

DECISION DOCUMENT

APPLICATION NUMBER: 2012/06034/PA

TOWN AND COUNTRY PLANNING ACT 1990

APPLICANT

St Andrews Healthcare
c/o agent

AGENT (if used)

Turley Associates
9 Colmore Row
Birmingham
B3 2BJ

BIRMINGHAM CITY COUNCIL GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS FOR THE FOLLOWING DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND APPLICATION AS NUMBERED ABOVE:

Outline application for class C2 and D1 Health care development, (including demolition of some existing buildings) with associated parking and external works, including flood defence works. All matters reserved.
at

St Andrews Healthcare and Land at the River Rea Corridor, Dogpool Lane, Stirchley, Birmingham, B30 2XR

Reason(s) for Approval

Birmingham City Council grants Planning Permission subject to the condition(s) listed below (if appropriate). The reason for granting permission is because the development is in accordance with: Policies 2.14a, 2.14b, 3.8, 3.10, 3.14, 8.28 and 8.29 of the Birmingham Unitary Development Plan 2005; Places for All (2001); SPG: Specific Needs Residential Use and the National Planning Policy Framework.

Conditions that affect this development or use

- 1 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 11036-PLA-0002 P2, 11036-PLA-0001-P3, 11036-PLA-0200-P4 ('the approved plans').
Reason: In order to define the permission in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
- 2 Requires the submission of reserved matter details following an outline approval
Details of the (access, appearance, landscaping, layout and scale), (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.
- 3 Requires the implementation of the Flood Risk Assessment in a phased manner
Each phase of the development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Turley Associates August 2012 Ref: STAQ2004 and the mitigation measures detailed within the FRA.
Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Paragraphs 3.71-3.76 of the Birmingham UDP 2005, Sustainable Management of Urban Rivers and Floodplains SPD and the National Planning Policy Framework.

- 4 Requires the prior submission of drainage plans in a phased manner
The development hereby permitted should not commence until drainage plans for each phase of the development 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 each phase of the development is first brought into use. Reason: This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or create or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Paragraphs 3.71-3.76 of the Birmingham UDP 2005, and the National Planning Policy Framework.
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- 5 Requires the implementation of the submitted ecological mitigation/enhancement plan
The development including site clearance work hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement in section 4 of the Ecological Appraisal report (FPCR, 20 August 2012) and section 4 of the Revised Bat Report (FPCR, 17 August 2012) unless otherwise agreed in writing by the LPA.
Reason: In the interest of the protection of the wildlife value of the site in accordance with Paragraphs 3.37-3.40 of the Birmingham UDP 2005, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.
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- 6 Requires the prior submission of a scheme for ecological/biodiversity/enhancement measures on a phased basis
No development shall take place until an Ecological Enhancement Strategy, based on the recommendations contained in the Ecology Report (August 2012) for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
Reason: In order to safeguard the nature conservation value of the site in accordance with Paragraphs 3.37-3.40 of the Birmingham UDP 2005, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.
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- 7 Requires the prior submission of a habitat/nature conservation management plan
A habitat/nature conservation management plan shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The plan shall include:
- o Description and evaluation of the features to be managed;
 - o Ecological trends and constraints on site that may influence management;
 - o Aims and objectives of management;
 - o Appropriate management options for achieving aims and objectives;
 - o Prescriptions for management actions;
 - o Preparation of a work schedule (including a 5 yr project register, an annual work plan and the means by which the plan will be rolled forward annually);
 - o Monitoring and remedial / contingencies measures triggered by monitoring.
- The plan shall be implemented in accordance with the approved details, and thereafter maintained
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.37-3.40 of the Birmingham UDP 2005, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.
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- 8 Requires the prior submission of extraction and odour control details in a phased manner
No development shall take place until details of the extract ventilation and odour control equipment, including any details of any noise levels from fixed machinery, and external ducting for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter maintained.
Reason: In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

- 9 Requires the prior submission of hard and/or soft landscape details
No development shall take place until full details of hard and/or soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (proposed finished levels or contours, means of enclosure, hard surfacing materials, minor artefact and structures, proposed and existing functional services above and below ground, fully annotated planting plans to a scale of 1:100 (landscape officer to advise), showing, where used, locations of individually planted trees, areas of woodland, shrubs, hedges, bulbs, and areas of grass. Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs. Other information shall include planting schedules, noting species, plant sizes and proposed numbers / densities and details of the proposed planting implementation programme. 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 the planting programme agreed with the Local Planning Authority and thereafter maintained. Any trees or shrubs which, within a period of two 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 Paragraphs 3.8, 3.10, 3.14 and 3.16A of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 10 Requires the prior submission of hard surfacing materials
No development shall take place until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter maintained.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 11 Requires the prior submission of boundary treatment details in a phased manner
No development shall take place until full details of the proposed boundary treatment of the site for each phase of development have been submitted to and approved in writing by the Local Planning Authority. 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 Paragraphs 3.8, 3.10 and 3.16A of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 12 Requires the prior submission of a lighting scheme in a phased manner
The development hereby approved shall not be occupied until a detailed lighting scheme for each phase of development has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate and details of the lighting fittings including: colour, watts and periods of illumination. All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the occupation of any part of the development and thereafter maintained.
Reason: To ensure a high quality of external environment, to complement the development proposals, and to protect and reinforce local character in accordance with Paragraphs 3.8, 3.10, 3.14 and 3.16A of the Birmingham UDP 2005, Places for All SPG, Lighting Places SPD and the National Planning Policy Framework.
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- 13 Requires the prior submission of details of green/brown roofs
No development shall take place until a scheme for the provision of green and/or brown roofs on the flat roofs of the development, including identified biodiversity benefits, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter maintained.
Reason: To improve the landscape character and biodiversity of the area in accordance with Paragraphs 3.8, 3.10, 3.14, 3.16a and 3.37-3.40 of the Birmingham Unitary Development Plan 2005, the National Planning Policy Framework and the Nature Conservation Strategy for Birmingham SPG.

- 14 Requires the prior submission of a construction method statement/management plan in a phased manner.
No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing for each phase of development by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- o the parking of vehicles of site operatives and visitors
 - o loading and unloading of plant and materials
 - o storage of plant and materials used in constructing the development
 - o construction hours
 - o noise control devices (silencers, SMART reversing alarms etc)
 - o delivery routeing
 - o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - o wheel washing facilities
 - o measures to control the emission of dust and dirt during construction
 - o a scheme for the recycling/disposing of waste resulting from demolition and construction works.
- The development shall be implemented in accordance with the approved details.
Reason: In order to safeguard the amenities of occupiers of premises/dwellings in the vicinity in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 15 Requires the prior submission of sample materials in a phased manner
No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension(s)/building(s)/dwelling(s)/development hereby permitted for each phase of development have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 16 Requires the prior submission level details on a phased manner
No development shall take place until details of finished site and ground floor levels in relation to the existing site levels, adjoining land and buildings for each phase of development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed grading and mounding of land areas, cross sections through the site and relationship with the adjoining landform and buildings. The development shall be implemented in accordance with the approved details.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 17 Requires the scheme to be in accordance design and access statement
The development hereby approved shall be implemented in accordance with the principles outlined in the Design and Access Statement prepared by TScott Tallon Walker Architects.
Reason: In order to define the permission and ensure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 18 Requires the prior submission of a phasing plan
No development shall take place until a phasing plan for the construction and implementation of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved phasing plan.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 19 Requires the prior submission of details of refuse storage
No development shall take place until details of facilities for the storage of refuse within the curtilage of building(s) approved under this permission have been submitted to and approved in writing by the Local Planning Authority. The refuse facilities shall be provided in accordance with the approved details before the buildings are first occupied and thereafter maintained.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

- 20 Requires the prior submission of a parking management strategy in a phased manner. The development hereby permitted shall not be occupied until a parking management strategy for each phase of the development (including management of disabled/parental child spaces) has been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter only be operated in accordance with that approved strategy.
Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005, the Car Parking Guidelines SPD and the National Planning Policy Framework.
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- 21 Requires vehicular visibility splays to be provided. The building(s)/premises/site/dwelling(s) shall not be occupied before vehicular visibility splay(s) of 2.4metres by 33metres at the junction of the access(es) with the public highway have been provided, and this/ these splay(s) shall be kept free of obstacles.
Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 22 Requires the prior submission of cycle storage details in a phased manner. No development shall take place until details of the provision for the secure, and where appropriate, covered storage for cycles and motorcycles within each phase of development have been submitted to and approved in writing by the Local Planning Authority. Provision shall thereafter be implemented and maintained in accordance with the approved details.
Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 23 Requires the implementation of tree protection. All trees and hedges, which are to be retained in accordance with the approved plans and particulars, shall be protected in accordance with BS5837:2005 Trees in Relation to Construction Recommendations and subsequent editions. This shall include establishing a Root Protection Area (RPA) around each tree and hedge, in line with the recommendations of BS5837:2005 and subsequent editions. All RPAs must be enclosed by suitable fencing, as specified by BS5837:2005 or as agreed in writing with the Local Planning Authority or, where specifically approved, protected using ground protection measures to the satisfaction of the Local Planning Authority. No works or alterations to existing ground levels or surfaces shall be undertaken within the RPAs without the prior written approval of the Local Planning Authority. No materials, equipment or vehicles are to enter or be stored within the RPAs. No materials that are likely to have an adverse effect on tree health such as oil, bitumen or cement will be stored or discharged within the RPAs. All tree protection measures shall be agreed in writing with the Local Planning Authority and their installation/implementation must be undertaken prior any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The tree protection must remain intact for the full duration of development and must not be removed or re-positioned without prior approval of the Local Planning Authority.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8, 3.10 and 3.16A of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 24 Requires the prior submission of an arboricultural method statement. Where the approved plans and particulars indicate that specialized construction work is to take place within the Root Protected Area (RPA) of any retained trees, hedgerows or shrubs, prior to the commencement of any development works, an Arboricultural Method Statement (AMS) detailing how any approved construction works will be carried out shall be submitted and agreed in writing by the Local Planning Authority. This must be implemented prior to any onsite works being undertaken. The AMS shall include details on when and how the works will take place and be managed (including installation of hard surfacing, foundations, utilities etc) and how the trees, hedges and shrubs will be adequately protected during such a process. The AMS must also include a schedule for arboricultural supervision for pre, during and post construction to ensure the approved scheme does not have an adverse effect on retained trees, hedges or shrubs.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8, 3.10 and 3.16A of the Birmingham UDP 2005 and the National Planning Policy Framework.

- 25 Requires the prior submission of a commercial travel plan
No development shall take place until a detailed travel plan has been submitted to and approved in writing by the Local Planning Authority. This should include clear objectives to influence and encourage reduced dependency on the private car with a package of measures to meet this objective. The development shall thereafter be undertaken in accordance with the approved travel plan.
Reason: In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Paragraphs 3.8, 3.10, 6.17 and 6.39 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 26 Requires the prior submission of a contamination remediation scheme
No development shall take place until the following components of a site assessment and, if required remediation scheme to deal with the risks associated with contamination of the site for the intended use has 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) If contamination is found present and assessed as an unacceptable risk to human health safety and the environment an options appraisal and remediation strategy shall be submitted 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: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.
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- 27 Requires the prior 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 Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework
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- 28 Requires the submission of contamination remediation monitoring in accordance with the agreed plan
Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority as set out in that plan, prior to development (other than remediation works) taking place. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any development on the site.
Reason: In order to secure the satisfactory development of the application site in accordance with Paragraphs 3.8 and 3.10 of the Birmingham UDP 2005 and the National Planning Policy Framework.

29 Requires further information with respect to flood works before certain phases of development are carried out.
No development of works within Phases 9-11 as shown on the indicative phasing plans within Appendix C of the submitted Design and Access statement shall take place until a scheme, to include the following elements, has been submitted to and approved in writing by the Local Planning Authority.

- 1) A surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- 2) Details of flood resilience measures for the proposed development, including setting floor levels 600mm above the 100yr + climate change flood level and a flood emergency procedure addressing the residual flood risk to the proposed site.
- 3) Details of a long-term maintenance plan for the drainage systems and constructed defences.
- 4) Details of the contiguous flood defence and floodplain compensation.

Note - These details will also need to be approved by the Environment Agency through Land Drainage Consent applications and in co-operation with Birmingham City Council drainage and parks departments.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site during each phase of development; To reduce the risk of flooding to the proposed development and future users; To ensure future access to and maintenance of proposed flood defences and to ensure the improvement of existing flood defences in accordance with guidance contained within the National Planning Policy Framework.

30 Limits the approval to 3 years (outline)
Application(s) for approval of any reserved matter(s) must be made before the expiration of three years from the date of this permission. The development for which permission is granted must be begun before the expiration of two years from the final approval of the reserved matter(s) or, in the case of approval on different dates, the final approval of the last matter to be approved.
Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and the National Planning Policy Framework.

Date: Thursday 22nd November 2012



Waheed Nazir, Director of Planning and Regeneration

P.O. BOX 28, Birmingham B1 1TU

**Please note
This is not a building regulation approval**

INFORMATIVE NOTE

Water supplies for firefighting 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

APPROVAL