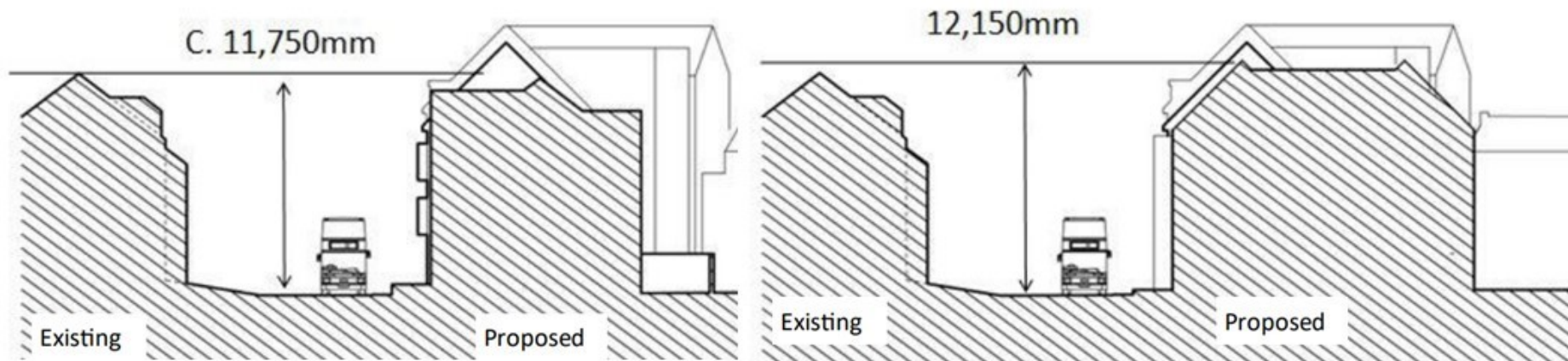
Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Harborne Park Road Elevation

BCC provided a datum for their preferred height as the height of the previously consented scheme.

The previous consented scheme height relative to the existing houses opposite is illustrated below left with the appeal scheme height illustrated below right.

The appeal scheme is 400mm higher which we do not regard as detrimental to the houses opposite.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Harborne Park Road Elevation Design

Form subservient to Kings Oak corner block

Dormer windows for inhabited roof reflect existing opposite

Projecting bay windows provide vertical element reflecting existing opposite

Ground floor level set above pavement level reflecting existing opposite

Façade set back from pavement reflecting existing opposite



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Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Harborne Park Road Elevation

Existing and proposed illustration of the relationship of the Harborne Park Road form to the existing Kings Oak flats and houses opposite.



Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Design Evolution\_Summary

Complied with BCC requests for design changes

Achieved the heights BCC requested within small margins for both street frontages

Demonstrated height BCC requested can accommodate a 5 storey residential development rather than the 4 storey they assumed.

Ensured design philosophy retained reflecting the baseline assessment.

Appeal Ref; APP/P4605/W/23/3336011

## Appellant Design Evidence

### Consultation Responses

Documents received since the application was refused and an appeal lodged demonstrated that all consultation responses were not communicated to the applicant.

As consultee on Urban Design the Case Officer confirmed they attach great weight to the opinion of the City Design Manager but a number of observations from the City Design Manager were not communicated, a selection below;

- Recommends reduction in parapet height to Harborne Park Road elevation or removal of a storey
- Green infrastructure to central courtyard can be acceptable with condition for detail design
- Concern regarding street edge proposals
- Improvements have been secured to the ground floor arrangement to the High Street block, along with improvements to the scale of both the High Street and Harborne Park Road block.
- Concerns about the window arrangement to the fourth floor
- Redevelopment of the site is supported and the height issues have been addressed

Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Recap on Reason for Refusal

1 - By virtue of its scale, mass and appearance the proposal constitutes a poor design that would materially harm the character and appearance of the street scene and as such would be contrary to Policy PG3 of the Birmingham Development Plan 2017, guidance in Birmingham Design Guide SPD 2022, Policy DM2 of the Development Management in Birmingham DPD 2021 and the National Planning Policy Framework.

We have demonstrated how the appeal proposal;

- Draws upon and responds to the locality of the High Street and Harborne Park Road
- Aligns with BCC requirements on height and massing
- Compliments the local character strengthening the identity of the area in a positive way
- Was amended at the request of the Case Officer in all design matters



## Appeal Ref; APP/P4605/W/23/3336011

### Appellant Design Evidence

#### Recap on Reason for Refusal

6- By virtue of its siting, layout and levels of sunlight received the private amenity space proposed is considered to be of a poor quality that creates an unacceptable living environment for the proposed occupiers and as such development would be contrary to Policies PG3 and TP27 of the Birmingham Development Plan 2017, Birmingham Design Guide SPD 2022, Policy DM2 of the Development Management in Birmingham DPD 2021 and the National Planning Policy Framework.

Until receipt of the refusal notice there had been no discussion regarding the extent or nature of the amenity space although it is now obvious there was debate within BCC through the consultation process.

The Case Officer first expanded on their concerns in their Statement of Case. Their concerns can be summarised as;

- Poor quality 'left over' space to the courtyard impinged by traffic and odours from the bin store
- Lack of sunlight into the courtyard
- Unbalanced provision with too much space allocated to private amenity
- Noise impacts of traffic making the roof terrace to Block A unusable.

Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Recap on Reason for Refusal\_Amenity Space

Application validated August 2022

Amenity space in Design Guide SPD came into force in September 2022

Quantum exceeds the Design Guide requirement

Design predates the SPD so we were unaware of requirements and offset between communal and private

Landscape conditioned for detail approval can resolve this

Bin store maintained by management company will be cleaned and emptied weekly reducing odours



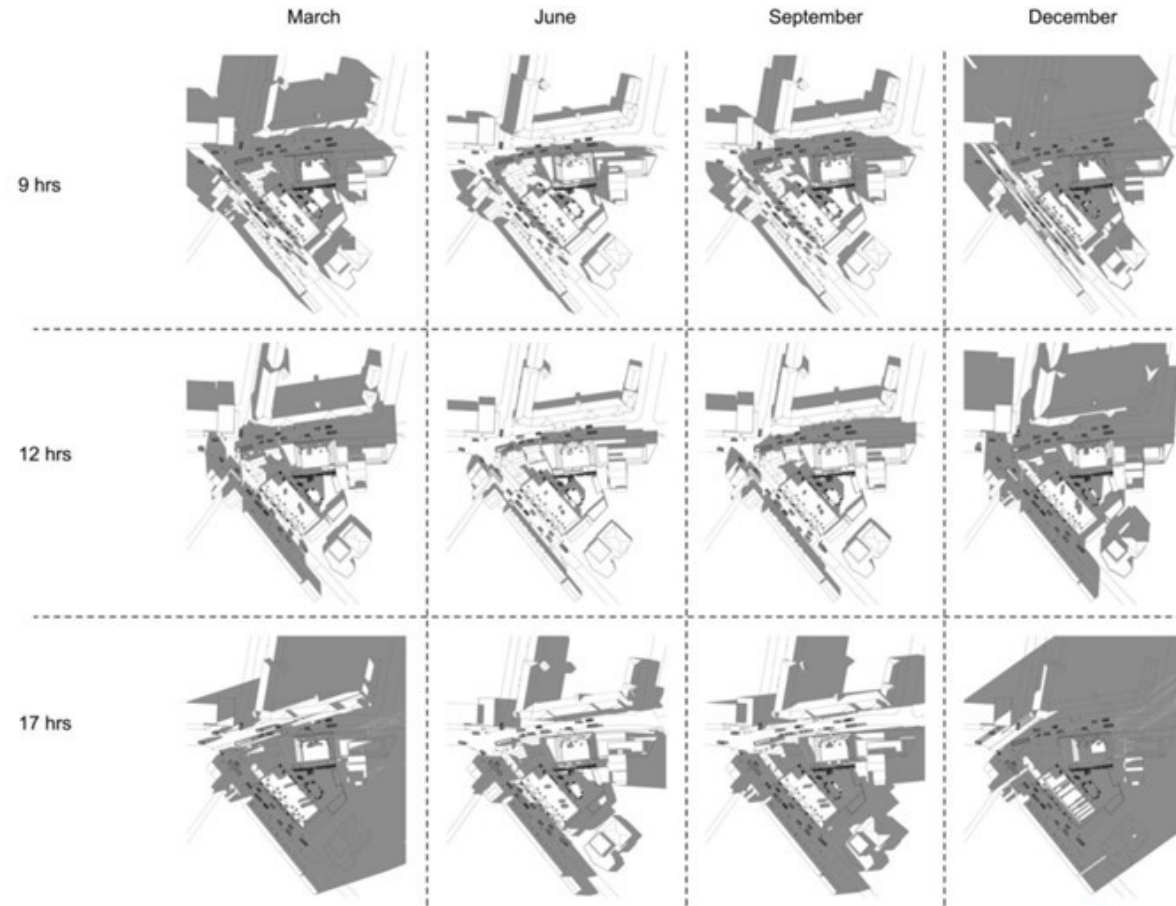
Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Recap on Reason for Refusal\_Amenity Space

Concern there will be a lack of sunlight in the courtyard

The courtyard is south facing and receives extended periods of direct sunlight all year around.

Roof terraces all receive direct sunlight through the day all year around.



D5

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Appeal Ref; APP/P4605/W/23/3336011  
Appellant Design Evidence

Recap on Reason for Refusal\_Amenity Space

Concern noise intrusion onto Block A terrace will make it unusable.

Unfounded concern. Assessment in accordance with BS8233:2014 demonstrates the 16 hour log average (07:00 to 23:00) is 55dB(A) when measure 1.5m back from the parapet edge which is regarded as acceptable for out door amenity use.



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