
Committee Date:	04/02/2016	Application Number:	2015/09502/PA
Accepted:	16/11/2015	Application Type:	Outline
Target Date:	15/02/2016		
Ward:	Stechford and Yardley North		

Land to the south of Meadway incorporating the Kent's Moat Recreation Ground, site of former high rise flats and existing flats to the south of the Poolway Shopping Centre, Stechford, Birmingham

Outline planning application to include up to 136 residential dwellings (C3), district centre to include retail uses (A1, A2, A3, A5) and/or community/leisure Uses (D1, D2) up to 2,730sqm (Gross Internal Area), new roundabout access from Meadway, access from Broadstone Road, enhancements to retained public open space, landscaping, provision of new playing fields, new multi-use games area, new toddler play area, new teenage play area, drainage works, ancillary works and demolition of existing buildings

Applicant: Birmingham Municipal Housing Trust
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Recommendation

Approve Subject To Conditions

1. Proposal

- 1.1. Outline application with all matters reserved with the exception of access, for the first of the 2 phase comprehensive redevelopment of the Poolway shopping Centre, site of former Meadway high rise flats and Kent's Moat Recreation Ground. The proposal by BMHT is to create a high quality neighbourhood to meet identified housing needs, as well as a new district centre and improved public open space. Phase 1 includes the following elements:

- Up to 136 new dwellings (50% affordable for rent and 50% open market sale) to broadly consist of 53no. 2-bed houses (including 14 bungalows), 42no. 3-bed houses, 27no. 4-bed houses and 14no. 5-bed houses.
- Up to 2,730sqm (GIA) for a new district centre including retail and community uses.
- Extensive improvements to the recreation area including new playing pitches, a multi-use games area, teenager area, toddler play area and significant landscaping and new planting, as well as new footpath links across the site.
- A new roundabout site access off Meadway and a new access off Broadstone Road.

- 1.2. The submission includes an indicative layout with illustrative details and broad parameters. This layout defines four distinct area, all served by a new main street running in a north/south and east/west direction and allowing two way access onto both Meadway and Sheldon Heath Road. These four areas consist of:
 - A new district centre (to replace the Poolway Shopping Centre).
 - A new area of housing to the east of the new main street extending the existing housing fronting Meadway and wrapping around it, to overlook the Kent's Moat Recreation Ground.
 - Enhanced Kent's Moat Recreation Ground.
 - A new area of housing between the existing housing on Sheldon Heath Road, the new main street running east/west and Kent's Moat Recreation Ground.
- 1.3. The retail units to the new district centre would be at least 6m in height plus roof whilst the scale of the new houses would be predominantly 2-storeys though single storey and larger 3-storey houses have been provided to add visual interest as well as provide a greater range of dwelling types to cater for local housing needs. Approximate heights for the housing would be 6m and 9m to the eaves and ridge respectively for 2-storey housing, and adding or subtracting 3m for the single storey and 3-storey units. Appearance would be modern reflecting other BMHT schemes. The net residential density is around 31 dwellings per hectare.
- 1.4. Phase 1 contain the site of the former high-rise residential tower blocks (total of 222 flats demolished in 2009-2010) that fronted Meadway, Kent's Moat Recreation Ground and the southern section of the Poolway Shopping Centre, consisting of retail floorspace and residential accommodation. The current proposal would see a 33% reduction in the overall size of the Kent's Moat Recreation Ground. Phase 2 consists of the remainder of the Poolway Shopping Centre and the extent of the additional retail provision, with the potential for further residential, for this phase is still to be determined though the principles of the first phase master planning and design would be carried through to ensure a cohesive development.
- 1.5. It is anticipated that the development would commence in late-2016, likely to be on the eastern part of the site, with around 45 dwellings built each year until 2019. The retail element is also anticipated to start in 2017, at the same time as the open space improvements. Furthermore, the main access roundabout and new main street would be constructed early on in the programme.
- 1.6. The application has been accompanied by the following supporting documentation: Planning Statement, Design & Access Statement, Transport Assessment, Public Open Space and Playing Fields Assessment, Sustainable Drainage Assessment, Tree Survey, Noise Impact Assessment, Viability Statement, Air Quality Assessment, Ecology Assessment and Land Contamination Study.
- 1.7. The proposals have been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 and there is no requirement for an Environmental Assessment
- 1.8. [Link to Documents](#)
2. [Site & Surroundings](#)
- 2.1. The application site is some 15ha and Meadway runs along its northern boundary with housing beyond that. To the south, the site is bounded by houses to the northern side of Blakenhale Road, to the east it is bounded by houses on the

western side of Outmore Road and to the west by the Poolway Shopping Centre and houses on the northern side of Sheldon Heath Road. Poolway Shopping Centre was built in the late 1950s, comprises largely of groundfloor retail shops with residential units above and is inward facing with very poor visibility and outlook onto Meadway and the recreation ground. Kent's Moat Recreational Ground is an expansive area of public open space which slopes down (some 8-10m) towards its eastern and southern boundaries. It sits relatively level with the Poolway Shopping Centre and Meadway. The northern section of the application site is cleared land which previously contained a number of high-rise residential towers which accommodated a total of 222 flats and were demolished in 2009-2010.

2.2. [Site location](#)

3. [Planning History](#)

- 3.1. 04/07/2008 – 2008/02855/PA. Demolition of 5 no. residential buildings and associated outbuildings and bin stores. No prior approval required.

4. [Consultation/PP Responses](#)

- 4.1. Transportation Development – No objection subject to conditions relating to the siting, design and form of the accesses, highway works, phasing plan, travel plan, and construction management plan.
- 4.2. Regulatory Services – No objection subject to conditions relating to contamination, construction method statement, extraction and odour control, noise levels for plant and machinery, delivery code of best practice, delivery times, opening hours, low emission vehicle parking, noise insulation, vehicle charging points and lighting.
- 4.3. Lead Local Drainage Authority – No objection subject to drainage conditions.
- 4.4. Leisure Services – No objection to the rationalised and improved open space.
- 4.5. West Midlands Fire Service – No objection.
- 4.6. Environment Agency – Recommend conditions relating to contamination.
- 4.7. Neighbouring residential and commercial premises and local residents associations, Councillors and MP consulted, with site and press notices posted.
- 4.8. Representation received from Councillor Neil Eustace requesting, at the Council's expense, a replacement library and community centre.
- 4.9. Representation from Meadway Community Centre advising that the community building needs to keep its nursery.
- 4.10. 3 objections from local residents have been received raising the following issues:
- There would be fewer shops.
 - The Post Office needs to be in the new shops.
 - Need to police the new playing fields and multi-use games area.
 - There is a by-law preventing the park being built-on.
 - Inadequate consultation.
 - Proposals have changed since the consultations.
 - Loss of park.

- Devalue property.
- Proposal is for profit.
- Worsen highway safety with the amount of 2-way traffic being pushed down the Meadway.
- Light pollution from cars at the district centre shining into properties.

5. Policy Context

- 5.1. Birmingham UDP, Draft Birmingham Development Plan, Places for All SPG, Places for Living SPG, Shopping and Local Centres SPD, Car Parking Guidelines SPD, Affordable Housing SPG, Public Open Space in New Residential Development SPD and the NPPF.

6. Planning Considerations

6.1. Principle:

- 6.2. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. This includes, amongst others, widening the choice of high quality homes, improving the conditions in which people live, work, travel and take leisure, replacing poor design with better design and achieving net gains for nature.

- 6.3. The Draft Birmingham Development Plan, which is an advanced state, plans for the spatial delivery of growth and supporting sustainable growth in housing, retail and employment development to meet the needs of its growing population. The Plan identifies a number of key areas, which will make a significant contribution towards delivering this growth. One of these areas is the 'Eastern Triangle', consisting of the regeneration and growth of around 1,000 new homes and improvements to local centres focused on Meadway, Stechford and Shard End. The Plan seeks to improve the scale and range of retail, service and community facilities at the Poolway Shopping Centre and create a new focus for the surrounding community. Emphasis is given to creating a more attractive local centre that addresses current design and access issues, whether in the form of remodelling or more comprehensive restructuring. The Plan also requires improvements to the public realm and the adjacent Kent's Moat Recreation Ground, by means of reconfiguration and enhancements as part of the development opportunity.

- 6.4. The current proposal represents Phase 1 of the comprehensive redevelopment of this site, which accords with the policy objectives of the Draft Birmingham Development Plan and the NPPF and as such no objection is raised in principle.

- 6.5. Loss of public open space and improved facilities within Kent's Moat Recreation Ground:

- 6.6. In policy terms, the critical element in the determination of this application is the loss of 33% (just over 4ha) of the existing Kent's Moat Recreational Ground. The NPPF highlights that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It adds that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.7. Policy 3.52a of the UDP advises that proposals which would result in the loss of open space will only be permitted in exceptional circumstances, taking into account the availability of public open space nearby, its quality and how well it meets local needs. It adds that exceptional circumstances are unlikely to be demonstrated where existing public open space provision falls below the standard of 2.0ha per 1000 population and/or there would be a loss of land from the open space network. Where exceptional circumstances can be justified an appropriate recreational community benefit of equal value, in terms of access, size usefulness, attractiveness and quality, to compensate for the open space loss shall be sought.
- 6.8. Policy 3.53 informs that the standard 2ha of public open space per 1000 population will be used to assess the adequacy of existing public open space provision across the City. It encourages the provision of new public open space in areas of existing deficiency where opportunities arise, such as part of new residential development.
- 6.9. The Draft Birmingham Development follows-on from the current UDP policies in relation to the 2ha per 1000 population and any replacement. Furthermore, it adds that where an area of open space is underused, as it has inherent problems such as poor site surveillance, physical quality or layout, which cannot be realistically dealt with, then proposal that would result in the loss of a small part of a larger area of open space will be considered if compensation measures would result in significant improvements to the quality and recreational value of the remaining area.
- 6.10. Kent's Moat Recreation Ground is an expansive area (11.58ha) of public open space containing a limited number of footpaths as well as a children's play area, multi-use games area and youth shelter to the south western corner. There is no natural surveillance of the recreation ground and suffers from anti-social behaviour. It is evident that whilst it is substantial in size, it is relatively poor quality and significant areas are underused. The application site falls within Stechford and Yardley North Ward which has a public open space provision of 1.67ha per 1000 population compared to the Council's standard of 2.0ha per 1000 population.
- 6.11. The current proposal would see the loss of around 3.85ha of the recreation ground however the retained area would undergo significant improvements including a full size football pitch and junior football pitch, multi-use games area, toddler play area, teenage area, fitness trail with fitness stations, and landscaping including tree planting. Furthermore, the creation of new housing facing the recreation ground to the north and west would provide some natural surveillance and security to assist in reducing anti-social behaviour and make the area feel safer and more user-friendly.
- 6.12. The proposal would reduce the overall area of public open space (1.67ha per 1000 population) within the ward and thereby worsen the existing under-provision, with 7.73ha being retained. This loss needs to be considered within the context of the existing problems associated with the recreation ground, the quality and extensive range of the improvements to the facilities (including new playing fields) and the environment of the retained area of public open space as well as the benefits

associated with the wider regeneration project (discussed in greater detail elsewhere in this report). Applying the planning balance test as detailed in the NPPF, it is considered that the harm identified with the loss of public open space does not significantly and demonstrably outweigh the benefits of the current proposal and as such it is considered that the application is in accordance with the NPPF and UDP as well as the advanced Draft Birmingham Development Plan. The Planning Strategy raises no objection to the proposal.

6.13. New District Centre:

6.14. The existing Poolway Shopping Centre is referred to as the Meadway District Centre in the Shopping and Local Centres SPD. The comprehensive redevelopment seeks to rebuild this centre and Phase 1 subject to the current application would provide up to 2,790sqm on a parcel of land to the immediate east of the existing Poolway Shopping Centre, fronting Meadway. This would be outside the current boundary of the District Centre. The indicative layout shows a single large retail unit of 1740sqm, which could for example be occupied by an anchor convenience food store, and 6no small units of 165sqm. Customer parking spaces are shown to the front and side of these units with a separate service yard to the rear. Phase 2, which consists of the majority of the existing Poolway Shopping Centre and not subject to this planning application is earmarked for further retail development, and the potential to incorporate some additional housing is also a potential option. The Draft Birmingham Development Plan identifies the Meadway District Centre as an area of growth to provide an improved local centre. The existing Poolway Shopping Centre has fundamental design flaws and this application represents the first phase of the overall transformation of this District Centre.

6.15. New housing:

6.16. The proposal consists of the creation of the up to 136 new houses and it is noted that the former Meadway high rise residential flats, which were demolished in 2009-2010 contained some 222 flats. It is proposed that 50% of the new housing would be affordable for rent whilst the remaining 50% would be for sale on the open market. The affordable housing would be in small groups, pepper-potted throughout the development and in terms of appearance would be designed so that they are 'tenure blind'. This element of the proposal is also in accordance with the Draft Birmingham Development Plan which identifies Meadway as an area for growth with the provision of new homes.

6.17. Conditions are recommending that no less than 55% and no more than 10% of the new commercial ground floor units and/or total ground floor space shall be used for retail and hot food takeaway respectively. This is to ensure that the replacement Meadway District Centre is in accordance with the Council's Shopping and Local Centres SPD.

6.18. Design/layout:

6.19. The illustrative master plan shows how the different elements of the scheme could be built-out, which meet good urban design principle by providing strong perimeter blocks with a much-improved level of natural surveillance and security of the enhanced park. It demonstrates generous public and private spaces, retention of many of the existing trees as well as concept design visions for the primary and secondary roads. The new houses would be predominantly 2-storey though a number would be single storey and 3-storey in height. The commercial buildings would be of a similar height and compatible with the character of the wider area.

The appearance of the buildings would be modern from a palette of materials that would provide a cohesive approach. These shall inform the specific detailed designs that will form separate a reserved matters application(s).

6.20. Neighbour Amenity:

- 6.21. A noise assessment submitted with the application identified that noise levels were highest on the northern and western boundaries of the site where noise from surrounding roads were dominant. It added that where road noise was not as loud, aircraft noise was more dominant. The assessment concluded that the development along Meadway would screen road noise from other parts of the development, but the dwellings on the northern and western parts of the site would need sound insulation measures. Regulatory Services raise no objection subject to a number of safeguarding conditions including a Construction Method Statement, noise insulation, extraction and odour control, noise levels for plant and machinery, delivery code of best practice, and restrictions on opening hours and delivery hours.

6.22. Highway Safety:

- 6.23. The application includes the creation of a new roundabout access on Meadway at the junction with Holbeach Road as well as improvements to the junctions of Broadstone Road and Sheldon Heath Road. The submitted Transport Assessment considered the impact of the proposal in the local network, including assessments of a number of junctions in the area. The assessment concludes that the anticipated impact of traffic associated with the development on the local road network would be modest. It is noted that the site is in a sustainable location with frequent bus services on Meadway and Sheldon Heath Road. Lea Hall Railway Station is some 450m to the north and the planned Metro extension to the airport would run along Meadway to the immediate north of the application site.

- 6.24. The illustrative layout shows parking for the new District Centre to the front and side of the new commercial units, in a manner that is convenient and well overlooked. For residential parking, generally two bed houses would have 1 parking space and three plus bed houses would have 2 parking spaces.

- 6.25. Transportation Development raises no objection subject to a number of conditions. This includes the siting, design and form of the accesses, and in particular the access off Sheldon Heath Road. The application includes a slightly offset crossroads on Sheldon Heath Road and it is recommended that a mini/small roundabout should be considered instead in this location, which could be accommodated within the application site.

6.26. Other Matters:

- 6.27. UDP Policy and Affordable Housing SPG seek residential developments of 15 units or more to provide an element of affordable housing. The application indicates that 50% of the new units would be affordable, exceeding the 35% UDP policy and SPG requirement. As the applicant is the City Council (BMHT) is not however legally possible for a Section 106 agreement to be secured as it would mean the Council entering into an agreement with itself. It is therefore recommended that the provision of the affordable homes is secured through condition.

- 6.28. Likewise, UDP policy and 'Public Open Space in New Residential Development' SPD also seeks residential developments of 20 units or more to provide new public open space and play areas. It is important to consider the number of properties

being built (up to 136) compared to the number of flats lost through the demolition of the Meadway residential high rise towers (222), as well as the qualitative improvements to Kent's Moat Recreation Ground against the loss of existing public open space (33%) and the new housing exceed the 20 unit threshold. In light of this, it is considered that the benefits associated with the overall package clearly outweighs the harm. Furthermore, the applicant has confirmed that the cost of the improvements to the public open space and associated commuted sums for 15 years has been secured.

- 6.29. The Tree survey accompanying the application identifies that there are a number of A and B category trees to the site, most noticeably along the frontage to Meadway. The new access would see the removal of 2 no. A category trees, whilst the vast majority would be retained with appropriate thinning and canopy lifting. The indicative layout illustrates that the development could respond to the existing mature trees that are of a high amenity value as well as complement these with new tree planting throughout the development. My Tree Officer raises no objection to the application subject to safeguarding conditions.
- 6.30. An ecological assessment submitted with the application highlights that Kent's Moat Recreation Ground offers restricted habitat diversity and there is no evidence that any of the of the buildings are being used by roosting bats. Overall, whilst the site has low intrinsic ecological value, the site provides useful habitat resources for local wildlife. The assessment recognises that the proposal provides a significant opportunity to enhance the site's biodiversity value and suitable enhancements are recommended. The Council Ecologist endorses this approach subject to appropriate conditions.
- 6.31. A Drainage Strategy identifies that Sustainable Drainage Systems can be introduced to control and manage the discharge of water from the site, including retention ponds, attenuation tanks and a permeable paving system. The Lead Local Drainage Authority raises no objection to this strategy.
- 6.32. It is noted that a number of representations have been received in relation to the re-provision of the library and community building within the new district centre. The applicant has advised that the use classes sought for the new district centre include community uses (D1 and D2), which could accommodate those uses lost through the comprehensive redevelopment of the Poolway Shopping Centre. The applicant adds that whilst this scheme would construct the buildings associated with the new district centre, it would be the responsibility of the relevant Council Department / Organisation to fund the necessary running costs of these services.

7. Conclusion

- 7.1. The application represents the first phase of the comprehensive redevelopment of Kent's Moat Recreation Ground, former Meadway residential high-rise towers and Poolway Shopping Centre. The site is identified in the Draft Birmingham Development Plan for an area of growth with new houses and an enhanced district centre. The new houses would, in part, go towards replacing the flats lost with the demolition of the Meadway tower blocks but at a lower density and in a manner to meet identified housing needs. The replacement district centre would provide modern retail/commercial premises with convenient parking. The final form of Phase 2 is still to be determined but could be retail (an extension of the new district centre), and incorporating some residential is also being considered.

- 7.2. The proposal would see the loss of some 33% of the total area of the existing Kent's Moat Recreation Ground, which is acknowledged as having some inherent problems. The proposal seeks to address these by enhancing the quality of the space, making it more accessible, provide more opportunities for recreational uses including new playing fields, and safer to use with both environmental and ecological improvements. Despite the current shortfall of the standard of 2.0ha per 1000 population of public open space, considering the overall package it is considered that the benefits associated with the application far exceeds the harm.
- 7.3. The new access off Meadway and altered access off Sheldon Heath Road would improve permeability across the site and to the wider area with no adverse impact on highway safety. Furthermore, the illustrative master plan and the design principle contained within the Design and Access Statement demonstrates that the proposals would dramatically improve the character and appearance of the locality as well as safeguard existing neighbour amenity.
- 7.4. As such, the application is in accordance with relevant policy and guidance and planning permission should be granted.
8. Recommendation
- 8.1. Approve subject to conditions.

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| 1 | Requires the prior submission of a phasing plan |
| 2 | Requires the prior submission of a construction method statement/management plan |
| 3 | Tree Survey and Arboricultural Implication Assessment |
| 4 | Requires the prior submission of contamination remediation scheme on a phased basis |
| 5 | Requires the prior submission of a contaminated land verification report in a phased manner |
| 6 | Requires the prior submission of a sustainable drainage scheme |
| 7 | Requires the submission prior to occupation of the properties of a Sustainable Drainage Assessment and Sustainable Drainage Operation and Maintenance Plan |
| 8 | Requires the implementation of the ecological mitigation measures for bats and breeding birds |
| 9 | Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures on a phased basis |
| 10 | Requires the prior submission of a habitat/nature conservation management plan |
| 11 | Requires the prior submission of hard surfacing materials in a phased manner |
| 12 | Requires the prior submission of boundary treatment details in a phased manner |
| 13 | Requires the prior submission of a lighting scheme in a phased manner |
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- 14 Requires the prior submission level details on a phased manner
 - 15 Requires the prior submission of sample materials in a phased manner
 - 16 Requires the prior approval of the siting, design and form of the access
 - 17 Requires the prior submission and completion of works for the S278/TRO Agreement
 - 18 Requires the prior submission of cycle storage details in a phased manner
 - 19 Requires the prior submission of a residential travel plan
 - 20 Requires the prior submission of public open space details
 - 21 Requires no less than 55% of all the ground floor commercial units and / or total commercial ground floors space shall be used for retail
 - 22 Requires no more than 10% of all the ground floor commercial units and / or total commercial ground floors space shall be used for hot food takeaway
 - 23 Limits the hours of use of the commercial units (0600-2200 hours on any day)
 - 24 Limits delivery time of goods to or from the commercial units (0600-2200 hours on any day)
 - 25 Requires the prior submission of a goods delivery strategy for the commercial units
 - 26 Requires the prior submission of any extraction and odour control details at the commercial units
 - 27 Limits the noise levels for Plant and Machinery from the commercial units
 - 28 Requires the prior submission of details of refuse storage to the commercial buildings
 - 29 Requires the prior submission a noise insulation scheme to the dwellinghouses
 - 30 Requires the provision of a minimum 35% affordable housing units
 - 31 Requires the planning permission to be implemented by Birmingham City Council
 - 32 Requires the scheme to be in accordance with the listed approved plans
 - 33 Requires the scheme to be in accordance design and access statement
 - 34 Requires the submission of reserved matter details following an outline approval
 - 35 Limits the approval to 3 years (outline)
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Case Officer: Peter Barton

Photo(s)



Figure 1 – Meadway frontage and location of new access



Figure 2 – Access off Sheldon Heath Road

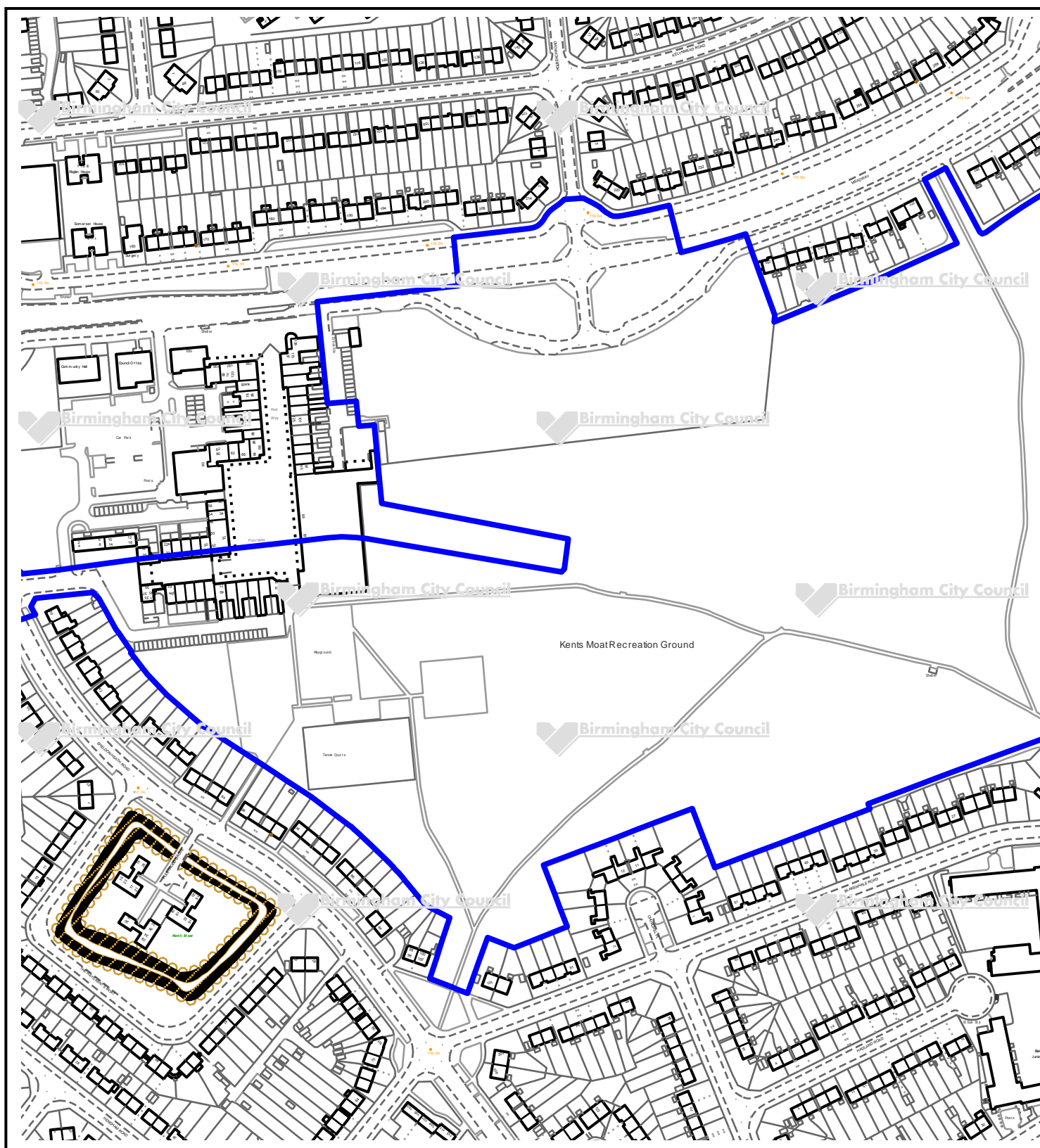


Figure 3 - Kent's Moat Recreation Ground looking towards Poolway Shopping Centre



Figure 4 – Kent's Moat Recreation Ground looking towards the southern boundary

Location Plan



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