

DECISION DOCUMENT

APPLICATION NUMBER: 2023/08411/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:

Erection of a three storey detached dwelling house (Use Class C3) with associated detached garage, access, parking and landscaping

at

13 Driffold, Land at side of, Sutton Coldfield, Birmingham, B73 6HE

Conditions that affect this development or use

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- 1 Implement within 3 years (Full)
The development hereby permitted shall be begun before the expiration of (3) years from the date of this permission.
Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.
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- 2 Requires the scheme to be in accordance with the listed approved plans
The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers ALE - 822 - PL - 00, ALE - 822 - PL - 01, ALE - 822 - PL - 02 Rev C, ALE - 822 - PL - 03 Rev B, ALE - 822 - PL - 04 Rev A, ALE - 822 - PL - 05 Rev A, ALE - 822 - PL - 06 Rev A, ALE - 822 - PL - 07 Rev A, ALE - 822 - PL - 08 Rev A, ALE - 822 - PL - 09 Rev A, ALE - 822 - PL - 10 Rev A, ALE - 822 - PL - 11, ALE - 822 - PL - 16 Rev C, ALE - 822 - PL - 17 Rev F, ALE - 822 - PL - 18 Rev A ('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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- 3 Requires the prior submission of a method statement for the removal of invasive weeds
No development shall take place until a detailed method statement for the removal or long-term management/eradication of rhododendron and cotoneaster on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of rhododendron and cotoneaster during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.
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 TP8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework rhododendron and cotoneaster is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981.

- 4 Requires installation of bird/bat boxes
Prior to the first occupation of the development hereby permitted bat/bird boxes shall be installed in appropriate places within building/site and once installed they shall be retained and shall not be removed or altered in any way.
Reason: In order to secure the satisfactory development of the application site in accordance with Policy TP8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 5 Requires the prior submission of drainage scheme
The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
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 TP6 of the Birmingham Development Plan 2017, Sustainable Management of Urban Rivers and Floodplains SPD and the National Planning Policy Framework.
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- 6 Requires the prior submission of a contamination remediation scheme
No 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 uses
o potential contaminants associated with those uses
o a conceptual model of the site indicating sources, pathways and receptors
o potentially unacceptable risks arising from contamination at the site.
2) 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.
3) 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.
4) 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 the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the NPPF.
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- 7 Requires the submission of a contaminated land verification report
Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy 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

- 8 Requires the submission and approval of external materials and detailing
Details of the external materials and architectural treatment of building facades and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to commencing construction of the building / extension to which they relate. Details shall include:
- * Facades - walls, windows (surrounds, glazing systems, reveals, panels), building entrances, decorative features;
 - * Roofs - including edges / eaves / parapets, ridges, chimneys;
 - * Soffits
 - * Rainwater goods, external vents, flues and other structures attached to the façade or roof of the building.
- These required details shall include sufficient information to demonstrate building appearance including: elevation drawings annotated to show materials; schedule and specification of materials (samples and/or product literature and images); large (1:20) scale sections and part-elevation drawings showing detailing of windows, edges of roofs and facade detailing. The development shall thereafter be implemented in accordance with the approved details.
- Reason: In order to ensure appropriate design of the building in accordance with Policies PG3 of the Birmingham Development Plan 2017, the National Planning Policy Framework and Design Principle 14 and City Notes LW-8 of the Birmingham Design Guide SPD 2022.
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- 9 Details of hard and/or soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and these works shall be carried out as approved. These details shall include existing trees and hedges to be retained or removed, proposed finished levels or contours, hard surfacing materials, fully annotated planting plans to a scale of 1:100, showing, where used, locations of individually planted trees, shrubs, hedges, bulbs, and areas of grass. Other information shall include planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed soil preparation and planting methods.
- 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 any part 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 five 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 the Birmingham Development Plan 2017 and Policy DM2 Amenity of the Development Management in Birmingham DPD 2021.
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- 10 Details of the proposed boundary treatment of the site 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 Policy Framework.
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- 11 Requires pedestrian visibility splays to be provided
A pedestrian visibility splay of 3.3m x 3.3m x 600mm (desirable) or 2m x 2m x 600mm (minimum) shall be incorporated at the/each access point before the access point(s) is first used and thereafter maintained.
- Reason: In order to ensure the safe movement of pedestrians using the adjacent highway in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 12 Vehicular visibility splay as shown on the submitted plan (ALE-822-PL-17 Rev F) to be incorporated/maintained at the proposed vehicular access and there must not be anything above 600mm height within this splay.
- Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policies PG3 and TP44 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.

- 13 Requires the provision of a vehicle charging point
No fewer than one charging point for electric vehicles shall be provided at the property. The charging points shall be available for use prior to first occupation of the development hereby approved.
Reason: In order to secure the satisfactory development of the application site in accordance with Policy TP5 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 14 Requires the implementation of the submitted mitigation/enhancement plan
The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement ALE - 822 - PL - 18 Rev A submitted with the application.
Reason: In the interest of the protection of the wildlife value of the site in accordance with Policy TP8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 15 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement or occupation of the development [or specified phase of development]. The content of the LEMP shall include the following.
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period).
The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.
Reason: In order to secure the satisfactory development of the application site in accordance with Policy TP8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 16 No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for bats, reptiles, badger, hedgehog and nesting birds (including appropriate pollution control measures to avoid impacts on adjacent habitats) has been submitted to and approved in writing by the Local Planning Authority. The approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to secure the satisfactory development of the application site in accordance with Policy TP8 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 17 Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail.
Reason: In order to protect the adjacent railway and its boundary and ensure the satisfactory development of the application site in accordance with Policy PG3 of the Birmingham Development Plan 2017 and the National Planning Policy Framework.
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- 18 Removes PD rights for extensions and outbuildings
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order amending, revoking and/or re-enacting that order, with or without modification), no enlargement, improvement or other alteration of a dwellinghouse or its roof shall be carried out on 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 Policy PG3 of the Birmingham Development Plan 2017, Birmingham Design Guide SPD 2022 and the National Planning Policy Framework

The development may now be liable for CIL, (following its adoption on 4th January 2016). The submitted application forms specify that the floor area of the development would be 398sqm GIA (New: 398sqm, Retained: 0sqm and Demolished: 0sqm.) This would equate to a payment of £38,608.94.

Date: Tuesday 25th June 2024

Simon Delahunty-Forrest
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Place, Prosperity & Sustainability

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Please note
This is not a building regulation approval

INFORMATIVE NOTE(S) (if any)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

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.

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 WaterUK

Please 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.pdf>

For further information please contact the West Midlands Fire Service Water Office at
water.officer@wmfs.net

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 your

intention. 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>. Information and links to making any appeal can be found at <https://www.gov.uk/appeal-planning-decision>.

STREET NAMING AND NUMBERING

Birmingham City Council has a duty under the Public Health Act 1925 to name all new streets and number all new properties in its administrative area. This is carried out by the Address Custodian and Team and applies to all self-contained units for all classes of use.

If your development results in new or additional self-contained units you must apply for official addresses at <https://www.birmingham.gov.uk/snn>. The Street Naming and Numbering Policy is available on this page as well as other information and help for you relating to new addresses, street naming and numbering.

Allow 12 weeks for provision of new street names and 8 weeks for addresses into an existing named street. Enquiries should be directed to llpg@birmingham.gov.uk.

APPROVED