

TOWN AND COUNTRY PLANNING ACT 1990

**APPEAL AGAINST THE DECISION OF BIRMINGHAM CITY COUNCIL TO REFUSE
PLANNING PERMISSION FOR THE DEMOLITION OF EXISTING BUILDINGS AND
CONSTRUCTION OF 83 RESIDENTIAL APARTMENTS AT 334-340 HIGH STREET AND
8-22 HARBORNE PARK ROAD, HARBORNE, BIRMINGHAM, B17 9PU.**

**PROOF OF EVIDENCE BY ANDREW FULFORD BSc MA MRTPI ON BEHALF OF
BIRMINGHAM CITY COUNCIL**

28th March 2024

Planning Inspectorate Reference: APP/P4605/W/23/3336011

Local Planning Authority Reference: 2022/06737/PA

1. Introduction

1, By virtue of its scale, massing 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.

2, The scheme fails provide any affordable housing contribution contrary to policies TP31 and TP45 of the Birmingham Development Plan and the NPPF.

3, No contribution towards open space provision has been offered which is contrary to the Open Space SPD, Policy TP45 of the BDP and the NPPF.

4, The applicant has failed to demonstrate that there is sufficient off street parking in an area already experiencing high levels of parking demand. It is therefore considered that the inadequate parking proposed would lead to additional parking in nearby roads, to the detriment of pedestrian and highway safety. As such it would be contrary to Policies PG3 and TP44 of the Birmingham Development Plan 2017, policies DM14 and DM15 of the Development Management in Birmingham DPD and the National Planning Policy Framework.

5, By virtue of the significant number of 1 bed flats the proposed development fails to deliver a good mix of house types. There is an undersupply and evidenced demand in the City for family housing which the scheme fails to deliver and as such the proposal would be contrary to Policy TP30 of the Birmingham Development Plan 2017 and the National Planning Policy Framework 2021.

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 the 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.

2. Uncontested Issues

3. Contested Matters

