

PB/JOW/CIR.K.0168

11<sup>th</sup> January 2017

Planning and Regeneration  
Birmingham City Council  
PO Box 28  
Birmingham  
B1 1TU

FAO: Mohammed Akram

Planning Portal ref: PP-05695241

Dear Sirs

**Town and Country Planning Act 1990  
Minor-material amendments to Planning Permission ref: 2015/09679/PA for  
demolition of existing buildings and erection of a renewable energy centre  
(gasification plant) and new industrial/warehouse buildings with ancillary  
plant/buildings/chimney stack together with associated works on land at  
Fort Industrial Park, Dunlop Way, Castle Bromwich, Birmingham, B35 7RB**

Please find attached an application, submitted by Rolton Kilbride on behalf of Industrial Property Investment Fund, made under the terms of Section 73 of the Town and Country Planning Act 1990, seeking approval of minor-material amendments to the above Planning Permission by way of varying conditions.

The documents listed below are submitted via the Planning Portal and comprise this application:

- Application Form and Certificates, duly completed;
- CIL Planning Application Additional Information Requirement Form, duly completed;
- Environmental Statement Addendum;
- Planning Statement Addendum;

- The following plans and drawings:

*Title:*

Proposed Layout  
Proposed Roof Plan  
Proposed Elevations  
Proposed Vehicle Tracking Layout

*Reference:*

K.0168\_06-1 Rev V  
K.0168\_06-2 Rev V  
K.0168\_05 Rev J  
11-0336/INF/80 rev P1

One copy of the application documents, with the exception of the Environmental Statement Addendum of which two copies are provided, and a cheque for £195 to cover the application fee will be sent under a separate cover. This number of application document copies has been agreed in discussion with Mohammed Akram.

Page | 1

**PLANNING | DESIGN | ENVIRONMENT | ECONOMICS**

Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT  
T 01285 641717 F 01285 642348 [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk)

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | London | Manchester

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales  
Registered Office: Pegasus House, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT

The amendments to Planning Permission ref: 2015/09679/PA can be summarised as:

- An increase in height of part of the rear roof of the building from 23m to 29m, to allow the internal plant to be configured vertically as opposed to horizontally;
- A change to the configuration of the building involving the relocation of the delivery hall;
- Minor changes to the location of some of the external ancillary plant; and
- Excavating the section of the building where the gasifier is located by 8m, required to ensure the roof height is kept as low as possible, (the same depth as already approved for the waste bunker on the original plans).

Further detail and explanation of the proposed amendments are set out in the accompanying Planning Statement Addendum.

Advice received from Birmingham City Council officers at a meeting held on 11<sup>th</sup> October 2016 and in subsequent correspondence is that the revisions to the scheme represent minor-material amendments to the Planning Permission and, as such, this Section 73 Application to vary conditions is the appropriate method for these amendments to be considered and determined. The Council has also advised that the assessment of certain environmental information would require updating as a result of the proposed amendments, in respect of townscape and visual amenity, air quality and noise effects. The updated assessments of these matters are contained in the Supplementary Environmental Information to the Environmental Statement.

Accordingly, this application seeks the variation of Conditions nos.1 and 25 of the Planning Permission.

- Condition 1 requires the 'scheme to be in accordance with the environmental statement';
- Condition 25 requires the 'scheme to be in accordance with the listed approved plans'.

Note that there is no requirement to amend any other conditions listed in the Decision Notice for this permission. The Applicant will continue to comply with all requirements and commitments contained within them, including to provide further information to the Local Planning Authority for approval where this is required, including condition no.32 which requires prior submission and review compliance of R1 Status from the Environment Agency. It is therefore expected that, in the event that planning permission is granted for this Section 73 Application, the remaining 31no. conditions will be re-imposed on the new Decision Notice.

I trust that the above provides the Local Planning Authority with sufficient information to register this application and for progression towards determination. However, should you require anything further please contact me at the above address.

Yours faithfully

P.P. 

**Paul Burrell**  
**Executive Director**  
Email: [paul.burrell@pegasuspg.co.uk](mailto:paul.burrell@pegasuspg.co.uk)

Encs.