



SOLIHULL METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT BRIEF

FORMER POWERGEN SITE & ADJOINING LAND
STRATFORD ROAD/HASLUCKS GREEN ROAD
SHIRLEY

PLANNING SERVICES
FORWARD PLANS

NOVEMBER 2005

Preface

At the Decision Session of 20th July 2005, the Cabinet Member for Regeneration approved a draft version of this document for consultation. The consultation was carried out during September/October 2005 and a summary of the consultation undertaken is provided at Appendix 1.

The results of the consultation were reported back to the Cabinet Member for Regeneration on 28th November 2005 where this development brief was formally approved and subsequently adopted on 6th December 2005.

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STATUS OF THE BRIEF

SOURCES OF FURTHER INFORMATION

1. INTRODUCTION

- 1.1 The Council has prepared this draft development brief for the Former Powergen site and adjoining land which lies on the corner of Haslucks Green Road and Stratford Road in Shirley, Solihull.
- 1.2 Urban design advice has also been produced for the site by Lovejoy – Birmingham and this urban design based development approach has been incorporated into this draft document.
- 1.3 The remit of this brief is to act as a non-statutory guide, a tool for informing pre-application discussions, guiding potential development of the site. The brief will also be a material consideration in assessing subsequent planning applications.
- 1.4 In the process of producing the development brief full public consultation has been carried out for a period of 6 weeks with various parties including residents adjoining the site, Ward Councillors, the sites owners/leaseholders and residents and traders representatives. A full list of all those consulted, when they were consulted, a summary of their comments and changes made following the receipt of consultation responses are set out in the Appendices to this brief.

2. BACKGROUND INFORMATION

- 2.1 The site is the former headquarters of Powergen and lies in a prominent location set at the busy junction of Stratford Road (A34) and Haslucks Green Road and at the entrance to Shirley town centre and to the Borough from Birmingham.
- 2.2 The site, since its vacation by Powergen in 1995, has become somewhat defined by a single planning application made by ASDA Stores Ltd in 1996 for the redevelopment of the site for a large scale foodstore and associated car parking.
- 2.3 The Council refused this application citing concerns regarding the impact of such a scheme on the vitality and viability of Shirley town centre along with other local centres along Stratford Road. The proposals were therefore considered to have failed to adhere to national guidance in place at the time, in the form of Planning Policy Guidance Note (PPG) 6: Town Centres and Retail Development.
- 2.4 The proposals were further considered to conflict with the aims of PPG6 as the Council considered that there was a more centrally located site which may be sequentially preferable and due to its town centre location would strengthen Shirley town centre. The Inspector who held a public inquiry into ASDA's appeal against the Council's refusal of planning permission upheld the Council's decision to refuse the application on the grounds that the proposal would be unacceptably damaging to the vitality and viability of Shirley. The site has remained vacant since this point and no further planning applications have been submitted.

3. THE PURPOSE OF THE BRIEF

- 3.1 There are a number of reasons why the Council considers it important to produce a brief for the former Powergen site. Firstly, there is a complex planning policy framework that would guide the development of this site,

which needs to be set out to ensure clear and consistent advice is provided. The need for guidance on this point is highlighted by the fact that the site has been the subject of objections through the Unitary Development Plan (UDP) Review process.

- 3.2 Secondly, the site lies in a gateway location on the entrance to the town centre and Borough as a whole. The site has been vacant for a considerable period of time and whilst generally well maintained is now showing some signs of neglect. This along with the poor legibility of the existing buildings results in the site failing to positively contribute to the character of this part of the townscape. There is therefore a need to promote the improvement in the contribution this site makes to the wider area.
- 3.3 The brief is also considered a useful tool in setting out the Council's aspirations for any future development and easing uncertainty among members of the public regarding the future of the site which has a high profile locally.
- 3.4 In light of the above it is considered that the development brief has 5 main objectives, these being:
 - Interpret national, regional and local planning policy relevant to the site;
 - Act as a guide to new development setting out to the Council's aspirations to improve the contribution the site makes to the area, the edge of the town centre and the entrance to the Borough as a whole;
 - Support forms of development that complement the existing town centre in form of development and function;
 - Ensure an integrated, and appropriate development is achieved with reference to surrounding sites both existing and proposed; and
 - Assist and inform the quality of the application submission and assist in the assessment of planning applications and the efficiency of the development control process.

4. **POLICY CONTEXT**

- 4.1 The Council's adopted development plan, the Solihull UDP, was adopted in 1997 prior to the introduction of significant new government guidance relevant to the former Powergen site in the form of Planning Policy Statement (PPS) 1, PPG3, PPS6 and PPG13. The UDP is currently in the advanced stages of review having gone through a public inquiry in summer 2004 and with the Inspector's report having been received in April 2005. With the introduction of the Planning and Compulsory Purchase Act 2004, regional planning guidance, in the form of the West Midlands Spatial Strategy (June 2004) is also now part of the statutory development plan.
- 4.2 There is therefore a range of national, regional and local planning policies that are applicable to the site. Relevant policies are referred to throughout the text, particularly in the Site Constraints and Development Principles sections of the brief.
- 4.3 Being an unallocated but large and identifiable site on the edge of Shirley town centre, with good access to public transport links the site could accommodate a range of uses. However, the range of uses the site could accommodate is tempered by the fact that the site lies outside the defined

town centre boundary set out in the UDP, as shown at figure 1. In line with national, regional and local policy the accessibility and previously developed nature of the majority of the site means that it is a sustainable location suitable for promoting the more efficient land through higher density, mixed use development (PPS1 refers).

- 4.4 Indeed, the site was described in the Council's Urban Capacity Study (UCS) (October 2001) as being "*extremely well related in terms of public transport and access to other amenities and services*". The Shirley area as a whole was described as a location where there is "*a market for higher density developments including apartments...along with potential for mixed use schemes which could help sustain both commercial and residential markets*".
- 4.5 Whilst the redevelopment of the site has the potential to achieve government aims of the more efficient use of previously developed land, there is nevertheless the need to assess the impact of loss of the existing office use. Policy E9 (Retention of Land in Business Use) of the emerging UDP Review supported by the Council's Employment Land Study (March 2004) seeks the retention of employment uses given the limited supply of employment land within the Borough and so as to retain a wide spectrum of employment opportunities.
- 4.6 Development or re-development of existing employment uses will be considered where it can be demonstrated that there is little prospect of such a use continuing, resuming or being attracted; or where the alternative use(s) is likely to create more sustainable patterns of development. Should these criteria be met the redevelopment of the site needs to be considered.
- 4.7 Along with the types of uses the site could accommodate there are wider aims to consider in the redevelopment of the site such as the improvement in the contribution the site makes to the character of this part of the Shirley townscape (UDP Review policy ENV2). There is also a need for the development of the site to complement its neighbours, which will include the proposed Heart of Shirley town centre redevelopment (UDP Review Proposals S4/1), both in terms of use and built form. Particular attention should be paid to developments that respect and complement the function of Shirley town centre given the location of the site outside the defined UDP town centre boundary (UDP Review policy S8).
- 4.8 The Inspector presiding over the Public Inquiry into objections to the Solihull UDP Review 2001-2011, states in his report, in relation to Shirley "*It is important to ensure that any future uses on the periphery of the town centre do not adversely affect the vitality and viability of the centre as a whole*". With reference to the inclusion of the former Powergen site within the town centre boundary he further states "*With an elongated linear centre like Shirley, it is also important that developments help to consolidate rather than expand the centre. The inclusion of the former Powergen site within the Policy S4 boundary would significantly extend the centre in a northerly direction beyond its well-defined current limits*".
- 4.9 It is therefore considered that the most effective way of achieving the aims of more efficient use of land along with the wider aims in terms of townscape and complementing town centre function is through a mixed use development, building on the existing office use. Mixed use development can create or reinforce vitality and viability by the creation of links between different uses and through people accessing the site or building for different activities at different times of the day, and is a key objective of PPS1. Mixed

use development in a sustainable location such as the former Powergen site also improves people's access to facilities and reduces the need to travel (UDP Review Policy ENV1 refers).

- 4.10 Further commentary on the acceptability on the range of uses the site could accommodate is offered in section 6 of this brief. It is not considered necessary or helpful to prescribe the exact mix of uses envisaged for the site, however, any development must incorporate a lively mix of uses that are compatible and interact with each other.
- 4.11 Any mixed use development should reflect the Council's aspirations for the improvement in the quality of the public realm in this location, which are expanded on in section 7 of the brief. Design which fails to take the opportunities available for improving the character and quality of an area and the way it functions, will not be accepted (PPS1 refers). The principles of environmentally friendly design, supported by PPS1 and UDP Review Policies ENV19 and ENV 23, should also be central to the design of any scheme.

5. THE SITE AND ADJOINING LAND

SITE AREA OF THE BRIEF

- 5.1 The scope of the brief is drawn wider than just the buildings and associated facilities on the former Powergen site. The site area for the brief, as shown on the OS extract appended to this brief (figures 1 & 2), also encompasses the site of the former Reynalds Cross School along with an area of former allotments to the rear of the existing cadets buildings to the south of the site.

OWNERSHIP

- 5.2 The majority of the site lies within the Council's ownership save for the three and four storey building which addresses the Stratford Road frontage, adjacent to number 70 Stratford Road, which is owned by ASDA Stores Ltd. ASDA also have a long-term leasehold interest in the remainder of the site including the former bowling green and tennis courts and so their involvement in consideration of detailed options for the future development of the site will need to be sought.

EXISTING SITE CIRCUMSTANCES

- 5.3 The only buildings remaining on the site are those buildings on the former Powergen site including 4, 1960's office blocks, built in concrete and set in landscaped lawns along with an associated multi storey car park adjacent to the north western boundary of the site with Checkley Close. The office buildings are all connected by enclosed walkways and vary in height with 3 of the buildings being three and four storey grouped around the central 8 storey tower.
- 5.4 The main Powergen office block, due to its eight storey height and distinctive horizontal glass and concrete façade, acts as a significant landmark, both at the entrance to Shirley town centre, the entrance to the Borough and the approach to Birmingham city centre itself. The buildings

and grounds appear relatively well maintained although, due to vandalism, there are a number of boarded up windows within the office buildings.

- 5.5 To the south of the remaining structures lies further surface car parking and an area of open lawn previously used as a bowling green. Further to the south is a small area of surface car parking to the rear of numbers 36-44 Haslucks Green Road and dilapidated tennis courts to the rear of 48-54 Haslucks Green Road.
- 5.6 To the west between the tennis courts and surface parking and the properties in Stanton Road and Stoneford Close lies the L-shaped site of the former Reynolds Cross School. Whilst the buildings are gone their footprints are evident surrounded by a significant screen of unmanaged trees. To the south of the tennis courts lies an area of overgrown grassland previously used as allotments, which lies directly adjacent to cadets centre. This part of the site has a heavy tree screen onto properties in Stoneford Road to the west and Haslucks Green School to the south.
- 5.7 The main vehicular access into the site is located on Haslucks Green Road set between numbers 44 and 48. There are two secondary vehicular access points, one from the Stratford Road adjacent to number 70 which services the frontage office building only and a further access off Haslucks Green Road adjacent to the former BT exchange building. These access points also serve pedestrians with no separate pedestrian accesses to the site. The former allotments can be accessed from the site but can also be accessed separately from Cadet Drive.
- 5.8 Approximately 60% of the perimeter of the site lies adjacent to private rear gardens, to the north west and south west these boundaries are strongly defined by existing mature and semi-mature trees. The south east boundary of the site with numbers 26-54 Haslucks Green Road are formed by typical garden fencing, whilst the remainder of the sites frontage with both Haslucks Green Road and Stratford Road are open landscaped lawns.

EXISTING LINKS

- 5.9 The site lies in a location readily accessibly by public transport, particularly during the day, with bus stops on Haslucks Green Road directly outside and opposite the site and bus stops on Stratford Road providing access in both directions within 130m of the site, as shown on figure 2. Bus services offer access further into Shirley, including Shirley railway station and to Solihull town centre and Birmingham city centre. Shirley train station lies some 1.6km to the south west of the site offering services to both Birmingham (Moor Street) and Stratford upon Avon, with onward links to London.

SITE SURROUNDINGS

- 5.10 The spacious setting of the buildings on the site is key to its character and helps to bridge the gap in typology terms between two significantly differing forms of development, the suburban, predominantly residential, layouts to the south and east and urban patterns of development in the town centre to the north east and east.
- 5.11 To the north west the site is adjoined by more domestic scale retail outlets with residential accommodation above, which typify the spread of retail and

commercial development along the A34 reducing the focus of the town centre. Characteristic suburban semi-detached housing on Stanton Road, Stoneford Road with more modern infill housing in Checkley Close adjoining the north west boundary.

- 5.12 The site is adjoined to the south by the playing fields of Haslucks Green School with a run of domestic dwellings, predominantly bungalows forming the south eastern boundary along Haslucks Green Road. A 3 storey flat roof former BT telephone exchange, now converted to offices, lies at the end of the run of bungalows adjacent to the former Powergen buildings.
- 5.13 Further up Haslucks Green Road, toward the town centre, development increases in scale with Century House on the opposite corner of Haslucks Green Road and Stratford Road being a flat roof four storey building. Three and four storey buildings are a common feature along the Stratford Road as it runs through Shirley town centre. These larger buildings are typically located at the back of footpath with servicing and parking arrangements being located at the rear of the buildings.

SERVICING

- 5.14 It is understood that the main services – gas, electricity, telephone, water and foul and surface water drainage are available on site. However, the exact location and type of these services will need to be established by any potential developers.

6. SITE CONSTRAINTS

HIGHWAY CONSTRAINTS

- 6.1 The site is located at the busy junction of Stratford Road and Haslucks Green Road which has a limited capacity. In addition, there are a number of proposals for further development along the A34. The A34 Shirley is designated as a Red Route from junction 4 of the M42, through Shirley, to the Borough's boundary with Birmingham. Red routes are designed to reduce traffic congestion whilst at the same time providing better facilities for parking and loading to improve safe traffic flow.
- 6.2 There are therefore a number of constraints posed to the redevelopment of this site by existing highway conditions. For the purposes of this brief it is assumed that the existing access points on Haslucks Green Road will be used. However, any development will need to demonstrate through the submission of thorough and robust traffic assessment and safety audit data how these constraints can be overcome and how access to the site is compatible with the adjacent junction and would not prejudice other development, including the Heart of Shirley scheme.

GROUND CONDITIONS/CONTAMINATION

- 6.3 Whilst the site has until recently hosted office development there are areas of the site that have previously been levelled and filled with a variety of materials, including ash. There are therefore some questions regarding the stability and contamination of parts of the site. Whilst this is unlikely to be a significant constraint to development any formal application for planning permission will need to be accompanied by a further assessment to

demonstrate that the development of the site is not prejudiced by land stability or contamination issues. In respect of contamination an initial desk study will be required to satisfy Environment Agency requirements. This will detail what the previous uses of the site have been and what contaminants may occur in terms of ground contamination, soil contamination and the potential to cause pollution to the aquatic environment.

- 6.4 Where contamination/stability issues are identified, the assessment should also set out a remedial strategy to overcome these. Redevelopment would not take place until such time as any necessary remedial action has been carried out to the satisfaction of the Council.

DRAINAGE/FLOOD RISK

- 6.5 To assess the impact of any development on flooding a Flood Risk Assessment (FRA) will be required to address potential flood risk from the generation of surface water run-off from the proposed development areas. Flood Risk Assessment Note 2 (available from www.pipernetworking.com) offers further guidance on requirements for FRA.

GREENFIELD AREAS OF THE SITE

- 6.6 Whilst the majority of the site can be classed as previously developed land, under the definition given in Annex C to PPG3, there are areas of the development brief site that require further examination. The buildings on the site of the former Reynolds Cross School have long since been cleared although their footprints can still be clearly made out despite the extent of brambles, weeds and self-seeded tree saplings. As such the Council considers that this site has not been so subsumed by undergrowth so as to fall outside the definition of previously developed land.
- 6.7 However, the former allotment site located at the southern end of the site to the rear of the Cadets Centre, does not fall within the definition of previously developed land having been used as allotments and now being overgrown grassland. There would therefore normally be a presumption in favour of developing other previously developed land both on the former Powergen site and elsewhere, before the development of this part of the site is bought forward. However, this part of the site, whilst undeveloped, contributes little in terms of formal or informal recreation opportunities, urban quality or visual amenity to the remainder of the site or wider area. If it were to be clearly demonstrated that this land is surplus to open space requirements and appropriate compensatory measures are provided elsewhere, as part of the overall development, or by way of a commuted sum, there may be the opportunity to develop this area of the site.

EXISTING LANDSCAPE FEATURES

- 6.8 The north west and south west boundaries of the site are strongly defined by existing mature and semi-mature trees. The former Reynolds Cross School also now hosts a range of immature and semi-mature tree specimens. In addition the large tracts of landscaped lawn areas and the overgrown grassland area of the former allotments also make up the range of existing landscape features on the site. To ensure that any future development is designed to respect and incorporate existing landscape

features full detailed surveys of trees, ecology and biodiversity will need to accompany any planning application. As much of the existing landscaping as possible should be retained particularly given its boundary location. Appropriate mitigation for any loss may also be required as part of an overall landscaping scheme for the site. The ecological survey should be undertaken of the site at an appropriate time of year to ensure the retention of any sites of ecological value, their subsequent protection or time to carry out any necessary remedial action.

EXISTING BUILDINGS

- 6.9 If redevelopment is proposed then all existing buildings should be removed as part of any scheme. The retention of one or more of the existing buildings would compromise the comprehensive redevelopment of the site and the use of an imaginative layout across the site. Only a comprehensive redevelopment would result in the positive enhancement of the public realm required in this location.

ENVIRONMENTAL IMPACT ASSESSMENT

- 6.10 Under Paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 consideration will need to be given to the carrying out and EIA for the redevelopment of the site. It is likely that such an assessment will be required as any new development across the whole of the site is likely to be at a greater scale than previously and the impacts of such an urban development project is likely to markedly different.

ADJOINING USES

- 6.11 As set out in section five of this brief the site is bounded by two distinctly differing development typologies. Any development on the former Powergen site must have respect in terms of scale and use for the relationship with the more sensitive amenities of adjoining residential properties in Haslucks Green Road, Stanton Road, Stanton Grove, Checkley Close and Stoneford Road. It is also crucial that any development pays attention to the relationship with the adjacent town centre use, which the site will be viewed in context against.

AIR QUALITY

- 6.12 The location of the site and in particular its proximity to the junction of the Stratford Road (A34) and Haslucks Green Road mean that there are air quality issues which any development would need to address. Any sensitive uses such as housing would have to be sited sufficiently far away from the road junction (either in its current form, or if it is to be remodelled), taking account of height differential, to ensure that no air quality issues arise. In accordance with PPS23 any application which includes residential units close to the junction should be accompanied by an Air Quality Assessment.

NOISE

- 6.13 The proximity of the site to the junction of the Stratford Road (A34) and Haslucks Green Road means that noise emanating from road traffic is also likely to be an issue that any redevelopment of the site needs to address. Road noise in this location is likely to impact on the amenity of occupiers of any buildings around the road frontage of the site, particularly more noise sensitive uses such as housing. In accordance with PPG24 any application should be accompanied by a Noise Appraisal, including details of likely acoustic treatment.

RIGHTS OF WAY

- 6.14 An established right of way exists between the main Haslucks Green Road entrance to the site and the rear of properties in Stoneford Road, offering residents vehicular access to the rear of their properties. Any development of the site should allow for the retention of this right of way either in its current alignment or an amended route. Any alterations to the routing of this right of way should be negotiated with the residents of the affected properties and should seek to ensure that the alternative route is as safe and convenient for residents as the existing route, shown on figures 4 and 7.

7. DEVELOPMENT APPROACH

- 7.1 The overall aim of the redevelopment of the area is to:
- Achieve a high quality mixed used development as opposed to a single use which is unlikely to deliver the desired improvements to the contribution of this site to the wider public realm
 - Create a 'gateway' into the Borough, Shirley town centre and the approach to Birmingham city centre
 - Complement the development of Shirley town centre
 - Encourage new development that reflects the site's potential to significantly improve the quality of the public realm in this area
 - Complement the existing town centre by providing a clear distinction between in and edge of/out of centre sites and maximise the accessibility of this edge of town centre location
- 7.2 Development should provide a mix of uses. Suitable uses could include:
- Business, particularly offices
 - Hotels/Conference Facilities
 - Leisure
 - Residential
 - Community uses
 - Associated basement/multi-storey car parking
 - Incorporation of greenspace

- 7.3 The loss of employment uses, in the form of offices, from this site would be governed by UDP Review Policy E9, which seeks to retain land in business use. The provision of offices on the site, as part of a mixed use scheme, would be particularly welcomed. It is considered that offices would contribute significantly to sustainable patterns of development, particularly as existing public transport links are stronger during the day and would contribute to the retention of a wide spectrum of employment land across the Borough (UDP Review Policies E3 & E9 refer).
- 7.4 Any net reduction in office floorspace as part of the redevelopment of this site would need to be compensated for through a commuted sum contribution toward economic development activities in the Borough. Any loss of employment land would be regrettable given the limited supply of employment land in the Borough, set out in the Council's Employment Land Study, and the aims of PPG4 to ensure that there is sufficient land available which is readily capable of development and well served by infrastructure. Therefore compensation, by way of commuted sum, is a reasonable requirement as it mitigates against a "planning loss".
- 7.5 PPG3: Housing and UDP Review Policy ENV1 also encourage housing as part of mixed use developments. The accessible nature of the site and its proximity to a range of facilities within Shirley town centre make the site a prime candidate for residential development at the top end of the thresholds advocated in PPG3 of 30-50 dwellings per hectare. Any residential development on the site would trigger a 40% on site contribution towards affordable housing in line with the Council's Affordable Housing Supplementary Planning Guidance (SPG).
- 7.6 Retail development will not be supported as part of the redevelopment of this site. The Council has long resisted proposals that seek to extend the town centre beyond its existing boundaries. The elongated form of the town centre has long been viewed as a fundamental defect that should not be exacerbated. This issue has been acknowledged both by the Inspector in dismissing both the ASDA appeal and more recently by the Inspector presiding over the UDP Review Public Inquiry, whose report was received in April 2005. The redevelopment of this site therefore needs to emphasise the focus on Shirley town centre by resisting retail development on this site.
- 7.7 Proposals for bulky goods retail warehouses are considered inappropriate for the site, for the reasons set out above, and as they would not deliver the advantages in terms of viability and vitality that a mixed use development would. In addition, the typical layout requirements of bulky goods retailers result in a dominance of surface parking which would not deliver the improvements in urban design and layout terms that this brief seeks.

8. DEVELOPMENT PRINCIPLES

URBAN DESIGN/LAYOUT CONSIDERATIONS

- 8.1 The site occupies a prominent corner location on entrance to Borough that acts as a "gateway" entrance to Shirley town centre. Any redevelopment should seize the opportunity to significantly improve the contribution of the buildings that will occupy the site in terms of their orientation and interaction

with both the Stratford Road and Haslucks Green Road frontages, the Heart of Shirley redevelopment site and the wider public realm.

- 8.2 To achieve this there is a need to promote strong legibility of ground floor uses by encouraging ground floor activity consistent with a pedestrian environment. Community uses, leisure uses and uses accessible to the general public would help provide legible, interactive ground floor uses.
- 8.3 The changing scale of development surrounding different parts of the site means that is appropriate for new development to reflect the scale of adjacent development. Therefore, the scale of development is likely to be varied across the site with higher density development, possibly in the form of a landmark building, directed toward the corner of Haslucks Green Road and Stratford Road.
- 8.4 It is considered that a landmark building or corner feature could be up to 6 storeys in height, depending on the overall design solution. This approach would not only improve the presence of the site in the streetscene but would reduce pressure on the remainder of the site enabling lower density development toward the more sensitive domestic dwellings adjacent.
- 8.5 Characteristic green spaces within the site give the existing buildings breathing space and also bridge the gap in urban grain and character between the suburban layout to the south and east and urban patterns of development in the town centre to the north east and east. Proposals should ensure the inclusion of such gaps, as appropriate.
- 8.6 Layout should also reflect the need to ensure any development reduces the potential for crime and anti-social behaviour. Development of the site will be expected to provide safe and convenient access and movement, natural surveillance, layouts that discourage crime and reduce conflict between uses, places that define public and private space and are designed with current and future management and maintenance in mind (UDP Review Policy ENV18 refers).

BUILDING PRINCIPLES

- 8.7 The redevelopment of the site offers a significant opportunity for contemporary design, responding to the site and its context utilising high quality materials
- 8.8 Sustainable design solutions should be included to seek to reduce energy, water waste and encourage water-recycling systems. Development type, construction, layout and orientation can have a positive effect on the levels of energy efficiency achieved.
- 8.9 New proposals for the site should seek to incorporate green building principles such as higher levels of thermal insulation, energy and water conservation measures including the use of passive solar gain, photovoltaics, solar panels and sustainable urban drainage.
- 8.10 The first option for surface water disposal should be the use of sustainable urban drainage (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems.
- 8.11 Foundation design should not inhibit the future landscaping of the site and the planting of new trees within the proximity of buildings. Foundation

design should, as a minimum, accommodate the planting of medium water demanding tree species

- 8.12 The routing of services, utilities, plant and equipment, including storm and foul water drainage should be sited so as not to inhibit the future landscape layout of the site, or impact on existing landscape features identified for retention.

WIDER PUBLIC REALM

- 8.13 The location of the site at a prominent junction on the entrance to the town centre and the Borough as a whole means that it is appropriate to include plans for public art within any scheme to reflect the locational importance of the site. Public art developments are considered an effective way of insuring the improvement in the contribution the site makes to this part of Shirley townscape.
- 8.14 Public art initiatives can also help address issues of layout safety, through lighting, or landscaping arts projects, or as a means of bringing together the mixed uses on the site through shared amenity.

ACCESS/TRANSPORT

- 8.15 Access and servicing into the site should be taken from Haslucks Green Road using existing access points, designed to work in conjunction with adjacent access points on both sides of the road.
- 8.16 Provision should be made for safe and straightforward access to the site for pedestrians and cyclists, including secure cycle storage and pedestrian access for all (including people with mobility and sensory disabilities).
- 8.17 Car parking requirements will be dependent upon the mix of uses proposed and will accordingly be assessed at the planning application stage. However, given the highly accessible nature of the site on the edge on the town centre with access to good public transport links parking requirements are likely to be at or lower than PPG13 maximum thresholds.
- 8.18 Where possible basement, and possibly some sensitively designed multi-storey, car parking (not free standing but integrated into built form) should be used to ensure that the layout is not dominated by the car.
- 8.19 Schemes should actively promote pedestrian links with the town centre, particularly crossing facilities at the Haslucks Green Road/Stratford Road junction and access to public transport stops. The exploitation of improved pedestrian links to the town centre and adjacent public transport links will mean that development on the former Powergen site, particularly offices, would support the retail function of the town centre during the day and into the evening economy.

TREES/BIODIVERSITY

- 8.20 Any development should have regard for existing landscape and biodiversity features. Layouts should maximise the potential for such features to be retained and fully incorporated into new layouts. Development should maintain and enhance the quality of nature conservation paying due regard to National and Local Biodiversity Species and Habitat Action Plans

- 8.21 Trees or hedgerows on the boundary of the site should be retained, particularly where they aid the privacy and amenity of adjoining residential properties.
- 8.22 A landscape strategy plan will be drawn up as part of the overall scheme of development to show the location and the laying out of the public open space and the structural landscaping of the site in general, demonstrating the relationship between hard and soft landscaping proposals to building layout.
- 8.23 The landscape plan shall be agreed with the Council together with an arborist's report and schedule of works regarding the management and maintenance of existing trees and hedgerows prior to the grant of any reserved matters or detailed consent.
- 8.24 New landscape proposals should consider position and species to ensure visual links throughout the site are maintained. Hard and soft landscaping proposals should be of high quality and are suitable and sympathetic to the site context. Careful attention should be made to type of species and location of planting to ensure people's safety is not compromised.
- 8.25 Developers must give careful attention to the future maintenance of all landscaped areas during the design development of the site

DEVELOPMENT PRINCIPLES PLANS

- 8.26 The Appendices to the brief provides an analysis of the character of the existing site and surrounding uses to develop an indicative layout concept of how the site could be developed in accordance with the policy context and development principles set out in this brief.

9. IMPLEMENTATION

- 9.1 To ensure that any development of this site results in the significant enhancement of the site and the wider public realm that this brief aims for, and to assist the implementation process, it will be necessary, to seek agreements with developers for matters that cannot be secured through conditions attached to a planning permission.
- 9.2 These might include the undertaking for infrastructure works (for example roads and sewers) outside a development site or contribution towards the social or community facilities needed as a consequence of the development. The nature and scale of the agreements sought will depend upon the mix of uses proposed. In terms of the development of the former Powergen site and adjoining land, such contributions are likely to include the following:
- Public open space/Sport/Leisure
 - Off-site highway works/pedestrian facilities
 - Public transport improvements
 - Affordable housing
 - Economic Development Activities
 - Education
 - Public Art
 - Nature conservation

10. PRE-APPLICATION DISCUSSION/PUBLIC CONSULTATION

- 10.1 Prior to the submission of a formal planning application any prospective developer is expected to enter into early pre-application discussions with the Council, those with ownership interest in the site, and those key consultees listed in the appendices to this brief.
- 10.2 In addition it is expected that any developer will also carry out public consultation with the local community and groups representing their interests, including, as a minimum, an exhibition of proposals.
- 10.3 Any formal planning application should include, as part of its supporting documentation, details of the pre-application discussions entered into and the public consultation undertaken and how in turn comments arising from these activities have been fed into the development of the specific proposals.

APPENDIX 1 - SUMMARY OF CONSULTATION

Consultation Exercise

A six week consultation exercise was undertaken on the brief between 2 September and 14 October 2005. The consultation included some 490 individual letters and information leaflets being sent to residents and businesses along Stratford Road, Haslucks Green Road, Olton Road, Stoneford Road, Stanton Road and Stanton Grove. Alongside this, letters were sent to key stakeholders, whose views were sought on the content of the draft brief.

In addition a public exhibition was held at the Shirley Centre from 8 September to 14 October. This exhibition was manned by members of the Council's Forward Planning Team on 8th and 10th September. On these two days some 160 members of the public attended the exhibition to obtain the available literature or to talk to members of staff. Furthermore, copies of the brief, along with response forms, were made available online, via the Council's website, at Shirley library and Solihull Connect.

Set out below is a list of those consulted on the brief followed by further details of the representations received and the Council's responses to them

List of Consultees

Residents Organisations

Shirley Residents Association
Lawnswood Residents Association

Local Residents/Businesses

All addresses in:

Broadway
Cadet Drive
Stanton Grove
Stanton Road
Stoneford Road
Haslucks Green School
26-118 & 47-119 Haslucks Green Road
9-21 and 2-36 Olton Road
34-206 and 39-201 Stratford Road

Councillors

Councillor H J Allen
Councillor M Allen
Councillor G Allport
Councillor K Allsopp
Councillor D Bell
Councillor J Bramham
Councillor B Burgess
Councillor I Chamberlain
Councillor D Cornock
Councillor M Corser
Councillor E Cotton
Councillor I Courts
Councillor H M Cox
Councillor G Craig
Councillor L Cresswell
Councillor N Davies
Councillor S Davis
Councillor D Elsmore
Councillor J Gandy
Councillor Mrs S Gomm
Councillor R Hall
Councillor B Harber
Councillor K L Hawkins
Councillor J Hawkswood
Councillor I Hedley
Councillor H Hendry
Councillor A Hill
Councillor I Hillas
Councillor P Hogarth
Councillor O Hogg
Councillor Mrs D Holl-Allen
Councillor J Kimberley
Councillor L Kyles
Councillor Dr P Lea
Councillor A Mackiewicz
Councillor A Martin

Councillor K Meeson
Councillor F A Nash
Councillor Mrs S Pittaway
Councillor J W Potts
Councillor J Reeve
Councillor S Reeve
Councillor R W Reeves
Councillor G E Richards
Councillor M Robinson
Councillor J P Ryan
Councillor R Sleigh
Councillor N Stephens
Councillor Mrs T Tedd
Councillor Mrs K Wild
Councillor J Windmill

MP's

Lorely Burt MP
Caroline Spelman MP

Government Organisations, Action Groups and Other Interested Parties

ASDA Stores Ltd
Birmingham City Council
Birmingham International Airport
British Gas Transco
British Telecom
CABE
Centro
English Nature
Environment Agency
Friend of the Earth
GOWM
Highway Agency
Lovejoy
Keep Shirley Alive
N Power
National Grid
Powergen
RSPB
Severn Trent
Shirley CAB
Shirley Town Centre Partnership
Solihull Business Partnership
Solihull Chamber of Commerce
Solihull Police Station
Solihull Ratepayers Association
Sport England
Warwickshire Wildlife Trust
West Midland Police
WMPT
West Midland Fire Service

List of Respondents

Councillors

Councillor J Bramham

Government Organisations, Action Groups and Other Interested Parties

English Nature

Shirley CAB

Warwickshire Wildlife Trust

Environment Agency

Solihull Ratepayers Association

Sport England

Keep Shirley Alive

Highways Agency

Centro

RPS (on behalf of ASDA Stores Ltd)

Birmingham City Council

Local Residents/Businesses

Mr S Almond

Mrs G Hassaine

Fiona Anderson

C Thomas

Mr A Sammons

Marjorie Broadhurst

Mr M Thrupp

J T Waters

Mr W R Caldwell

School Council – Haslucks Green School

Haslucks Green School

Joyce Pendleton

Stanley Pendleton

Mr P Kingzett

D C Johnson

Mr A Baynes

GD Golightly

Mrs C J Hay

Mr E Morris

Dorothy Philpott

R L Buckley

Mr D Jones

Mrs P A Sales

P J Powell

Mrs H N Powell

Mrs S J Reith

Mrs J D Evans

Mr R J Evans

Mr and Mrs H T Howard

Mr Donald

Mr Westwood

Peter Hale

Mr J A Edwards

Carol Edwards

Craig Hemming

Alan Dawson

Dan Carins

Mrs Sayer

Mr Roger Sayer

Mrs R J Hawkins

Kathleen M Hodges

Mr M W Wilmut

Mrs J Leake

Mrs M H Dawson

Sally Griffiths

Andy Green & Family

Trevor Barker

Mrs M Baker

Mr J S Pirie

Mr R B Watts

Colin Pike

Miss C Harris

Mr D Britton

Mr E R Cawte

Shirley Moss

Mr J R Barclay

Rupesh Chauhan

Mrs U Chauhan

D Chauhan

Mr D Chauhan

Representations Received

The following table provides a summary of the representations received and the Council's response to the issues raised, set out in order they appear in the brief.

Comments	Action Taken & Justification
The Purpose of the Brief	
<p>No justification for a development brief coming forward now after the UDP Review has been completed.</p> <p>No need for a development brief, especially one that can carry so little weight</p>	<p>Disagree the Inspectors Report relating to objections to the UDP Review has confirmed the Council's stance in respect of the retail policy in Shirley. This means the Council is now able to set out their views on the site.</p> <p>The reasons for producing the brief are clearly set out in paragraphs 3.1-3.4 of the brief. The weight the brief can carry in the decision making process is also acknowledged.</p>
Policy Context	
<p>Paragraph 4.6 may put the Council in a weak position in respect of Policy E9.</p> <p>Paragraph 4.6 advocates loss of employment land but the brief then goes on to say that any loss of employment land will require financial compensation.</p> <p>Brief attempts to define the site as "out of centre" when it should be treated as "edge of centre". The reference to the sites location in relation to the town centre should be consistent and should be described as "edge of centre".</p> <p>Uses proposed are town centre uses which would have as great an effect on Shirley town centre as a retail based proposal and negates the objection to the elongation of the town centre.</p> <p>Brief gives no explanation/justification why only a mixed use scheme is capable of delivering improvements to the wider public realm.</p> <p>ASDA Inspector recognised that elongating the town centre would exacerbate a fundamental defect, however, he did not refuse planning permission on that basis.</p> <p>UDP Inspector suggested the development of the site for retail should be considered against Policy S8.</p>	<p>Final sentence of paragraph 4.6 amended to read "Should these criteria be met the redevelopment of the site needs to be considered."</p> <p>As above</p> <p>Reference to out of town/centre location in paragraphs 4.3 and 4.7 has been amended to refer to the factual position of the site lying outside the defined town centre boundary set out in the UDP.</p> <p>Disagree, the suitable uses set out in the brief would, via combined trips and additional customer base for existing businesses during the day and evening support existing town centre uses. Whilst retail development may have similar effects it will also dilute the positive effects of a non-retail scheme by detracting trade/investment and visitors from the town centre.</p> <p>The brief sets out the need for a mixed use development approach at paragraphs 4.9-4.11.</p> <p>The ASDA Inspector withheld planning permission on the grounds that the proposal would be unacceptably damaging to the vitality and viability of Shirley. In this the effect of extending the town centre was acknowledged at 7.74 as contributing to the harm the ASDA proposals would cause.</p> <p>Agree, brief confirms this at paragraph 4.7.</p>

The Site and Adjoining Land

<p>Site ownership is misrepresented</p> <p>Title of brief is misleading as the site is more extensive than just the former Powergen Site</p> <p>The description of the majority of the site being open is incorrect.</p> <p>The site is not transitional between suburban residential development and town centre</p>	<p>Paragraph 5.2 amended to refer to the fact that ASDA would need to be involved in the consideration of detailed options for the future development of the site.</p> <p>Title of brief amended to "Former Powergen Site & Adjoining Land"</p> <p>Paragraph 5.10 amended to refer to the "spacious setting of the buildings".</p> <p>Disagree, the site is juxtaposed between two distinctly different forms of development. The site is not wholly similar to either typology but acts as a transition between the two.</p>
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Site Constraints

<p>We have concerns about the traffic situation particularly at the junction of Haslucks Green/Stratford Road and hopefully this will be improved.</p> <p>Consideration must be given to the extra traffic on Stratford Road which is at saturation point now.</p> <p>Unlike the original ASDA plan (1996) there seems to be very little done about the impact of traffic on the local environment.</p> <p>Looks good, though the access road is a problem, very narrow at present – will you be taking some land from the houses to widen it?</p> <p>Whatever use the site is put to the traffic problem will be more than the nightmare it is at present.</p> <p>I would however have doubts about the vehicle access at point 'H' into Haslucks Green Road. It is very near the bend and used to caused some problems around 5pm when Powergen finished work. As it is only a slow bend, traffic approaching the Stratford Road have no need to reduce speed giving very little time for cars to exist the area especially if they are able to turn left and right. Serious consideration must be given to the Stratford Road traffic lights with the introduction of additional traffic.</p> <p>Of major concern will be the highway infrastructure to cope with a significant increase in traffic flows although a mixed development of the type envisaged should spread flow across an extended day. We would expect to see a major signal controlled traffic island at the Stratford Road, Haslucks Green Road and Olton Road junctions.</p>	<p>Traffic constraints, as set out in the brief, will be key to the successful development of this site. Any development will have to address the issues of access, trip generation, parking and highway safety. However, the final details of any traffic solutions will depend upon the specific proposals put forward.</p>
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<p>There is an urgent need for a large traffic island at the junction of Stratford Road/Olton Road/Haslucks Green Road. In the meantime turn right filters on the traffic lights in all directions would assist in road safety. The centre reservation at the end of Olton Road, at the Stratford Road junction needs extending to stop U-turns and right turns from traffic heading from Haslucks Green Road to the shops.</p> <p>The Governors of Haslucks Green School are interested in any proposed development of this site. One of their greatest concerns would be the impact on traffic and the safety of the pupils.</p> <p>Access/Egress of extra traffic in an area already extremely busy road system i.e. Haslucks Green Road & Stratford Road</p> <p>Whatever you do, consider this: - traffic got worse when the M42/M40 opened so from a residents point of view traffic is paramount – we don't need any more. We don't need or want an island building at the crossroads (just in case you were thinking about it!) – just look at the mess that the Robin Hood island has become.</p>	
<p>Development plans for this site should be considered alongside the “Heart of Shirley” plans, particularly with regard to traffic which is a major concern.</p>	<p>Part of the reason for bringing the brief forward is to ensure that the development of both sites is considered.</p>
<p>Imperative that any future development of the site should include mitigation measures to keep any impact upon Stratford Road (A34) to a minimum.</p>	<p>The brief recommends access should be taken from Haslucks Green Road accordingly.</p>
<p>The Draft recommends that the only access to the site should be taken from the existing access point on Haslucks Green Road and that access should not be gained directly from the A34 (part of the Strategic Highway Network) to the site. This recommendation adheres to Planning Policy Guidance 13 (PPG13), which advises restrictions to access directly from strategic routes.</p>	<p>Supporting comments</p>
<p>The main impact of any development at this site, on the trunk road network, would be on Junction 4 of the M42. The level of traffic generated from the site would depend on its usage, which as yet has not been determined. Considering this, it would not be possible to accurately quantify the impact of any development at this stage. However, allowing for the distance of the site from junction 4 of the M42 the potential impact is unlikely to be significant.</p>	

<p>There is a need for a flood risk assessment (FRA) which the agency suggests should be done prior to the finalisation of the brief. Details of the FRA should then be included in the adopted document. Further details on sustainable drainage and contaminated land are also suggested for inclusion in the 'site constraints' section of the brief.</p>	<p>It is not considered that a Flood Risk Assessment (FRA) should be carried out without detail of specific proposals which may involve altering site levels, drainage courses etc. The need for a FRA and for early consultation with the Environment Agency are however advocated in the brief (paragraph 6.4 and section 10).</p>
<p>The brief attempts to pre-determine the requirement for an EIA</p>	<p>Disagree, the brief only seeks to set out issues affecting any development of this site of which EIA may be one. Nevertheless reference to EIA removed from paragraphs 6.11 and 6.12.</p>

Development Approach	
<p>Brief goes beyond identifying constraints and opportunities by specifying a narrow range of preferred land uses</p> <p>The balance of the current proposals within the draft brief seem to the Partnership to be broadly appropriate. The presence of offices and residential units would bring much needed additional customers to Shirley businesses and the presence of a public plaza and public open space would be welcomed provided that any future planning application includes designs to promote security.</p> <p>This area is already high density housing which is obvious from your plan. We have has 10 houses extra i.e. Checkley Close in this road, and your proposal for dwellings at the back of Stanton Road is not acceptable.</p> <p>The proposed residential area is over excessive.</p> <p>Will some sheltered accommodation for the elderly be included, the site would seem ideal.</p> <p>More affordable housing is needed not prestigious apartments</p> <p>Object to the dismissal of retail as a suitable use for the site</p> <p>No more food shops!! Shirley only has banks, charity shops and food shops. Mixed shopping, i.e. clothes, café, place people could come Xmas shopping then relax in pleasant covered area. Mini Mailbox??</p>	<p>The brief only seeks to preclude retail uses, this is not considered to result in the list of suitable uses being narrow or limiting.</p> <p>Supporting comments. Paragraph on designing out crime in the development included.</p> <p>The development principles set out in the brief reflect policy ENV1 of the UDP Review which supports the inclusion of housing as part of mixed use schemes.</p> <p>Older peoples accommodation would be acceptable as part of the mix of residential accommodation on the site.</p> <p>Affordable housing requirements are set out in the brief.</p> <p>Approach considered appropriate not only is site outside defined town centre boundary, albeit edge of centre. Its development for retail purposes is not considered appropriate given:</p> <ol style="list-style-type: none"> 1) its poor links with the town centre caused by distance to the prime retail centre and the barrier that Haslucks Green Road poses; 2) the exacerbation of elongated nature of the town centre which is acknowledged as a fundamental defect; and 3) that it would divert investment from the town centre.
<p>The only type of shop that Shirley lacks at the moment is a proper book shop and record shop, plus entertainment such as bowling, snooker, cinema (1 screen would do; the</p>	<p>Leisure uses are supported on the site, however retail is specifically resisted (see above).</p>

MAC does ok by showing the more unusual films on its one screen).	
A sensitively designed retail scheme or mixed use retail scheme including retail could be accommodated on this edge of centre site with no loss of amenity to surrounding area.	A retail scheme may not result in loss of amenity but it would not meet other clear objectives set out in the brief.
<p>I agree with the suggestion of a non-retail environment,</p> <p>In view of the Council's previous opposition to ASDA's proposals for this site, and the fact that it lies outside the defined boundary for Shirley, Birmingham City Council welcomes the fact that the brief confirms that retail development will not be supported.</p> <p>We don't want a huge futuristic shopping centre either. The shops we have suit our pockets otherwise Kingfisher, Redditch is cheaper than Touchwood.</p> <p>I am also strongly against retail development there, as it would draw away shoppers from the centre of Shirley, damage the viability of the existing shopping area and cause traffic chaos.</p>	Supporting Comments
Comments in respect of bulky goods retailers are contradictory	Disagree, bulky good retailers specifically mentioned due to not only their conflict with retail policy but also the fact that their typical requirement would not meet the objective of improving the contribution the site makes to the wider area.
Question – do we really need more office space, especially if they remain empty. As with office space/buildings within the area?	The retention of employment uses on the site is considered necessary to retain a balanced portfolio of employment land across the Borough, as supported by the Council's Employment Land Study.
ASDA Inspector found no reason for retaining site in office/employment use.	ASDA appeal decision is some 7 years old and issues relating to employment land provision around the Borough have moved on. The stance in the brief is a direct result on the Council's Employment Land Study (March 2004) which informs policy E9 of the UDP Review.
We would not want to see any loss of employment land (or net floorspace) and should this be the case, would look for compensation: 7.3 only refers to compensation for loss of floorspace.	Given the guidance of circular 2005/05 and the provisions of the UDP, the requirement goes as far as it can.
In view of the lack of employment opportunities in south east Birmingham and the previous use of the site, Birmingham City Council would support the retention of a significant B1 element within any mixed use development.	Supporting comments
Such a project could provide substantial local employment much of which could be of a part time nature. We would also like to see a complimentary scheme of high quality offices with potential to provide perhaps 500 new	Supporting Comments

permanent career jobs.	
I believe a hotel would be the best option, less traffic and the proprietors would have to maintain a good standard particularly the frontage which would be kept very tidy.	A hotel is supported as part of a mixed use scheme. Any open space would have to be managed/maintained and this is likely to be controlled by a legal agreement.
I think the main priority for Shirley in that position is a hotel and small conference centre.	Brief supports such uses
Development needs offices – hotel maybe with leisure facilities for locals (could be linked to a hotel).	
<p>We would like to have some sort of sports facility that children and people of Shirley could use. E.g. netball courts, football pitch or a swimming pool.</p> <p>A safe place for youth activities is needed they have no where to go after the demolition of the TA centre complex, hence the troubles are created.</p> <p>More emphasis needed on leisure and community items.</p> <p>I do not see much in the way of leisure facilities e.g. community hall with art gallery, rooms for discussion groups or a small swimming pool, squash court.</p> <p>I strongly feel that this development should include sports recreational facility, specifically a modern swimming pool. This would be some compensation for the very substandard and unattractive Tudor grange site.</p>	Leisure/Community uses are supported in the brief but the specific details of such uses will be dependent on proposals put forward by developers.
There needs to be a central area where people can meet with covered walkways set around gardens. It would be nice to have a large enough hall for public meetings, corporate functions and recreational uses.	
<p>Having lived in Shirley all my life I feel that there is no provision for the youth of the area, and would like to see plans made for affordable facilities for the local youth. Obviously this would need proper supervision, but at the end of the day the cost of vandalism etc is now out of hand.</p> <p>The Shirley area has recently lost a number of leisure facilities, such as the UCI cinema and feel that the possibility for recreational and leisure facilities should be incorporated into the brief more formally than currently shown.</p>	
I think that the site is well suited and positioned for leisure and community uses. An open square as a prime gateway to Shirley surrounded by bars/clubs/cafes/restaurants. A social area, something that Shirley lacks at present.	Leisure and community uses are supported by the brief. Bars/restaurants are more suited to town centre locations, which the site lies outside of. However, a bar/restaurant as part of a hotel complex, for instance, may prove acceptable providing there is not clash with surrounding

	residential uses.
We are anxious to see quality career employment brought back onto the site to replace that lost when it was vacated by Powergen some ten years ago and also less skilled and part time employment.	The office/hotels uses advocated by the brief should support this aim.

Development Principles	
I hope the developers will use building materials in sympathy with local housing or not as at present – too much glass and grey brick.	The brief refers to responding to neighbouring uses and the need for high quality design and materials.
Wish to see that the brief outlines the principles of high-quality building design for such a location. Brief should encourage any planning application to seek to use high specification building materials which would be expected to last at least 50-100 years and that no buildings should include visible masts, aerials or other such features which could damage the overall appearance of the site.	Addressed in brief at paragraph 8.6.
I hope that the problem of rainwater run off and drainage will be properly addressed. Gardens in the area regularly flood and any run off from the proposed development should be contained within the boundaries of the development and should not impact on neighbouring properties. How the additional waste water & effluent will be accommodated within an already overburdened drainage system in an already densely populated area	The developer of the site would need to agree the details of drainage with the Council in consultation with the statutory agencies, Severn Trent and the Environment Agency. The brief requires sustainable building principles to be included in any development. This includes SUD's which would help to deal with water run-off on site so as not to exacerbate any existing drainage issues.
It is important to stress the landmark nature of this site, and the requirement for high quality, contemporary architecture – this is something that is lacking in this area	The brief sets out the requirement for improvements to the contribution the site makes to the wider area and the need for a landmark building to address the Haslucks Green Road and Stratford Road frontage.
I hope there are a load of disabled parking spaces near all public areas.	A proportion of disabled parking will have to be provided on site, although the final number will be dependent on the mix of uses proposed.
Pleased to note that biodiversity issues have been addressed at an early stage of the plans for the site, and in particular welcomes paragraph 8.17 which recommends opportunities for nature conservation enhancement in line with both the UK and Local Biodiversity Action Plans.	Supporting Comments
The use of the word "should" in paragraphs 8.7 and 8.8 must be changed to "must".	As set out in 'Status of the Brief' section at the back of the document, the brief is not a statutory document and can only therefore act as guidance. However, should the brief be adopted as Council policy weight can be given to the guidance in the assessment of future proposals.
How vandals/undesirables will be kept away:	A further paragraph on the need to design out the

where are the controls?	potential for crime in any layout has been added to the Development Principles section.
Although I understand the Powergen site needs to be developed, I do feel that insufficient planning has gone into the need to protect, the trees and landscaping. Fronting the main building, facing Stratford Road are a number of mature trees and lawns, these should be preserved to off-set any rebuilding works.	The retention of boundary landscape features along with the important spacious setting of the existing buildings are set out in the brief. The retention of the grassed lawns need to be balanced against the real need to improve the presence of this site in the Stratford Road and Haslucks Green Road streetscenes.
Any future development application should illustrate access to the site by all modes and also give proposed measures to improve access by public transport, walking, and cycling.	Reference is made in the brief to the need to improve pedestrian links, accommodate facilities for cyclists and to the proximity to public transport.
Great to see the mention of public art, and that identified as appropriate due to locational importance. Suggest 2 things: 1) Public art developments would be considered an effective way to insure the improvement in the contribution the site makes to the character of this part of the Shirley Townscape (see 4.7) 2) They might also be considered as a means of addressing issues of safety through lighting or landscaping art projects, or as a means of bringing together the mixed uses of the site through shared amenity	Additional paragraphs added after 8.11.

Implementation	
Other documents to consider – facilities for physical activity strategic plan and green space strategy. If leisure use were to exist could agreement be put in place for public access (wider community access) to private provision or a s.106 agreed with development to set aside annual subsidy & sinking fund for a public swimming pool for Shirley?	Comments noted, dependent on the mix of uses proposed, these matters would be dealt with at a detailed proposal stage. Sport and leisure added along with public open space to implementation list.
We would advise that contributions should be sought for sport through the redevelopment of the site. While our facilities calculator can be used for calculating suitable contributions for the housing element. We would also argue from PPG17, that those who work in the new development should be catered for as well as new residents.	Sport and leisure added along with public open space to implementation list. Specific contributions to be dealt with a detailed proposals stage.
Centro support the principle of planning obligations to contribute to highway improvements/public transport. Centro would like to be consulted on negotiations that take place relating to public transport and would reserve the right to comment on any such changes to public transport services or infrastructure and the routes for pedestrians that connect the site to these services/stops	Supporting Comments

The UDP does not include requirement for commuted sums stemming from loss of employment land.	Agree that there is no explicit reference but planning obligations in this respect still reasonable given overall strategy of UDP and Government guidelines.
List of likely contributions is not related to implementation of development.	Paragraph 9.1 has been amended to follow the UDP Review and make the link more explicit.
We welcome the inclusion of economic development activities among the likely planning obligations, as this is something we would look to pursue.	Noted
The education requirement will depend upon the nature of the actual development and its timing. We would almost certainly be requesting a contribution to secondary education capacity at any scale or time of residential development. However, any need for primary school places is more variable.	Comments noted, dependent on the mix of uses proposed these matters would be dealt with at a detailed proposal stage.

Appendices

Plans do not refer to right of way between Haslucks Green Road and the rear of houses in Stoneford Road	Legal services have confirmed the existence of a right of way from Haslucks Green Road to the rear of properties in Stoneford Road. The brief has been amended (both text and plans) to flag this up.
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General Comments

The current state of the former Powergen site makes it an eyesore, an area which attracts anti-social behaviour and one which spoils a main gateway into Shirley. We would welcome appropriate redevelopment of this site and, would encourage the Council to use any formal or informal powers to encourage the site to be marketed for an appropriate development once the Development Brief has been agreed.	Noted
Ted Richards has stated that if the Shirley development does not go ahead, that ASDA can return to the original proposal and re-submit the Powergen application. If the Council is now putting forward these new proposals for the site, does this mean that the ownership of the site has changed and therefore ASDA cannot develop the site, has the Council done a deal with ASDA to return to the site, it is presumed that the Shirley development will get planning approval and therefore ASDA have no need of the Powergen site, or is there another reason I am totally unaware of. I am extremely concerned as I both developments will have considerable impacts on my family, home and environment I live in.	The brief sets out both details of the sites ownership and the reasons for preparing the brief.
I am pleased that something is being done at last with this eyesore!	Supporting Comments

<p>I agree that a mixed use of the site would be favourable for business and for the community as a whole.</p> <p>Start the sooner the better.</p> <p>Excellent, but about 8 years late. Shirley needs bringing into the real world. The heart of Shirley will also be about 5 years too late for most. We have lost too many jobs in Shirley and not enough investment, as a result we are looking very sad. Let's get things moving!</p>	
<p>Right of way at rear of Stoneford Road must be maintained.</p>	<p>Legal services have confirmed the existence of a right of way from Haslucks Green Road to the rear of properties in Stoneford Road. The brief has been amended (both text and plans) to flag this up.</p>
<p>With the increase in population from both this site and the Heart of Shirley, additional leisure facilities are a must.</p> <p>The site should be used for the people of Shirley i.e. Shirley Pool, sports centre, gardens etc.</p>	<p>Leisure/Community uses are supported in the brief but the specific details of such uses will be dependent on proposals put forward by developers.</p>
<p>As Powergen were unable to build 3 stories at our rear, how can you? Will you find a developer who will need to heavily invest in the landfill site to agree to low density housing – can they afford to?</p>	<p>A mix of densities/building heights is suggested to allow future development on this site to respond to both its 'gateway' location and to its neighbours.</p>
<p>The announcement about the draft brief was very poorly advertised. The first I knew about it was after the consultation meeting had taken place! It was in the paper on Wednesday 7th September, delivered on the Saturday and by the time I had returned from a weekend away I had missed the meetings. Rather like the meeting held in the Shirley Community Centre that looked at the Heart of Shirley. Trying to hide it and get a small response.</p>	<p>The exhibition was advertised by posters along the Stratford Road, by leaflets sent to some 490 local residents and businesses and through the local press. In addition the exhibition was open for the full 6 week period of the consultation. Clear contact details were set out in all these forms of communication.</p>
<p>Not enough information to make any constructive decision. It is not likely that the public will be involved when the outcome of the site is decided so we are all wasting our time.</p>	<p>Following on from the exhibition there is strong support for further involvement of local residents in the development process. A new section has been added to the brief to address this (see section 10).</p>
<p>I feel the site has been empty for far too long and the proposed mix of uses seems reasonable. Obviously it all has to be considered alongside the Heart of Shirley project.</p>	<p>Part of the reason for bringing the brief forward is to ensure that the development of both sites is considered.</p>
<p>Why are you acting as a development agent for ASDA? ASDA own the freehold of part of the site. ASDA hold the leasehold of part of the site. The Council own part of the site. Therefore you are ASDA's agent again.</p>	<p>Whilst the Council has an ownership interest in the site, the Council does not wish to develop the site itself nevertheless considers it important to set out guidelines for the future development of the site.</p>
<p>Any future development must be required to provide, local jobs/flexible working hours and</p>	<p>The brief supports these aims.</p>

reduce car use. Offices will do the above, hotels might; residential will not. The mistakes of Blythe Valley i.e. no bus route, single decker every half hour etc must not be repeated.	
Surprised it has taken so long to be addressed – this site is crucial to the HoS development & should have been incorporated from day one.	The brief does not incorporate the site into the HoS scheme but seeks to consider the site in relation to ongoing development in Shirley, including HoS.
The Draft Development Brief should not be considered in isolation to the New Heart of Shirley scheme due to the proximity of the site and the additional impact that will inevitably be caused, particularly with regard to traffic. A joint assessment should be produced both in terms of need (retail and housing) and traffic. Due consideration should be made to the projected impact on the existing Shirley Centre and wider area within the influence of this combined development.	
Given the proximity of the two sites, the design principles for the former Powergen site should give regard to those for the New Heart for Shirley development. The principles adopted for the two sites should be considered alongside one another when planning decisions are made on either site in the future.	Addressed in brief at paragraphs 8.1 and 8.3.
Mixture of social building: - apartments, sports hall, theatre, cinema, open space & parking.	Such uses are supported by the brief.
There is a lot of jargon in the brief for the layman this can be hard to understand. Apart from the above it is better than the previous plan for a supermarket. Still it needs more input from close residents before the final draft.	The brief tries to seek a balance between necessary technical references and more general references. Brief amended to clarify each abbreviation used. Following on from the exhibition there is strong support for further involvement of local residents in the development process. A new section has been added to the brief to address this (see section 10)
The sites gateway status should aim to complement the Heart of Shirley and also integrate appropriate highway infrastructure to deal with the significant additional traffic successful redevelopment will undoubtedly bring to the area.	Part of the reason for bringing the brief forward is to ensure that the development of both sites is considered.
The overall scheme should have pedestrian links with and complement the Heart of Shirley development with good communal landscaping and be sympathetic to site neighbours. It should provide adequate on site car parking with some flexibility for additional parking to be introduced later if that becomes necessary.	Improved pedestrian links are advocated as part of the brief, along with sufficient car parking to support the eventual mix of uses on the site. Additional car parking will not be supported as this is likely to encourage car use rather than exploit the good public transport links in the vicinity.
The reference to the “gateway” to Shirley is slightly misleading as the Solihull boundary	Brief checked and amended to ensure all reference is to a “gateway” to Shirley town centre.

(therefore Shirley) commences at Green Hill Way on one side and Sandy Hill on the other.	
Put the proposed Shirley Park development onto Powergen including this supermarket that we really need! Put some old peoples housing on the car park by British Legion and increase Shirley Park by ½ acre. Or is this just too much for this Council to cope with after all none of the Councillors want to do what the electorate wants?? Why not have a referendum.	This proposal would repeat the situation in 1996 when ASDA originally applied for a superstore on the Powergen site. The history and context to this is set out fully in the brief.
We would be concerned if there is any loss of existing sports provision within the development. For example, paragraph 5.2 states that the site includes a former bowling green and tennis court. We would suggest that if they cannot be accommodated within the of the site, they should be accommodated on a site nearby.	Compensatory provision will be required via planning obligation.
Paragraph 6.8 talks about a former allotment site. Within the draft Green Space strategy, there is a deficient of allotments in the Borough, and there is in fact a need for an additional 7.6 hectares in the Shirley area. We suggest that the former allotments are reinvested in, and bought back into use.	Compensatory provision will be required via planning obligation.
What about delays & additional pollution caused by the extra traffic in the area	Air pollution constraints are set out in the brief and would need to be addressed by any developer. This is likely to be in the form of an Environmental Impact Assessment.
Because of the additional traffic implications above, we would prefer the development to be predominantly housing.	The mix of uses appropriate for the site is not prescribed in the plan. However, limiting the development to a single or predominant use rather than a mix of uses would not fully take the opportunity to increase the vitality and diversity of the development and reduce the need to travel by exploiting good public transport links.
We welcome the exclusion of retailing/warehousing on the site, and the clear requirement to respect trees, open space and the surroundings.	Supporting comments
Increasing trade might be good for industry/commerce but whatever plans you have please consider people live here as well.	Amenity considerations are set out in the brief.
I think you should build a secondary school or college on this site +/- apartments only up to 2 storeys high, houses that are affordable. No more shops.	No known requirement for educational facility on this site. Low rise development would not mean the aims of making the best uses of previously developed land. The existing buildings on the Powergen site vary from 3-8 storeys. Retail development resisted.
I would like to be more involved in your decision as I feel I will be affected as will all my neighbours.	Following on from the exhibition there is strong support for further involvement of local residents in the development process. A new section has been added to the brief to address this (see section 10)

Hope that the development proceeds speedily to get rid of an eyesore: and that comments can be made on firmer plans at a future date.	Following on from the exhibition there is strong support for further involvement of local residents in the development process. A new section has been added to the brief to address this (see section 10)
Further details on red routes, pedestrian access, pedestrian routes to access public transport and red routes are also suggested for inclusion in the 'site constraints' and 'development principles' section of the brief.	Changes made to paragraphs 6.1 and 8.16 accordingly.
Brief has no regard to commercial realities	The brief sets out a range of suitable uses. However, it specifically avoiding prescribing a mix of uses to allow the development to respond to market conditions at the time of any application.
No suggestion as to how details in brief can be implemented.	Paragraph 9.1 has been amended to follow the UDP Review and make the link between developer contributions and the successful implementation of development more explicit.
No regard has been had to the wishes of the site owner	Contact was made with ASDA on the commencement of the briefs drafting. ASDA did not choose to involve themselves until the consultation period had been set. No such concerns were raised at the initial meeting with ASDA and feedback was only eventually received at the close of the consultation period. Whilst the brief has been produced to a relatively tight timescale the Council has always sought to keep ASDA involved.
The Council should have carried out a Strategic Environmental Assessment (SEA).	Legal opinion was sought on this point prior to drafting the brief which confirmed no SEA was necessary.

APPENDIX 2 – MAPS & ILLUSTRATIVE PLANS

Fig. 1 Extract of the Solihull UDP Review 2001-2011 showing the site

Fig. 2 OS extract showing the extent of the area covered by the brief

Fig. 3 Aerial photograph of the site and surroundings

Fig 4 Lovejoy - Site Analysis

Fig 5 Lovejoy - Building Form Heights

Fig 6 Lovejoy - Visual Analysis

Fig 7 Lovejoy - Development Principles

STATUS OF THE BRIEF

This brief has not been prepared to supplement either policies in the adopted or emerging Unitary Development Plan (UDP) and therefore it cannot be treated as a formal Supplementary Planning Document under the Local Development Framework system introduced by the Planning and Compulsory Purchase Act 2004.

The brief will therefore act as a non-statutory guide and will be a useful tool for informing pre-application discussions, guiding potential development of the site and will be a material consideration in assessing subsequent planning applications.

All details contained within the brief are to the Council's knowledge correct at the time of drafting. Views expressed by the Council through this brief represent current policy and may be subject to change.

SOURCES OF FURTHER INFORMATION:

- National Planning Policy and Guidance - www.odpm.gov.uk
- Regional Spatial Strategy – www.go-wm.gov.uk
- Solihull UDP – www.solihull.gov.uk
- Solihull UDP First Review 2001-2011 – www.solihull.gov.uk
- Urban Capacity Study (October 2001)
- Employment Land Study (March 2004)
- Affordable Housing SPG (May 2003) – www.solihull.gov.uk
- New Housing in Context SPG (November 2003) – www.solihull.gov.uk
- SMBC's Public Art Policy
- Solihull Community Strategy (2003-2013) – www.solihull.gov.uk
- SMBC's Economic Development Strategy (2003-2006) – www.solihull.gov.uk
- ASDA appeal decision (APP/Q4625/A/97/281467/P5)
- Inspector's Report into Objections to the Solihull UDP First review 2001-2011 – www.solihull.gov.uk