

DRAFT STATEMENT OF COMMON GROUND

173-175 Soho Road. Handsworth. Birmingham. B21 9SU

TCPA 1990 (AS AMENDED) SECTION 78 PLANNING APPEAL AGAINST REFUSAL OF PLANNING PERMISSION. BIRMINGHAM CITY COUNCIL REF: 2024/03302/PA

PINS REF: APP/P4605/W/24/3356275

- 1.1 The Planning Officer's delegated report (Appendix C) sets out the relevant material planning considerations against which the proposed development has been assessed. The appellant reasonably considers that the following will not be disputed by the Local Planning Authority (LPA). These issues are not identified in the Decision Notice (Appendix A) refusing permission for the proposals and were not specifically referred to by Members at the Planning Committee Meeting on 3 October 2024. They are matters which Planning Officers specifically identified the proposed development as being in compliance with relevant planning policy. This is detailed at Paragraphs 7.1 and 7.2 of the Planning Officers Report.

Principle of Development

- 1.2 The Officers Report states in this regard:

7.1. Principle - The site forms part of Soho Road District Centre and falls within its primary shopping area. BDP policy TP21 sets out the City's network and hierarchy of centres and states that these centres will be the preferred locations for retail, office and other development such as leisure, education, community uses. An Adult Gaming Centre (AGC) is not listed within the NPPF as a main town centre use; however, it does share many characteristics with other uses which attract visiting members of the public. Therefore, the siting of this use within a defined centre is considered appropriate in principle.

7.2. The proposal would not result in the loss of a retail unit as the former use of the application site was as a bank. Notwithstanding this, the most recent Shopping and Local Centres SPD Monitoring Report carried out in 2024 identified that there were some 257 units within the Primary Shopping Area, of which 65% were in retail use. Policy TP24 states that 55% of ground floor units in District Centres should be retained in retail use. There are existing betting shops located at 154a, 198, 209/211 and 262 Soho Road and they are not clustered together. In conclusion, there are no issues identified with regards to the mixture of retail and other uses in this centre.

There is agreement with the Planning Officers report that the principle of development is acceptable. This matter was not referred to in the discussion at the Planning Committee Meeting on 3 October 2024.

Other Matters

- 1.3 There is agreement relating to *Visual Amenity*, *Residential Amenity* and *Highways Safety*. These matters are addressed in Paragraphs 7.3 to 7.6 of the Planning Officers Report and these matters were not referred to in the discussion at the Planning Committee Meeting on 3 October 2024.